



**TO ALL COMMISSION MEMBERS, COOPERATING NON-MEMBERS,
PARTICIPATING TERRITORIES AND OBSERVERS**

**Circular No.: 2020/98
Date: 8 September 2020
No of pages: 11**

Acting Chair's Summary and Outcomes of the TCC HOD Meeting on 5 September 2020

Dear Colleagues:

I want to thank you for the time that you took to participate in the TCC HOD discussion of Saturday 5 September (Pohnpei time). Your contributions to the discussion were helpful in shaping the overall TCC agenda. Attached, you will find the Acting Chair's Summary and Outcomes, which includes a revision 1 of the TCC16 Provisional Agenda and Provisional List of Topics for the Online Discussion Forum. The agendas reflect the discussions that we had.

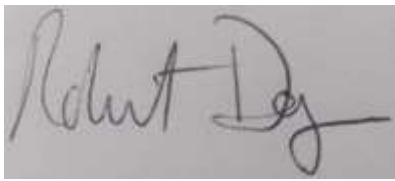
As you will note in the outcomes document, a few issues remain to be addressed. One is the extent of obligations to be considered in the draft CMR (dCMR) discussion. As noted in the meeting, I would request that you submit your thoughts to me by September 14 with copies to Compliance Manager at lara.manarangi-trott@wcpfc.int. It seemed that we were landing on omitting the deadlines except by exception. I am interested though to hear your views once you have had a chance to review the up dated list of potential compliance issues identified by the Secretariat in the full dCMR – this is being prepared and will be included in the Circular to be sent later today to confirm the full dCMR's availability for all CCMs.

Another issue that had to be addressed was the scheduled time for the meeting. As noted, a range of options were discussed and the challenges highlighted of the different meeting start times. This is not a simple issue and does affect how members, with equal standing, are able to participate in an organization where the headquarters is located in the Federated States of Micronesia (Kolonias, Pohnpei). After chairing the HOD meeting though, I realized that I would not be able to effectively support your work by chairing a meeting that would start at 2 am for me. I have reflected on the available options and will ask the Secretariat to schedule the meetings for a start time of 10 am at Kolonias, Pohnpei/FSM. I hope that the use of the online discussion forum will help alleviate the time zone challenge as this will allow members to contribute to our work during their working hours albeit with TCC itself being at a fixed time.

That being said, the online discussion forum is up and running and I encourage you to sign up for automated updates as noted by the Secretariat. I realize that we all are busy, but I would encourage you to take some time and provide your thoughts in the various online fora that are relevant to you. This will help shape and prioritize our work in the zoom plenary. The Virtual Meeting Protocols document in the Meeting Information for the TCC in your member area of the WCPFC website has information to help you use the discussion forum and a way to contact the Secretariat if you need further assistance.

I very much appreciate your ongoing commitment to ensuring that we have an effective TCC process that supports the work of the Commission in this challenging time. I wish you all the best and trust that you remain safe and well.

Yours sincerely,

A rectangular box containing a handwritten signature in black ink. The signature is written in a cursive style and appears to read "Robert Day".

Dr Robert Day
Acting TCC Chair

WCPFC Online TCC Heads of Delegation Meeting 5 September 2020 Acting Chair's Summary and Outcomes

This summary records the key guidance and outcomes that were provided by TCC Heads of Delegation (HOD) on the meeting arrangements to be used for the online TCC16 meeting to be held 23-29 September 2020.

1. Opening of Meeting

The Acting Chair on behalf of all CCMs expressed their sympathies to the former Chair of TCC for his loss and thanked him for his hard work and his contribution to TCC over the last few years.

Following discussion of the ordering of the agenda for the online TCC HOD meeting, the agenda was adopted without amendment.

2. Guidance on Meeting Format

a. Online Discussion Forum

In response to concerns from several CCMs over their not being able to access the online discussion forum that was used for SC16, the Secretariat gave a demonstration on how to access and use the online forum. Further detailed information is provided in the Virtual Meeting Protocols contained in WPCFC-TCC16-2020-protocols. An online support forum has been established at <https://wcpfc.freshdesk.com>.

The Secretariat offered their assistance to any CCM to ensure that they were able to access the online discussion forum.

It was generally accepted that the online discussion forum would be useful for exchanging information and for responding to questions, but that it was not an appropriate forum to conduct negotiations, especially on substantive issues.

b. Secure Discussion Forum

The Secretariat provided a demonstration of the secure online discussion forum. There were reservations to using this forum for discussing the dCMR, particularly in light of confidentiality concerns.

c. Plenary via Zoom

There was general agreement that in addition to plenary via Zoom and the online discussion forum, some other exchanges could be via email, such as on finalising recommendations, or potentially through small-group zoom meetings.

3. Guidance on Draft Provisional Agenda

The HOD considered the Draft Provisional Agenda contained in WCPFC-TCC16-2020-02. The Draft Provisional Agenda was revised following discussion and is contained in **WCPFC-TCC16-2020-02 Rev1**. In discussing the agenda, the TCC HOD provided guidance on their expectations as to how the various agenda items would be progressed.

Agenda item 2 (Annual Report of the Executive Director) would be considered in an online discussion forum. CCMs could raise any particular issues in plenary, otherwise the Report would be taken as read.

Agenda item 3 (IUU Vessel List) would be considered in plenary.

Agenda item 4 (CNM Requests) would be considered by a Small Working Group led by the US (Emily Crigler) to provide advice on the technical review of the applications. Initial exchange of information could take place in an online forum before being considered in plenary. The SWG Chair would consider whether technical details could be progressed via email or via a small group zoom meeting.

Agenda item 5 (Compliance Monitoring Scheme): Based on a range of views expressed by CCMs and the obligation in CMM 2019-06 to undertake a compliance review, unless the Commission takes a decision to suspend the obligation, HOD agreed that the dCMR would be considered in plenary on the basis of the potential compliance issues identified in Circular No 2020/96, as updated by the Secretariat. Consideration in TCC16 plenary would not include the Aggregate Summary Tables of cases in the online compliance case file system. Any decision to close plenary for the consideration of the dCMR would need to be taken by TCC16. There was discussion over whether the full list of (75) potential compliance issues would be considered in plenary, or whether the deadline issues would be considered by exception only, or whether the list of potential compliance issues should be reduced further. In light of the divergent views expressed, the Acting Chair considered that CCMs needed time to look through the dCMR and potential compliance issues to be provided by the Secretariat on 8 September 2020. He therefore requested CCMs to provide their views on the list of potential compliance issues to be considered in plenary by **14 September 2020**. CCMs acknowledged that the CMS Intersessional Working Group would continue to progress its work into 2021. Further discussion of working groups was considered under Agenda item 7.

Agenda item 6 (COVID-19 Intersessional Decisions): The online forum would consider WCPFC-TCC16-2020-14 as well as the FFA Operating Protocols for the Fishing Sector in the Pacific, contained in Circular 2020/97.

Agenda item 7 (Technical Matters Requiring TCC Advice): HODs discussed how the work of IWGs and TCC Working Groups would be addressed at TCC16. HODs generally agreed that discussion on the work of the IWGs would depend on whether a working group would simply report its progress, or whether there were clear and concise recommendations that could be taken up by TCC16. Some working groups could use the online discussion forum and continue their work virtually before any recommendations are considered in plenary. The Acting Chair noted the importance of having focussed discussions in plenary on these issues and suggested that it was up to a working group to decide how to organise its work.

Agenda item 8: (Special Requirements of Developing States) would be considered in plenary.

Agenda item 9: (Administrative Matters) would be considered in plenary.

Agenda item 10: (Other Matters for TCC Advice Arising from Online Discussion Forum): There were various views expressed on what issues should be considered in the online discussion forum and whether the agenda was too ambitious. Some CCMs noted the importance of being able to submit and attempt to progress proposals, while others were concerned over the degree to which substantive issues could be addressed in a limited virtual TCC16. The Acting Chair suggested that if CCMs were active on a particular online discussion topic, that would indicate interest in the issue and there would be a natural attrition of topics, meaning that they would not be addressed in plenary. In order to be successful, proposals needed to be advanced through the online forum and discussed bilaterally between CCMs, so that they were well developed in order to be considered in plenary. The HOD reviewed the draft list of topics for eTCC16 online discussion forum contained in WCPFC-TCC16-2020-ODF. There was general agreement to leave all topics on the list and to allow interest in particular topics to signal whether some issues were ready to be considered in plenary. It was recognised that the list of obligations for review by the CMS in 2021 was a task to the TCC from the Commission, and a dedicated online discussion forum topic should also be added to the list. The draft list of topics for eTCC16 online discussion forum was revised following discussion and is contained in **WCPFC-TCC16-2020-ODF_Rev1**.

4. Guidance on the Meetings Dates and Scheduling

HODs expressed divergent views on meeting dates and scheduling of TCC16. FFA Member HODs emphasised the importance of holding meetings during working hours in the western Pacific, the seat of the WCPFC Secretariat. The EU expressed concern over the proposed start time for the TCC16 plenary, the apparent lack of consideration for their position, and the lack of reciprocity in considering alternative start times. Some CCMs expressed sympathy for the EU position and alternative suggestions were made. The Acting Chair noted the extreme difficulty of chairing a meeting in the middle of the night. Given the strongly divergent views on scheduling, the Acting Chair noted the lack of consensus and indicated that he would reflect on this further.

There was general consensus that the plenary should be scheduled for 4 hours, with a 20-minute break in the middle. There was support for not holding a session on Sunday 27 September. However, different views were expressed on whether a meeting should be held on Saturday 26 September and on whether a HOD meeting should be scheduled for 22 September. The Acting Chair suggested that this would depend on whether there were substantive issues to discuss in the HOD. This and the possibility of a meeting on Saturday 26 September would be left for later consideration.

5. Other Business

RMI noted their nomination of Ms Rhea Moss-Christian to be considered as Chair of a small working group to consider the draft Compliance Monitoring Report.

6. Close of Meeting

The meeting closed at 13.51 Pohnpei time.



TECHNICAL AND COMPLIANCE COMMITTEE

Sixteenth Regular Session

Electronic Meeting 23 – 29 September 2020

PROVISIONAL AGENDA – REVISION 1

WCPFC-TCC16-2020-02_rev1¹

8 September 2020

| | <i>Online discussion forum #</i> |
|---|--|
| AGENDA ITEM 1 OPENING OF MEETING | |
| 1.1 Welcome | |
| 1.2 Adoption of agenda | |
| 1.3 Meeting arrangements | |
| AGENDA ITEM 2 ANNUAL REPORT OF THE EXECUTIVE DIRECTOR <i>Overview report of the WCPFC MCS and Compliance Programmes, will be taken as read</i> | eTCC16 A |
| AGENDA ITEM 3 IUU VESSEL LIST | |
| AGENDA ITEM 4 CNM REQUESTS | |
| 4.1 Assess applications for CNM status and provide recommendations and advice on CNM applications | eTCC16 B |
| AGENDA ITEM 5 COMPLIANCE MONITORING SCHEME | |
| 5.1 Provisional Compliance Monitoring Report and Executive Summary | eTCC16 CMR |
| 5.2 Provide advice on CMMs that need revision to improve compliance and monitoring, including those for which interpretation issues have been identified through the CMS process (TCC Workplan 2019-2021) | eTCC16 CMR |
| 5.3 Enhancing the CMS (CMM 2019-06 para 46, TCC Workplan 2019-2021) | |
| (a) Update on Streamlining of Annual Reporting | eTCC16 C1 |
| (b) Explore feasibility and costs of suggestions from CCMs to facilitate improvements to the online Compliance Case File System | eTCC16 C2 |

¹ Revised considering the TCC HOD Meeting discussions on 5th September 2020

(c) Continuation of Compliance Monitoring Scheme
Interseasonal Working Group to progress the CMS
Future Work tasks in 2021 eTCC16 C3

5.4 List of obligations to be reviewed by the CMS in 2021
(WCPFC16 Summary Report paragraph 572) eTCC16 C4

**AGENDA ITEM 6 TECHNICAL AND COMPLIANCE MATTERS
ARISING UNDER INTERSESSIONAL DECISIONS IN RESPONSE TO
COVID-19** eTCC16 D

**AGENDA ITEM 7 TECHNICAL MATTERS REQUIRING TCC
ADVICE** *will include update reports from the relevant IWG/TCC WGs*

7.1 Support efforts by CCMs and the Secretariat to continue
technical work interseasonally to optimize TCC's efficiency
evaluating CCM's Vessel Monitoring System compliance – (TCC
Workplan 2019-2021) & to address the VMS Gap and improve the
number of vessels reporting to the Commission VMS (TCC15
Summary Report paragraph 211) eTCC16 E

7.2 Develop improved mechanisms for the flow of observer
information from ROP Providers to CCMs needing such information
for their investigations (TCC Workplan 2019-2021) eTCC16 F

7.3 Continue the development of standards, specifications and
procedures for e-technologies (TCC Workplan 2019-2021) eTCC16 G

7.4 Continuation of IWG to review CMM 2009-06 (Transshipment
CMM) in 2021 eTCC16 H

**AGENDA ITEM 8 SPECIAL REQUIREMENTS OF
DEVELOPING STATES**

8.1 Monitor obligations relating to, and support building the
capacity of, SIDS and territories – (TCC Workplan 2019-
2021)

AGENDA ITEM 9 ADMINISTRATIVE MATTERS

9.1 Update of TCC Workplan eTCC16 I

9.2 Update on WCPFC IT/VMS Security Audit

9.3 Election of Officers – TCC Chair and TCC Vice-Chair

9.4 Next meeting

**AGENDA ITEM 10 OTHER MATTERS FOR TCC ADVICE
ARISING FROM THE TCC16 ONLINE DISCUSSION FORUM** eTCC16 K
*This agenda item is intended to provide a limited opportunity to consider
outcomes on other topics from the TCC16 online discussion forum.* (tbc)

AGENDA 11 CLEARANCE OF TCC16 RECOMMENDATIONS

AGENDA 12 CLOSE OF MEETING



TECHNICAL AND COMPLIANCE COMMITTEE
Sixteenth Regular Session
 Electronic Meeting 23 – 29 September 2020

PROVISIONAL LIST OF TOPICS FOR eTCC16 ONLINE DISCUSSION FORUM

WCPFC-TCC16-2020-ODF_rev1¹
8 September 2020

*** The eTCC16 will include participants having some prior initial exchanges of correspondence that will be facilitated using the new online discussion forum platform hosted through the WCPFC website TCC16 meeting page. Each online discussion forum topic will be opened for discussions as the relevant papers are posted to the TCC16 meeting website, so please keep an eye on the TCC16 meeting page for updates and/or follow the instructions in the TCC16 online meeting protocols for how to subscribe to online discussion forum email alerts. All TCC16 online discussion forum topics will be closed at 12h00 on Friday 18 September 2020 (Pohnpei time). The Acting TCC Chair or relevant IWG/SWG Chairs, with support from the Secretariat and Rapporteur, will develop a summary of discussions on each topic, and drawing from the correspondence will propose any draft outcomes for consideration by TCC during the virtual eTCC16 Meeting sessions, and best attempts will be made to circulate this to participants prior to the start of the TCC Virtual sessions. ***

*Virtual
TCC16
Agenda*

A: ANNUAL REPORT OF THE EXECUTIVE DIRECTOR -*Overview report of the WCPFC MCS and Compliance Programmes*

Supporting papers

| | |
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| WCPFC-TCC16-2020-05 | Annual Report of the Executive Director– Operational issues with WCPFC MCS and Compliance |
|----------------------------|---|

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B: CNM REQUESTS {*facilitated by SWG Chair Emily Crigler (U.S.)*}

Supporting papers

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| WCPFC-TCC16-2020-07 | Cooperating Non-Member requests for 2021 <i>Secretariat</i> |
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C: ENHANCING THE COMPLIANCE MONITORING SCHEME (CMS)

C1: Update on Streamlining of Annual Reporting

Supporting papers

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|----------------------------|--|
| WCPFC-TCC16-2020-10 | Update of streamlining of Annual Reporting <i>Secretariat</i> |
|----------------------------|--|

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¹ Revised considering the TCC HOD Meeting discussions on 5th September 2020

C2: Explore feasibility and costs of suggestions from CCMs to facilitate improvements to the online Compliance Case File System

Supporting papers

| | |
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| WCPFC-TCC16-2020-12 | Report on the Review of the online Compliance Case File System <i>Secretariat</i> |
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C3: Continuation of Compliance Monitoring Scheme Intersessional Working Group to progress the CMS Future Work tasks in 2021

Supporting papers

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| WCPFC-TCC16-2020-13 | Workplan elements for the CMS Future Work Tasks |
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C4: List of obligations to be reviewed by the CMS in 2021

Supporting papers

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| WCPFC-TCC16-2020-DP02 | List of obligations to be assessed in the Compliance Monitoring Scheme in 2021 <i>United States of America</i> |
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D: TECHNICAL AND COMPLIANCE MATTERS ARISING UNDER INTERSESSIONAL DECISIONS IN RESPONSE TO COVID-19

Supporting papers

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|---------------------|---|
| WCPFC-TCC16-2020-14 | Synthesis paper for COVID19 matters for TCC16, including the task in WCPFC Circular 2020/71 (July 23, 2020) <i>Secretariat</i> |
| Circ 2020/97 | Letter from the Pacific Islands Forum Fisheries Agency - COVID-19 Operating Protocols for the Fishing Sector in the Pacific |

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E: SUPPORT EFFORTS BY CCMS AND THE SECRETARIAT TO CONTINUE TECHNICAL WORK INTERSESSIONALLY TO OPTIMIZE TCC'S EFFICIENCY EVALUATING CCM'S VMS COMPLIANCE (TCC Workplan 2019-2021) & TO ADDRESS THE VMS GAP AND IMPROVE THE NUMBER OF VESSELS REPORTING TO THE COMMISSION VMS (TCC15 Summary Report paragraph 211) {facilitated by VMS SWG Co-Chairs – Viv Fernandes (Australia) and Terry Boone (U.S.)}

Supporting papers

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|-----------------------|---|
| WCPFC-TCC16-2020-16 | VMS SWG report |
| WCPFC-TCC16-2020-RP01 | Annual Report on the Commission VMS <i>Secretariat</i> |

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F: DEVELOP IMPROVED MECHANISMS FOR THE FLOW OF OBSERVER INFORMATION FROM ROP PROVIDERS TO CCMS NEEDING SUCH INFORMATION FOR THEIR INVESTIGATIONS

{facilitated by Chair of TCC Working Group on Observer Reports – Tom Graham (U.S.)}

Supporting papers

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| WCPFC-TCC16-2020-17 | TCC Observer WG report |
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| WCPFC- TCC16- 2020-RP02 | Annual Report on the Regional Observer Programme <i>Secretariat</i> |
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G: CONTINUE THE DEVELOPMENT OF STANDARDS, SPECIFICATIONS AND PROCEDURES FOR E-TECHNOLOGIES

{facilitated by Chair of ERandEMWG – Kerry Smith (Australia)}

Supporting papers

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|-------------------------------|---|
| WCPFC- TCC16- 2020-18 | ERandEM WG report |
| WCPFC- TCC16- 2020-RP10 | Annual report on the performance of the E-reporting Standards and their application <i>Secretariat and SPC-OFP</i> |

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H: CONTINUATION OF IWG TO REVIEW CMM 2009-06 IN 2021

{facilitated by Transshipment IWG Co-Chairs – Sam Lanwi (RMI) and Alex Kahl (U.S.)}

Supporting papers

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|-------------------------------|--|
| WCPFC- TCC16- 2020-19 | Transshipment IWG report |
| WCPFC- TCC16- 2020-RP03 | Annual Report on WCPFC transshipment reporting, with an emphasis on high seas activities <i>Secretariat</i> |

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I: UPDATE OF TCC WORKPLAN

Supporting papers

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|-----------------------------|--|
| WCPFC- TCC16-2020- 20 | TCC workplan 2019-2021 and TCC15 Summary Report Attachment D |
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J: SECRETARIAT RECOMMENDATIONS RELATED TO THE WCPFC APPROVED ALC/MTU LIST (VMS SSPs Section 2.7)

Supporting papers

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|-----------------------------|---|
| WCPFC- TCC16-2020- 15 | Recommendations related to the WCPFC approved ALC/MTU List (VMS SSPs Section 2.7) <i>Secretariat</i> |
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K: OTHER TOPICS FOR ONLINE DISCUSSION FORUM

{placeholder for consideration of other topics to be considered in online discussion forum if formally requested by a Member, eg other Secretariat papers not considered above and/or delegation papers, on the proviso that issues need that issues need effective engagement between CCMs in order to make progress}

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K1: U.S. PROPOSAL FOR HSBI PENNANT

Supporting paper

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|-------------------------------|---|
| WCPFC- TCC16- 2020-DP01 | U.S. Proposal to amend size specifications for the HSBI Pennant |
|-------------------------------|---|

Kx: OTHERS?

TCC16 PAPERS TO BE ADDED AS TOPICS IN eTCC16 ONLINE DISCUSSION FORUM BY EXCEPTION (AT THE FORMAL REQUEST OF A MEMBER)

| | |
|------|---|
| RP01 | Annual Report on the Commission VMS <i>Secretariat</i> |
| RP02 | Annual Report on the Regional Observer Programme <i>Secretariat</i> |
| RP03 | Annual Report on WCPFC transshipment reporting, with an emphasis on high seas activities <i>Secretariat</i> |
| RP04 | Annual Report on the High Seas Boarding and Inspection Scheme <i>Secretariat</i> |
| RP05 | Annual Report on the Record of Fishing Vessels (and SSPs) <i>Secretariat</i> |
| RP06 | Annual Report on the Eastern High Seas Pocket Special Management Area <i>Secretariat</i> |
| RP07 | Annual Report on Port Inspections and Implementation of Port State Minimum Standards for Port State Measures <i>Secretariat</i> |
| RP08 | Annual Report on the Administration of the WCPFC data access rules and procedures <i>Secretariat</i> |
| RP10 | Annual report on the performance of the E-reporting Standards and their application <i>Secretariat and SPC-OFP</i> |
| IP01 | Summary of submissions of Annual Report Part 1 and Part 2 <i>Secretariat</i> |
| IP02 | Scientific data available to the Western and central pacific fisheries commission (updated “data gaps paper” from SC16) <i>SPC-OFP</i> |
| IP03 | Status of Observer data management, including tables on ROP longline coverage (updated SC16 paper) <i>SPC-OFP</i> |
| IP04 | Summary of the reports received under tropical tuna CMMs from 2019 to 2020 <i>Secretariat</i> |
| IP05 | Catch and Effort tables on tropical tuna CMMs – prepared by Secretariat and SPC-OFP (updated paper from SC16) <i>Secretariat and SPC-OFP</i> |
| IP06 | Summary of reporting received by WCPFC under CMM 2010-05 and CMM 2015-02: south Pacific albacore <i>Secretariat and SPC-OFP</i> |
| IP07 | Trends in South Pacific Albacore Longline and Troll Fisheries (SC16 paper) <i>SPC-OFP and Secretariat</i> |
| IP08 | Updated information on North Pacific albacore fishing effort (NC16 paper) <i>Secretariat</i> |
| IP09 | Compiled information on Pacific bluefin tuna - fishing effort and catch (NC16 paper) <i>Secretariat</i> |
| 08A | Overview of Compliance Monitoring Scheme matters for TCC16 <i>Secretariat</i> |
| 08B | List of Capacity Assistance Requests and Capacity Development Plan <i>Secretariat</i> |
| 11 | Compiled CMM 2013-07 paragraph 19 annual reports (Annual Report Part 2) |