

Where to next?

Development of a Risk-Based Framework for the WCPFC Compliance Monitoring Scheme

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¹ minor amendment to both spreadsheet and Discussion Document # 5 to correct the total number of obligations from 219 to 225

Objective

The objective of a risk-based assessment framework (RBAF) for the Compliance Monitoring Scheme (CMS) is:

- to **assist** CCMs to **prioritise obligations** for inclusion in the annual CMS based on the risk of non-compliance of achieving CMM objectives.

Recent Developments

During the 2nd half of 2021, WCPFC members had several opportunities to engage on the development of a Risk-Based Assessment Framework (RBAF) for the WCPFC's Compliance Monitoring Scheme (CMS). This included inter-sessional consultations by email, a dedicated workshop on 10 November 2021, and discussions on the possibility of "test-driving" the RBAF to select the priority list of obligations during WCPFC 18, particularly within the small working group on the List of Obligations.

If you are not familiar with the background to the RBAF work, it is recommended that you read the update paper to WCPFC18 – see also other documents listed in "References" at the end of this paper. [Compliance Monitoring Scheme: Risk-Based Assessment Framework - revision 2 | WCPFC Meetings](#)

The Spreadsheet

An important part of the RBAF process has been the development of a spreadsheet which sets out a *comprehensive* list of obligations for CCMs drawn from current Conservation and Management Measures and the Convention.

The spreadsheet used information from the WCPFC Secretariat. It sets out 225 obligations and 18 Convention obligations.

The spreadsheet also sets out compliance history (*when* obligations have been assessed and *what* was the overall compliance history result).

Some obligations require further consideration; some obligations have no compliance history

It is recognised, however, that not all of these 225 obligations and 18 Convention obligations may be relevant to the RBAF and the CMS. The CMS should cover those obligations which *legally bind* a CCM to carry out a certain action. The CMS provides a process to assess how CCMs have carried out these certain actions to fulfil the obligation. The Audit Points work will be important to this determination.

The following are some comments relating to some of the obligations in the spreadsheet:

- **18 Convention Obligations:** The Convention is legally binding. But, for the most part, the 18 Convention obligations have already been incorporated as specific

requirements into relevant CMMs so there may be no need to consider them in the RBAF and CMS process. Ten of these Convention obligations have some compliance history – but none of them have been assessed since 2016.

- **Comment:** Audit Point work should provide guidance on whether the 18 Convention obligations should be assessed in the CMS context.
- **27 obligations for “further consideration” (FFA):** The FFA have highlighted 27 obligations “for further consideration”. These obligations “for further consideration” have been set out in a separate tab of the spreadsheet. Apart from the assessment of 2018-05:08 (Regional Observer Programme) in 2014, the remaining 26 obligations have no compliance history. The 27 obligations “for further consideration” include:
 - CMM 2013-07: special requirements of SIDS: 6 obligations (paras 1-3, 4-5, 7, 9, 11, 18);
 - WCPFC Secretariat have commented that questions about the annual reporting required in para 19 on CCMs implementation of this CMM is included in Annual Part 2 Reports.
 - **Comment:** Audit Point work should provide guidance on how CMM 2013-07 and its obligations are assessed.
 - CMM 2017-02: port State measures: 17 obligations (paras 2 (b), 5, 6, 8, 9-10, 11-12, 13-14, 15, 16, 17, 19, 20, 21, 22, 23-24, 26, 27);
 - FFA commented that this measure is voluntary as port CCMs are “encouraged” to designate ports for inspection (para 6).
 - **Comment:** Nonetheless, there are a number of requirements for those port CCMs that *do* designate ports and carry out port inspections. There are also requirements for flag CCMs (paras 5 & 15) and requirements of CCMs in respect of SIDS (paras 22, 23-24, 26 & 27). Audit Point work could provide guidance on how this CMM and its obligations should be assessed. See spreadsheet for further comments.
 - CMM 2018-05: Regional Observer Programme: 2 obligations (paras 8, 14);
 - FFA commented that, to date, non-purse seine observer coverage has been assessed under Annex C-06 and purse seine observer coverage under the tropical tuna measure.
 - **Comment:** This would make a separate assessment of para 8 redundant – this obligation has been removed.
 - FFA proposed that assessment of the requirement to nominate a National Observer Coordinator (I) and to inform WCPFC Secretariat of any changes (R) could be consolidated into one obligation for para 14.
 - **Comment:** This seems sensible: consolidated
 - CMM 2019-08/2021-04: Charter Notification Scheme: 1 obligation (para 7);
 - FFA proposed that assessment of the provision of annual reports (R & DL) on catch and effort from chartered vessels be consolidated into one obligation.
 - **Comment.** This seems sensible: consolidated.
 - CMM 2019-08: Sharks: 1 obligation (para 22)

Obligations can be organised into Limits, Implementation, Report & Deadline or thematic groups

The obligations in the spreadsheet can be organised by categories (Limit, Implementation, Report, Deadline or combinations).

Some CCMs emphasised that quantitative limits for the key tuna stocks should be included in the list of obligations each year. It was also suggested that, in addition to quantitative limits (catch, effort, capacity), spatial-temporal limits and non-retention obligations should be assessed each year.

With regard to “Implementation” obligations, the spreadsheet indicates whether reporting is “held on file” for relevant obligations². There was a generally positive response to the suggestion that implementation obligations “held on file” could be assessed in a different way (rather than included in the annual list of obligations).

The spreadsheet can also be organised according to the nine draft thematic groups proposed by the WCPFC Secretariat³. There was some interest from CCMs in exploring the possibility of using thematic groupings as an additional means to prioritise obligations for CMS assessment.

Obligations have been risk-rated by FFA and the Philippines

- **Likelihood**

Likelihood	Description
Rare	Experience indicates that non-compliance with a CMM is <i>rare</i> (<1% of non-compliance from “recent” assessments)
Unlikely	Experience indicates that non-compliance with a CMM is <i>unlikely</i> (1-5% of non-compliance from “recent” assessments)
Moderate	Experience indicates that non-compliance with a CMM is <i>moderate</i> (6-20% of non-compliance from “recent” assessments)
Likely	Experience indicates that non-compliance with a CMM is <i>likely</i> (21-50% of non-compliance from “recent” assessments)
Almost certain	Experience indicates that non-compliance with a CMM is <i>almost certain</i> (51-100% of non-compliance from “recent” assessments)

- **Consequence**

Consequence	Description
Minor	The consequence of non-compliance presents a <i>minor threat</i> to the objective of the CMM
Moderate	The consequence of non-compliance <i>may undermine</i> the objective of the CMM

² See paras 31-34 of WCPFC-TCC17-2021-10 [Summary of submissions of Annual Reporting and update on initiatives to streamline annual reporting | WCPFC Meetings](#)

³ See Annex 1 in **WCPFC18-2021-08A** *Overview of Compliance Monitoring Scheme matters for TCC17*: <https://meetings.wcpfc.int/node/13751>

Major	The consequence of non-compliance <i>will probably undermine</i> the objective of the CMM
Serious	The consequence of non-compliance <i>will seriously undermine</i> the objective of the CMM

- Risk matrix

CONSEQUENCE				
LIKELIHOOD	Minor	Moderate	Major	Severe
Rare	Low	Low	Moderate	High
Unlikely	Low	Moderate	High	High
Moderate	Moderate	Moderate	High	Severe
Likely	Moderate	High	Severe	Severe
Almost Certain	High	Severe	Severe	Severe

The spreadsheet includes the risk rating (likelihood X consequence) of the obligations carried out by the 17 members of the FFA (a total of 191 obligations *excluding* 6 non-binding obligations + 27 obligations for further consideration + 18 Convention obligations). It also includes the risk rating of obligations carried out by the Philippines (a total of 243 obligations: 225 + 6 non-binding obligations + 18 Convention obligations).

- Risk ratings by FFA and Philippines

Risk	FFA	Philippines
Severe	19 (10%)	12 (5%)
High	69 (36%)	85 (35%)
Moderate	75 (39%)	128 (53%)
Low	28 (15%)	18 (7%)
TOTAL	191	243

Comment: For the purposes of demonstrating how a RBAF might be used to guide the prioritisation of obligations for the CMS, the FFA risk ratings have been used as an indicator.

Possible models to develop the list of obligations

The spreadsheet, using the risk ratings from the FFA, sets out for consideration some possible models or formulas for developing the list of obligations based on various proposals (e.g. from PNA + Tokelau, EU) discussed in 2021.

For example, “hard wiring” the quantitative limits for the main tuna species; also “hard wiring” the spatial/temporal and non-retention limits into the list each year. The remainder of the list could then be populated by a selection of obligations according to their risk ratings.

The List of Obligations to be assessed in 2022 (for the CMR in 2023)

None of these models or formulas, or the risk rating of obligations, were used at WCPFC 18 to develop the list of obligations to be assessed in 2022 (for consideration as part of the Compliance Monitoring Report covering 2021 and 2022 by TCC19 in 2023).

It was, however, useful to consider the indicative ratings proposed by FFA for each obligation as WCPFC members worked together to develop the list. The list of obligations to be reviewed in 2022 (covering 2021 activities) include 60 obligations, of which 7 were rated (by FFA) as severe risk; 26 rated as high risk; 23 rated as moderate risk; and 4 as low risk.

Risk	Obligations risk rated by FFA	List of obligations for 2022
Severe	19 (10%)	7 (12%)
High	69 (36%)	26 (43%)
Moderate	75 (39%)	23 (38%)
Low	28 (15%)	4 (7%)
TOTAL	191	60

Issues related to the RBAF

During discussions, some CCMs expressed concern about assessing “consequence”, suggesting that this is relatively subjective compared with assessing “likelihood” (based on compliance history). “Consequence” is defined as the impact of non-compliance with an obligation on meeting the objective of the relevant CMM (objectives for each CMM are included in the spreadsheet). CCMs considered that it may be difficult to achieve a WCPFC consensus on the “consequence” rating for each and every obligation.

It is a detailed and time-consuming process to risk rate each and every obligation - and a regular review of the risk ratings of obligations may be required. This may be necessary, for example, if there are changes in views on the importance of particular obligations and the risk (including likelihood and consequence) of non-compliance with particular obligations.

Some members highlighted the imbalance between the monitoring of the purse seine and longline fisheries, noting that the major difference in observer coverage for these fisheries could result in bias in the CMS process. The lack of observer data from the longline fishery makes it difficult to identify non-compliance and inform the likelihood ratings for non-compliance.

Concern was also expressed by CCMs about the potential for the RBAF to result in a shift in emphasis towards obligations relating to non-target stocks or species (given the number of obligations relating to species of special interest) rather than target stocks. It was noted that this might be reasonable given that the target stocks are healthy and some of the non-target stocks or species are not healthy. But this would not reflect the social and economic value of the key target stocks and would represent a significant shift in prioritisation.

CCMs also reinforced points made in the Discussion Documents, that the RBAF should be a means to *guide* or *inform* the prioritisation of obligations – decisions on the list of obligations should be a separate process. CCMs emphasised that other factors need to be taken into account, including resources for managing the CMS, and the impact of lack of data etc. In other words, the list of obligations is not an automatic product from the risk rating of obligations.

Other issues and comments have been provided by members (and are outlined in Discussion Document # 3) – but the above appear to be the most fundamental for consideration in taking the RBAF forward.

The RBAF work to date has been a useful process enabling CCMs to consider related issues for the improvement of the CMS, such as “which obligations should be assessed in the CMS?”, “which obligations have assessment history?” “how do we compare the relative impact of non-compliance with different obligations?” “what kinds of obligations should be baked into the annual list?” and “what is the scope for rationalising the list of obligations and to make the CMS more efficient?”

Proposed Next Steps

In conclusion, by determining the risk of non-compliance for each obligation, the RBAF can be viewed as a **tool to inform** the development of the list of obligations for the CMS. But it is not an exact science. CCMs have stressed the need to also take into account other factors in collectively making decisions on the list of obligations for the CMS each year.

The **risk-ratings carried out by FFA members** have been used to develop the RBAF. Given the RBAF is a tool to inform the development of the list of obligations and not an exact science, CCMs may wish to accept that, by and large, the FFA risk ratings reflect a reasonable analysis of both the likelihood and consequence of non-compliance.

If there are differences of view between CCMs on the risk rating of groups of obligations (for example, how obligations in a particular thematic group have been risk-rated), then we could spend time trying to reconcile those differences.

But it is likely to take considerable time and effort to try and achieve consensus on the risk rating for each and every obligation, with potentially marginal benefit given that the RBAF is to be considered a tool – and decisions on the list of obligations must take into account other factors.

Aside from the question of accepting the FFA risk-rating of obligations, there appears to be general agreement that obligations which are assessed as severe or high risk should be assessed more frequently - and also that there should be a mix of severe, high, moderate and low risk-rated obligations included in the list of obligations.

To assist CCMs with the development of the list of obligations, a **matrix of the risk rating of obligations across thematic groups** has been set out in the table below. This enables CCMs to consider the relative importance of broad thematic areas for compliance assessment

priority – whilst recognising that there are significant variations in the compliance risk for specific obligations within each thematic group.

During the work to develop a RBAF, there has been some consideration of other related issues. This includes:

- the possibility of a multi-year schedule (informed by the risk-rating of obligations) to ensure regular assessment of most obligations;
- other ways to rationalise the number of obligations (e.g. combining, where appropriate, “report” and “deadline” obligations);
- dealing with “implementation” obligations “held on file” differently and separately from the CMS list of obligations.

Questions for Discussion about Table 1:

- Are you comfortable with the description of severe, high, moderate and low risk-ratings at the bottom of the table? Please provide any drafting suggestions to improve the description of these ratings.
- Are you broadly comfortable with the obligations which have been risk-rated as severe, high, moderate or low? Please advise of any suggestions for different ratings and provide rationale for this.
- Do you support the use of the revised thematic groups and the descriptions for each thematic group? Please provide any drafting suggestions to improve the description of the thematic groups.
- Is this matrix of thematic groups and risk-rated obligations a helpful way to inform the selection of obligations for the annual list?
- Do you have any suggestions for its improvement?
- In addition to the table, do you have views on other steps to ensure that the RBAF is a useful tool to inform the development of the list of obligations?

Table 1: Risk rating of obligations across thematic groups matrix

Total: 191 obligations Note: 23 obligations require further consideration + 1 new PBF obligation	SEVERE (19)	HIGH (69)	MODERATE (75)	LOW (28)
<p>Quantitative limits and reporting related to managing catch of main tuna species:</p> <p>SP albacore, NP albacore, tropical tuna: catch/effort/capacity limits, incl FAD controls and closures. (28 obligations)</p> <p><i>Failure to comply with the obligations in this group can have a significant impact on the long-term conservation and sustainable use of the key four tuna species amongst the highly migratory species managed by WCPFC. A significant proportion of the catch of the four main tuna species are taken in the waters of SIDS and territories. The Convention recognises the vulnerability of SIDS and territories which are</i></p>	<ol style="list-style-type: none"> 1. CMM 2021-01 24 (L): Restrict PS effort/catch within EEZ as notified in Table 1 2. CMM 2021-01 25 (L): Restrict high seas purse seine effort (20°N-20°S) - Table 2 3. CMM 2021-01 Att 2 03 (DL): PH provide 24 hours entry/6 hours exit reports for vessels in HSP1 	<ol style="list-style-type: none"> 1. CMM 2015-02 01 (L): limits no of vessels actively fishing for ALB S 20oS (2005 or 2002-2004 levels) 2. CMM 2019-03 02 (L): Not increase fishing effort for NP ALB beyond annual average 2002-04 levels 3. CMM 2021-01 14 (I): PS 3-month FAD closure (July-Sept) for PS vessels in EEZ and HS 4. CMM 2021-01 15 (I): Additional 2-month FAD closure on high seas (April-May/Nov-Dec) 5. CMM 2021-01 24 (DL): Notify PS effort/catch limit within EEZ (Table 1) by 31/12/2022 6. CMM 2021-01 37 (L): Restrict LL BET catch to limits set in Table 3 7. CMM 2021-01 38 (R): CCMs (Table 3) report monthly BET catch 8. CMM 2021-01 38 (DL): CCMs (Table 3) report 	<ol style="list-style-type: none"> 1. CMM 2015-02 04 (R): Report annually report on ALB catch and vessel numbers S 20°S 2. CMM 2019-03 03 (R): Report annually catches/effort for albacore N of the equator 3. CMM 2019-03 03 (DL): Report annually (Part 1) catches/effort for albacore N of the equator 4. CMM 2021-01 15 (DL): Notify choice of HS FAD closure (April-May/Nov-Dec) by 1 March each year 5. CMM 2021-01 17 (I): CCMs prohibit mesh and use non-entangling materials on FADs (by 1/1/2024) 6. CMM 2021-01 21 (I): PS vessels limited to 350 FADs with activated buoys 7. CMM 2021-01 40 (L): CCMs not exceed 2,000t BET limit (if less 2,000t BET catch in 2004) 	<ol style="list-style-type: none"> 1. CMM 2021-01 15 (R): Notify additional HS FAD closure (April-May/Nov-Dec) by 1 March each year 2. CMM 2021-01 26 (I): CCMs should not transfer PS HS effort to areas outside of 20oS 3. CMM 2021-01 29 (I): PS vessels in EEZs and HS should retain all BET/SKJ/YFT catch 4. CMM 2021-01 Att 2 08 (I): PH to monitor all port landings by vessels from HSP1

<p><i>dependent on the exploitation of marine living resources. Currently, none of the four main tuna species are overfished or subject to overfishing. There are instances of exceeding relevant limits contained in CMMs. Given the fundamental importance of these obligations to the objective of the Convention, this thematic group should be prioritised.</i></p>		<p>monthly BET catch by end of next month 9. CMM 2021-01 Att 2 03 (R): PH provide entry/exit reports for vessels in HSP1</p>	<p>8. CMM 2021-01 42 (L): CCMs not increase no of PS vessels > 24m capacity limits 9. CMM 2021-01 44 (L): CCMs not increase no of LL freezer vessels targeting BET 10. CMM 2021-01 45 (L): CCMs not increase no of LL ice-chilled vessels targeting BET 11. CMM 2021-01 47 (L): Other commercial fisheries not exceed ave 2001-2004/2004 catch 12. CMM 2021-01 Att2 04 (R): PH to ensure its vessels report sightings of vessels in HSP1</p>	
<p>Quantitative limits and reporting related to managing catch of other tuna and billfish:</p> <p>Pacific bluefin, striped marlin in SW Pacific, swordfish, NP striped marlin: catch and effort limits. (20 obligations)</p> <p><i>Failure to comply with the obligations in this group can have a significant impact on the long-term conservation and</i></p>		<p>10. CMM 2006-04 01 (L): Limit number of vessels fishing for STM S 15oS to any one year in 2000-2004 11. CMM 2009-03 01 (L): Limit vessels fishing for SWO S 20oS to # in any one year between 2000-2005 12. CMM 2009-03 02 (L): Limit catch of SWO S 20oS to amount in any one year between 2000-2006 13. CMM 2009-03 03 (L): No shift in effort N 20oS as a result of SWO CMM</p>	<p>13. CMM 2006-04 04 (R): Report on implementation of 01 (no of vessels, catch, bycatch for STM S15°S) 14. CMM 2009-03 08 (R): Report annually on total catch and effort for SWO S 20°S 15. CMM 2009-03 08 (DL): Report annually (Part 1) on total catch and effort for SWO S 20°S 16. CMM 2010 - 01 08 (DL): Report annually (Part 1) on</p>	<p>5. CMM 2010-01 08 (R): Report annually on implementation of catch limit for NP striped marlin</p>

<p><i>sustainable use of other highly migratory species managed by WCPFC. Currently, Pacific bluefin is subject to a rebuilding programme with spawning biomass at 4.5%; NP striped marlin is considered overfished and subject to overfishing; and there are concerns about the projections for swordfish. Given the fundamental importance of these obligations to the objective of the Convention, particularly in view of the status of the stocks, this thematic group should be prioritised.</i></p>		<p>14. CMM 2010-01 05 (L): Limit catch of NP striped marlin to specified levels 15. CMM 2021-02 02 (L): Limit effort for Pacific bluefin N 20oN < 2002-04 average levels 16. CMM 2021-02 03 (L): JP, RoK, CT reduce catch of <30kg and >30 kg Pacific bluefin as set out in table 17. CMM 2021-02 09 (I): CCMs intensify cooperation, incl to reduce juvenile Pacific bluefin catch 18. CMM 2021-02 10 (I): CCMs to monitor juvenile Pacific bluefin recruitment 19. CMM 2021-02 11 (I): CCMs prevent commercial transactions of PBF which undermine CMM 20. CMM 2021-02 13 (I): CCMs strengthen monitoring and data for Pacific bluefin 21. CMM 2021-02 14 (DL): Report annually (31 July) on implementation of Pacific bluefin CMM</p>	<p>total catch and effort for SWO S 20°S 17. CMM 2021-02 08 (R): Report annually Pacific bluefin effort and catch <>30kg (3 years) 18. CMM 2021-02 08 (DL): Report annually (31 July) Pacific bluefin effort and catch <>30kg (3 years) 19. CMM 2021-02 14 (R): Report annually on implementation of Pacific bluefin CMM (2,3,4,7,8,10,11,13,16)</p>	
<p>Annual Fishing Activities: HSBI, data buoys, transshipment, vessels without nationality, daily catch and effort reporting, EHSP, Chartering, IUU Vessel List, TT reporting, sci-data. (37 obligations)</p>	<p>4. CMM 2009-06 11 (R): Report annually on all transshipment activities. 5. CMM 2009-06 35 (a) (iii) (R): HS Transshipment</p>	<p>22. CMM 2009 -06 34 (L): Ban on HS transshipment unless authorised 23. CMM 2009 -06 35 (a) (ii) (R): Notification to Secretariat of vessels</p>	<p>20. CMM 2006-08 41 (I): CCMs to report annually on actions taken in response to HSBI 21. CMM 2006-08 41 (DL): CCMs to report annually</p>	<p>6. CMM 2009-09 05 (R): Report any sightings of vessels w/o nationality on high seas</p>

<p><i>This thematic group includes important obligations for CCMs relating to the operations of their flagged vessels. It emphasises obligations relating to the transparency of vessel operations, such as catch and effort reporting, transshipment reporting, chartering notifications. Non-compliance with these obligations can have major consequences. The main compliance concerns have related to transshipment and chartering notifications.</i></p>	<p>advance notification to WCPFC ED.</p> <p>6. CMM 2009-06 35 (a) (iii) (DL): HS Transshipment advance notification to WCPFC ED at least 36 hours prior.</p> <p>7. CMM 2009-06 35 (a) (iv) (R): Declaration to WCPFC ED after transshipment</p> <p>8. CMM 2021-04 02 (DL): Notify charter arrangements to ED within 15 days/72 hours of fishing.</p>	<p>authorised to tranship on HS</p> <p>24. CMM 2009 - 06 35 (a) (iv) (DL): Declaration to WCPFC ED after transshipment within 15 days</p> <p>25. CMM 2013-05 01 (R): Each CCM ensure all flagged vessels maintains high seas daily log</p> <p>26. CMM 2013-05 02 (R): Information required in high seas daily log reporting</p> <p>27. CMM 2013-05 03 (I): Each CCM receives copy of log within 15 days of trip or t/s</p> <p>28. CMM 2013-05 04 (I): Require each flagged vessel to keep current trip information</p> <p>29. CMM 2019-07 22 (I): CCMs take measures to not support vessels on IUU list</p> <p>30. SciData03 (R): Annual Operational Level Catch and Effort Data</p> <p>31. SciData03 (DL): Annual Operational Level Catch and Effort Data due on 30 April</p> <p>32. SciData05 (R): Annual Size Composition Data</p> <p>33. SciData05 (DL): Annual Size Composition Data due on 30 April</p>	<p>(Part 2) on actions taken in response to HSBI</p> <p>22. CMM 2009-05 01 (I): Prohibit fishing & interacting within 1nm of data buoys in high seas</p> <p>23. CMM 2009-05 03 (I): Prohibit taking a data buoy on board without authorisation</p> <p>24. CMM 2009-05 05 (I): Remove entangled fishing gear from data buoy</p> <p>25. CMM 2009-06-11 (DL): Report annually (Part 1) on all transshipment activities</p> <p>26. CMM 2009 -06 29 (L): Limit on PS transshipment outside of port</p> <p>27. CMM 2009 -06 35 (a) (v) (R): Submit plan to WCPFC to encourage future transshipment in port</p> <p>28. CMM 2016 -02 06 (L): Prohibition of transshipment in the Eastern High Seas Pocket</p> <p>29. CMM 2021-04 03 (DL): Notify changed charter arrangements to ED within 15 days/72 hours of fishing</p> <p>30. CMM 2021-01 48 (R): CCMs provide catch and effort data for EEZs and HS (S 20oN)</p>	<p>7. CMM 2021-04 02 (R): Notify charter arrangements to ED</p> <p>8. CMM 2021-04 03 (R): Notify changed charter arrangements to ED</p> <p>9. CMM 2021-04 07 (R/DL): Report annually to ED catch and effort for chartered vessels</p> <p>10. SciData01 (DL): Annual Catch Estimates due on 30 April</p> <p>11. SciData02 (DL): Annual no of Active Vessels due on 30 April</p>
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			<p>31. CMM 2021-01 50 (R): CCMs provide 1x1 data for vessels fishing EEZs and HS N 20oN</p> <p>32. SciData01 (R): Annual Catch Estimates</p> <p>33. SciData02 (R): Annual no of Active Vessels</p>	
<p>Inspection Activity</p> <p>HSBI, VMS, PSM, Protection of observers (SAR) (10 obligations)</p> <p><i>This thematic group includes obligations for CCMs in relation to the independent inspection of flagged vessels, e.g. through HSBI, monitoring by VMS or port inspections. Non-compliance impedes the ability to monitor vessels, however, there has been only minor non-compliance recorded in this area.</i></p>	<p>9. CMM 2017-03 12 (I): Obligation to cooperate in SAR operations involving observers.</p>	<p>34. CMM 2006-08 33 & 36 (DL): CCM authorities respond to serious violation as in para 33 within 3 days</p>	<p>34. CMM 2006-08 30 (I): Inspectors to complete report on HSBI activity</p> <p>35. CMM 2006-08 30 (DL): Transmit a copy of the report to CCM authorities within 3 days of HSBI</p> <p>36. CMM 2006-08 32 (I): Inspectors to notify CCM authorities in event of serious violation</p> <p>37. CMM 2006-08 33 & 36 (I): Receipt of notification of serious violation and response by CCM authorities</p> <p>38. CMM 2006-08 40 (I): CPs to report annually on HSBI activities</p> <p>39. CMM 2006-08 40 (DL): CPs to report annually on HSBI activities</p>	<p>12. SSPs 7.2.4 (I): Provide a list of ALC inspections by flag and vessel type</p> <p>13. SSPs 7.2.5 (I/R): Report within 5 days any ALC etc non-compliant with CMM 2014-02</p>
<p>Observer related</p> <p>T/S observers, Observers N 20 N, protection of observers, ROP, TT observers (20 obligations)</p>	<p>10. CMM 2012-03 02 (I): 5% observer coverage for fresh fish vessel N 20oN</p> <p>11. CMM 2017-03 03-06 (I): Requirements if observer</p>	<p>35. CMM 2009-06 13 (I): Requirement for ROP observer for at sea transhipments</p> <p>36. CMM 2017-03 10 (I): Flag CCM requirement to</p>	<p>40. CMM 2017-03 09 (I): Port CCMs to facilitate entry for disembarkation of ROP observer</p> <p>41. CMM 2018-05 09 (I): CCMs source observers for their</p>	<p>14. CMM 2018-05 14 (I/R): CCMs nominate National Observer Coordinator/inform W.Sec of changes</p>

<p><i>This thematic group includes obligations for CCMs in relation to support for the role of observers on vessels and their protection. Observers play a significant role in the independent verification of compliance. Non-compliance with obligations relating to the protection of observers can have significant, including fatal, consequences for human life. There have been a number of incidents involving injury or death of observers. In other respects, there has been only minor non-compliance recorded in this area.</i></p>	<p>dies, is missing, presumed overboard, or ill/injured.</p> <p>12. CMM 2017-03 07-08 (I): Requirements if observer assaulted, intimidated, threatened, harassed etc</p> <p>13. CMM 2018 -05 15 (g) (I): Ensure vessel operators comply with Guidelines for vessels/crew (Annex B)</p> <p>14. CMM 2018 -05 Annex C 06 (I): Minimum 5% coverage for non-PS fisheries</p> <p>15. CMM 2021-01 33 (I): 100% PS observer coverage (national only) (20°N-20°S)</p>	<p>investigate possible observer assault etc</p> <p>37. CMM 2017-03 11 (I): Observer CCMs to cooperate with investigations into observer death/incidents</p> <p>38. CMM 2018-05 07 (I): CCMs shall ensure fishing vessels accept observer from ROP</p> <p>39. CMM 2018 -05 10 (I): CCMs explain observer duties relevant to WCPFC CMMs to vessel captain</p> <p>40. CMM 2018 -05 11 (I): Cooperate with Art 23 & 25 investigations, incl in relation to observer reports</p> <p>41. CMM 2018 -05 Annex C 06 (DL): Minimum 5% coverage for non-PS fisheries no later than 30 June 2012</p> <p>42. CMM 2021-01 32 (I): 100% PS observer coverage (HS, HS+1+EEZs, or 2+EEZs)</p>	<p>vessels as determined by WCPFC</p> <p>42. CMM 2018 -05 Annex C 04 (I): Sub-regional/national programmes part of ROP and Commission data</p> <p>43. CMM 2021-01 Att 2 05- 06 (I): PH to have 100% observer coverage for vessels in HSP1</p>	<p>15. CMM 2018 -05 Annex C 08 (I): Meet additional ROP observer obligations in WCPFC CMMs</p>
<p>Operational Requirements for Fishing Vessels</p>		<p>43. CMM 2004-03 02 (I): Ensure vessels have vessel markings and WIN identifier as specified</p>	<p>44. CMM 2014-03-02 (I): Submit complete vessel record data to the WCPFC Secretariat</p>	<p>16. SSPs 5.4-5.5 (R): ??</p> <p>17. SSPs 5.4-5.5 (DL): ??</p> <p>18. SSPs 7.2.2 (I): Periodic audits of ALC/MTU on vessels and report annually</p>

<p>WIN, HSBI, VMS, RFV, PSM, TT (VMS during FAD closure) (23 obligations)</p> <p><i>This thematic group includes obligations for CCMs to ensure that their flagged vessels are appropriately identified, authorised to fish, and use VMS appropriately to demonstrate where they are fishing. These are fundamental requirements to ensure legal fishing, particularly in relation to CCM authorisation of vessels to fish, but there has been only minor non-compliance recorded in this thematic group.</i></p>		<p>44. CMM 2004-03 03 (I): Ensure WIN for each vessel is entered into RFV</p> <p>45. CMM 2006-08 07 (I): Ensure vessels accept boarding and inspection.</p> <p>46. CMM 2014-02 04 (I): Vessels N 20oN & W 170oE to keep ALC activated and reporting to WCPFC</p> <p>47. CMM 2014-02 09a (I): Vessel to comply with WCPFC VMS and ALC/MTU requirements</p> <p>48. SSPs 2.8 (I): Vessels provide ALC/MTU VTAF data to WCPFC</p> <p>49. CMM 2018-06 02 (I): Ensure vessels only tranship/bunker/support from authorised vessels</p> <p>50. CMM 2018-06 03 (I): Prohibit fishing beyond national jurisdiction without CCM authorisation</p> <p>51. CMM 2018-06 04 (I): CCM authorisation sets out permissions for vessels beyond national jurisdiction</p> <p>52. CMM 2018-06 07 (DL): Notify changes to CCM's authorised vessels within 15 days/72 hours of fishing</p> <p>53. CMM 2018-06 07 (I): Notify changes to CCM's</p>		<p>19. SSPs 7.2.2 (R): Periodic audits of ALC/MTU on vessels and report annually</p> <p>20. SSPs 7.2.2 (DL): Periodic audits of ALC/MTU on vessels and report annually (Part 2)</p> <p>21. CMM 2018-06 09 (R): Annually provide 'Fished'/'Did not fish' list to WCPFC ED for RFV vessels</p> <p>22. CMM 2018-06 09 (DL): Annually (1 July) provide 'Fished'/'Did not fish' list to WCPFC ED for RFV vessels</p> <p>23. CMM 2018-06 11 (R): WCPFC take a/c of extraordinary circumstances if vessel has no IMO/LR no.</p> <p>24. CMM 2021-01 31 (I): PS vessels not use manual VMS reporting during FAD closures</p>
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		<p>authorised vessels within 15 days/72 hours of fishing</p> <p>54. CMM 2018-06 17 (I): Ensure authorised vessels on RFV/prohibit activities by non-authorised vessels</p> <p>55. CMM 2018-06 18 (I): Prohibit landing/transshipment by vessels not on RFV</p>		
<p>Impacts of fishing on species of special interest</p> <p>Driftnets, seabirds, sea turtles, cetaceans, sharks, mobulids, TT (FAD non-entangling), marine pollution. (49 obligations)</p> <p><i>This is the largest thematic group of obligations. It covers the protection of vulnerable species such as seabirds, sea turtles, sharks, cetaceans, and mobulids from the impact of fishing. It includes regulation of certain gear that impacts vulnerable species. This group reflects the Convention's recognition of the need to avoid adverse impacts on the marine environment,</i></p>	<p>16. CMM 2017-04 02 (I): No discharge of plastics (except fishing gear)</p> <p>17. CMM 2019-04 20 (2) (I): Requirement to release oceanic whitetip & silky sharks asap</p> <p>18. CMM 2019-04 21 (1-7) (I): Prohibit PS setting on whale sharks, retaining/transshipping/landing of whale sharks</p>	<p>56. CMM 2017-04 08 (I): CCMs shall cooperate to support SIDS+T port facilities for waste disposal</p> <p>57. CMM 2018-03 01 (I): Use of seabird bycatch mitigation measures S 30oS</p> <p>58. CMM 2018-03 02 (I): Use of seabird bycatch mitigation measures 25-30oS</p> <p>59. CMM 2018-03 06 (I): Use of seabird bycatch mitigation measures N 23o N</p> <p>60. CMM 2018 -04 06 (I): Ensure LL vessels carry/use gear for safe handling & release of sea turtles</p> <p>61. CMM 2018 -04 07a (I): Ensure LL vessels mitigate capture of sea turtles (circle hooks, finfish bait)</p> <p>62. CMM 2019-04 07-9 + 10 (I/R/DL): Retained sharks</p>	<p>45. CMM 2008-04 02 (I): CCMs take measures to prohibit use of driftnets by their vessels</p> <p>46. CMM 2008-04 05 (R): Report annually on MCS actions in relation to driftnets</p> <p>47. CMM 2008-04 05 (DL): Report annually (Part 2) on MCS actions in relation to driftnets</p> <p>48. CMM 2011-03 01 (I): Prohibit PS vessels setting on tuna associated with a cetacean</p> <p>49. CMM 2011-03 02 (I): Ensure safe release of cetacean if encircled in PS net and report to flag State</p> <p>50. CMM 2011-03 03 (I): Follow guidelines for safe release of cetacean if encircled in PS net</p> <p>51. CMM 2011-03 05 (R): Report annually if</p>	<p>25. CMM 2018-03 08 (R): Annually report seabird mitigations on LL vessels S 25°S and N 23°N</p> <p>26. CMM 2018-03 08 (DL): Annually report (Part 2) seabird mitigations on LL vessels S 25°S and N 23°N</p> <p>27. CMM 2019-04 16 (DL): Report annually (Part 2) on management plans for LL fisheries targeting sharks</p> <p>28. CMM 2019 - 04 21 (4) (R): CCMs implement compatible measures for whale sharks in zone N30N</p>

<p><i>preserve biodiversity, maintain the integrity of marine ecosystems and minimise the risk of long-term or irreversible effects of fishing operations. It addresses the requirement of the Convention to minimise impact on associated or dependent species, in particular endangered species. Generally, compliance with these measures is at the moderate level. Non-compliance can result in direct impact on vulnerable species and cumulative impact on marine ecosystems.</i></p>		<p>fully utilised; finning prohibited - report Annually (Part 2).</p> <p>63. CMM 2019-04 12 (I): Measures to prevent retaining/transshipping/landing shark fins</p> <p>64. CMM 2019-04 13 (I): Shark carcasses/fins landed/transhipped together to ensure verification</p> <p>65. CMM 2019-04 20 (1) (I): Prohibit retaining/transshipping/storing/landing oceanic whitetip & silky sharks</p> <p>66. CMM 2019-04 Annex 2 07 (R): Report annually releases/catches/status of oceanic whitetip & silky sharks</p> <p>67. CMM 2019-04 Annex 2 09 (R): Report annually (Part 2) if whale shark encircled by PS net</p> <p>68. CMM 2019-05 03 (I): Prohibition of fishing on mobulid rays</p>	<p>cetaceans have been encircled by PS nets</p> <p>52. CMM 2011-03 05 (DL): Report annually (Part 1) if cetaceans have been encircled by PS nets</p> <p>53. CMM 2018-03 13 (R): Report annually on seabird interactions collected by observers</p> <p>54. CMM 2018-03 13 (DL): Report annually (Part 1) on seabird interactions collected by observers</p> <p>55. CMM 2018-04 02 (R): Report annually on implementation of CMM & interactions with sea turtles</p> <p>56. CMM 2018-04 02 (DL): Report annually (Part 2) on CMM & interactions with sea turtles</p> <p>57. CMM 2018-04 04 (I): Require captured turtles to be assisted and use mitigation/handling techniques</p> <p>58. CMM 2018 -04 05a (I): Ensure PS vessels avoid encircling sea turtles/ensure safe handling & release</p> <p>59. CMM 2018 -04 05c and 7e (R): LL & PS interactions with sea turtles are</p>	
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			<p>reported annually (SciData)to WCPFC</p> <p>60. CMM 2018 -04 07c (DL/R): Report annually (Part 2) on LL mitigation of sea turtle capture</p> <p>61. CMM 2019-04 05 (R): CCMs report annually (Part 2) on alternative shark measures in zone</p> <p>62. CMM 2019-04 11 (R): Report annually on shark fins attached/alternative measures</p> <p>63. CMM 2019-04 11 (DL): Report annually (Part 2) on shark fins attached/alternative measures</p> <p>64. CMM 2019-04 14-15 (I): LL vessels not use wire trace or not use branch lines to mitigate shark catch</p> <p>65. CMM 2019-04 14-15 (R): Notify by 31 March 2021: LL non-use of wire trace or branch lines to mitigate shark catch</p> <p>66. CMM 2019-04 16 (I): Report annually on management plans for LL fisheries targeting sharks</p> <p>67. CMM 2019-04 18 (I): Haul sharks alongside for species ID when not</p>	
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			<p>retained (if observer or EM)</p> <p>68. CMM 2019 -04 20 (3) (I): If oceanic whitetip & silky sharks caught, must be given to govt or discarded</p> <p>69. CMM 2019 -04 20 (4) (R): CCMs report annually (Part 2) if observers sample oceanic whitetip & silky sharks</p> <p>70. CMM 2019-04 23 (R): Report annually on implementation of shark CMM (Annex 2 template)</p> <p>71. CMM 2019-04 23 and Annex 2 (DL): Report annually (Part 2) on implementation of shark CMM (Annex 2 template)</p> <p>72. CMM 2019-04 Annex 2 07 (DL): Report annually (Part 2) releases/catches/status of oceanic whitetip & silky sharks</p> <p>73. CMM 2019-05 04-06, 08, 10 (I): Prohibit retaining/transshipping/landing of mobulid rays; safe release.</p>	
<p>Overarching Requirements</p> <p>SIDSTs, RFV, CMS (4 obligations)</p>	<p>19. CMM 2013-07 19 (R/DL): Annual report on implementation of 2013-07 (SIDS special requirements)</p>	<p>69. CMM 2021-03 45 (R): Report annually (Part 2) on actions taken on non-compliance for CMS</p>	<p>74. CMM 2018-06 16 (I): CCM review domestic measures re para 1 on RFV</p> <p>75. CMM 2021-03 17 (R): Report annually (Part 2) on</p>	

<p><i>This thematic group includes the obligation for CCMs to support the development of small island developing States and territories, including to report annually on implementation of this support. This group also includes obligations for CCMs to report on actions taken to ensure its vessels are authorised and comply with WCPFC obligations and, in the event of non-compliance, to report on action taken. These requirements are fundamental elements of CCM accountability.</i></p>			Capacity Development Plan for CMS	
	Limit: 2 Implementation: 10 Report: 3 Deadline: 3 Report/Deadline: 1	Limit: 11 Implementation: 38 Report: 10 Deadline: 9 I/Report/Deadline: 1	Limit: 7 Implementation: 27 Report: 23 Deadline: 17 Deadline/Report: 1	Limit: 0 Implementation: 7 Report: 11 Deadline: 7 Report/Deadline: 1 Implementation/Report: 2
	<i>There is a very high likelihood of non-</i>	<i>It is likely that there is non-compliance and/or</i>	<i>There is a moderate likelihood of non-</i>	<i>There is a low likelihood of non-compliance and/or</i>

	<p>compliance and/or serious impact from non-compliance with these obligations.</p> <p><i>It is assessed that there would be a severe impact from non-compliance with the limits (both high seas and EEZs) for the predominant purse seine fishery in the region. Non-compliance with observer safety requirements has implications for human life. There has been a high level of non-compliance with transshipment and charter notifications – with implications for the transparency of fishing operations. There is a pressing need to reduce marine pollution, particularly plastics, and to protect oceanic whitetip, silky and whale sharks.</i></p>	<p>non-compliance with these obligations has a major impact.</p> <p><i>These obligations include significant fishing limits for key highly migratory species, including some stocks which are considered overfished and subject to overfishing or are being rebuilt. It is assessed that there would be a major impact from non-compliance with FAD closures and other key fishing operational requirements to facilitate MCS and data collection (transshipment reporting, catch reporting, observer requirements, vessel markings and authorisation, VMS), and failure to protect seabirds, sea turtles, and sharks.</i></p>	<p>compliance and/or moderate impact from non-compliance with these obligations.</p> <p><i>These obligations are important for the effective management and MCS of the fishery. Many of the obligations relate to annual reporting requirements – they are important contributions to the management of the fishery – but have less direct impact on the status of stocks, protection of vulnerable species, human life or control of significant fishing arrangements.</i></p>	<p>minor impact from non-compliance with these obligations.</p> <p><i>These reporting, deadline and implementation obligations are generally adhered to and, if there is non-compliance, there is little direct impact on the status of stocks, vulnerable species, human life or control of significant fishing arrangements.</i></p>
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References

- Discussion Document # 4: Update to WCPFC18, 25 November 2021: [Compliance Monitoring Scheme: Risk-Based Assessment Framework - revision 2 | WCPFC Meetings](#)
 - Discussion Document # 3: Provided for the workshop on 10 November 2021: [Proposed Development of a WCPFC Risk-Based Assessment Framework for the Compliance Monitoring Scheme \(Discussion Document and supporting spreadsheet for consideration and feedback at workshop on 10 November 2021\) | WCPFC](#)
 - Discussion Document # 2: Provided for TCC, 27 September 2021: [Compliance Monitoring Scheme: Risk-Based Assessment Framework \(TCC17-202-13B rev2\) | WCPFC](#)
 - Discussion Document # 1, 15 July 2021: [Development of a WCPFC Risk-Based Assessment Framework for the Compliance Monitoring Scheme - Proposal for WCPFC members' consideration and feedback | WCPFC](#)
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