



**The Commission for the Conservation and Management of
Highly Migratory Fish Stocks in the Western and Central Pacific Ocean**

Seventeenth Regular Session of the Technical and Compliance Committee

**Electronic Meeting
22–28 September, 2021**

SUMMARY REPORT DRAFT

CIRCULATION FOR PARTICIPANTS COMMENTS

**(COMMENTS ARE DUE TO SECRETARIAT BY
Wednesday 17 November)**

Could you please review the text and provide your comments to the Secretariat as soon as possible and no later than **Close of Business in Pohnpei Wednesday 17 November** for incorporation in the final record. CCM and Observers are reminded that the text for the recommendations placed in the decision boxes are based on the agreed outcomes document **TCC17-2021-outcomes** dated 6 October 2021). In keeping with past practice, we ask TCC participants to comment on their own text and not that of others.

Issued: 2 November 2021

Draft TCC17 summary report_for participants comments

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AGENDA ITEM 1 — OPENING OF MEETING

1.1 Welcome

1. Mat Kertesz (Australia), Chair of the Technical and Compliance Committee (TCC), welcomed delegates and participants to the 17th meeting of the Western and Central Pacific Fisheries Commission (WCPFC) Technical and Compliance Committee (TCC17). The meeting, which was convened remotely via Zoom in response to the coronavirus disease (COVID-19) pandemic, began at 10:00 am Pohnpei time on 22 September, 2021.

2. Ms. Limanman Helgenberger (FSM) offered the opening prayer.

3. The WCPFC Chair Ms. Jung-re Riley Kim (Korea) acknowledged the Chair, the TCC Vice-Chair Ms. Emily Crigler (USA), the WCPFC Executive Director Feleti Teo, OBE and his team at the Secretariat, and in particular the Compliance Manager, Dr. Lara Manarangi-Trott and her compliance staff; and the WCPFC Legal Adviser, Dr. Penelope Ridings. She also thanked the Secretariat's IT Manager, Mr. Tim Jones, and the Administration and Finance Manager, Mr. Aaron Nighswander for their assistance with technological solutions. She noted that the second workshop on the development of the tropical tuna measure (TTMW2) was held earlier in September, and that workshop participants had identified some issues that would benefit from discussion at TCC17. She acknowledged TCC17's full agenda, but observed that TCC17's deliberations would provide useful input to the Commission's intersessional work leading up to WCPFC18. She stated that she would be following the proceedings with interest, and wished the Chair, Vice-Chair and delegates successful deliberations. The WCPFC Chair's full remarks are provided in **Attachment A**.

4. The WCPFC Executive Director joined the Commission Chair and the TCC Chair in welcoming all delegates and participants to TCC17. He also congratulated the TCC Chair and TCC Vice-Chair on assumption of their roles, and assured them of the Secretariat's full support. He noted the continuing disruptions resulting from COVID-19, while stating that the Secretariat was continuing to deliver on the key tasks required under the Compliance Monitoring Scheme (CMS), which have been documented in the various papers prepared for the meeting. He stated that the consideration of the draft Compliance Monitoring Report (dCMR) would take up much of the TCC meeting, as the CMS is at the heart of TCC's work. He expressed the Secretariat's gratitude for the cooperation and assistance of all CCMs who had assisted in the compilation of the dCMR, and for the dedicated efforts of the Compliance Manager and her team. He noted the ongoing efforts to modernize the Commission's CMS, and the associated impact on the Secretariat in terms of workload and resource implications, which the Secretariat is continuing to assess. He stated that **TCC17-2021-17** discusses the resource implications of this additional workload, subject to additional assessment by TCC and the Commission. He advised CCMs of the need to consider during TCC

discussions the impact to the Secretariat of additional work related to proposed improvements to the CMS, so that the Commission gains a clear understanding of the resource implications of implementing any reforms. He observed that the last addition to the Compliance team (the hiring of an Assistant Compliance Manager) occurred in 2013, and that since then the work of the program had increased significantly. He provided his assurance that the Secretariat fully supports proposed reforms to the CMS, while emphasizing that it is essential that TCC and the Commission are fully aware of any capacity constraints and resource needs. He closed by wishing the Chair and all TCC participants a productive and successful meeting. The Executive Director's full remarks are provided in **Attachment B**.

5. The TCC Chair noted the continuing impacts of COVID-19 and the critical importance of the region's tuna fishery, stating that the Commission's work is becoming increasingly important. He thanked all participants for their constructive engagement, and offered his thanks to the Secretariat for its outstanding support. He stated that the work and resourcing of the Secretariat and the work of TCC are vital to the function of the Commission, and urged TCC to ensure it provides needed advice to the Commission for WCPFC18. He also referenced the critical reform work being led by the TCC Vice-Chair through her work in several small working groups (SWGs).

6. The following members, cooperating non-members and participating territories (CCMs) attended TCC17: Australia, Canada, China, Cook Islands, Ecuador, El Salvador, European Union (EU), Federated States of Micronesia (FSM), Fiji, France, French Polynesia, Indonesia, Japan, Kiribati, Republic of Korea, Republic of the Marshall Islands (RMI), Nauru, New Caledonia, New Zealand, Niue, Palau, Panama, Papua New Guinea (PNG), Philippines, Samoa, Solomon Islands, Chinese Taipei, Thailand, Tokelau, Tonga, Tuvalu, United States (USA), Vanuatu and VietNam.

7. Representatives from the following regional organisations attended TCC17: the Pacific Islands Forum Fisheries Agency (FFA), the Parties to the Nauru Agreement (PNA), and the Secretariat of the Pacific Community (SPC).

8. Observers representing the following organisations also attended TCC17: Agreement for the Conservation of Albatross and Petrels (ACAP), American Tunaboat Association (ATA), Australian National Centre for Ocean Resources and Security (ANCORS), BirdLife International, Global Fishing Watch (GFW), International Environmental Law Project (now renamed Global Law Alliance), International Pole and Line Foundation (IPNLF), International Seafood Sustainability Foundation (ISSF), Korean Federation for Environmental Movement (KFEM), Marine Stewardship Council, Pew Charitable Trusts (Pew), Sustainable Fisheries Partnerships (SFP) Foundation, The Ocean Foundation, The World Bank, World Tuna Purse Seine Organisation (WTPO), and World Wide Fund for Nature (WWF).

9. A full list of participants is provided in **Attachment C**.

1.2 Adoption of agenda

10. The meeting arrangements for TCC17 were confirmed and the provisional agenda (**TCC17-2021-02**) posted on 14 July.

11. The agenda was adopted (**Attachment D**).

1.3 Meeting arrangements

12. TCC17 established three SWGs:

- CNM SWG, led by the TCC Vice-Chair;
- TCC Workplan SWG, led by the TCC Vice-Chair; and
- Risk-based assessment framework (RBAF) SWG, led by Heather Ward (New Zealand).

13. The Chair noted the WCPFC staff, consultants and SPC Oceanic Fisheries Programme (OFP) staff supporting the meeting, and outlined the meeting arrangements and indicative schedule (**WCPFC-TCC17-2021-01**).

14. Fiji, on behalf of FFA members, provided a statement that reprised their response to the TCC Chair's Circular regarding the meeting arrangements, and was also provided at TTMW2. FFA members stated that they had agreed to the evening TCC session on 27 September on an exceptional basis, given that it would be for only two hours. However, FFA members stated they would not entertain any additional evening sessions, either at TCC17 (including any working group meetings in the margins of TCC17) or at any future Commission-related meetings. They stated their view that those wanting to use Oceania's resources must be prepared to hold their discussions during daylight hours in the Pacific. FFA members emphasised that meetings outside the business hours of the Secretariat, especially late into the evening, create a range of practical difficulties and risks for FFA members in the region, including the following:

- Poor office internet connectivity generally;
- Poor and intermittent power supply (particularly outside of business hours);
- Lack of support after hours from relevant personnel/organisations (e.g., internet providers and power companies);
- Lack of internet connectivity and office space at home; and
- Safety issues for staff working after hours at the office and traveling home late in the evening.

FFA members stated that most international organisations, including many RFMOs, have adopted a policy of only meeting during the business hours of their Secretariats, and if applied universally, this policy is likely to be the fairest overall. They noted that CCMs generally support this policy at other RFMOs of which they are members, and that Pacific SIDS have already accepted this reality and regularly take part in meetings of other organisations outside of normal work hours in order to protect their interests (e.g., sessions of the Committee on Fisheries of the Food and Agriculture Organization of the United Nations, which are conducted during the night in the Pacific). FFA members stated that effective participation of Pacific Island states in the work of the Commission is essential and should not be impeded by barriers to engagement.

15. The EU stated their regret that some WCPFC members are less welcome or enjoy less rights for effective participation than others. The EU stated they have often explained the difficulties they face as a result of the online working arrangements, and stated they fully respect the challenges faced by other CCMs. They stated they try to accommodate the needs of others, and that this is the approach taken by other RFMOs during the last 18 months. They expressed their hope that WCPFC can adopt more balanced working arrangements, as it would otherwise be very difficult for the EU delegation to participate effectively.

AGENDA ITEM 2 — ANNUAL REPORT OF THE EXECUTIVE DIRECTOR

16. The Chair referenced the Executive Director’s Annual Report (**TCC17-2021-05**) posted on 19 September, which provides a consolidated overview of the key issues and challenges confronting each of the compliance tools and programmes that constitute the Commission’s integrated MCS and Compliance programme. The details of each of the compliance tools and programmes are the subject of other working papers and required reports. The Chair noted that there had been no comment on the Annual Report in the ODF.

17. Australia on behalf of FFA members thanked the Executive Director and the Secretariat for their efforts over the past year in supporting the Commission’s integrated MCS and Compliance programme. They noted the significant and ongoing impacts of COVID-19 on the Commission and commended the Secretariat’s efforts in adapting to this challenging environment. In particular, they stated their appreciation for the effort that has been invested into making the relevant data available to CCMs to support their activities, for example, the enhancements to the VMS Reporting Status Tool and increased availability of high seas transshipment reports to relevant CCMs. FFA members stated they look forward to continued progress regarding data availability to CCMs, particularly to support MCS and compliance activities. They also emphasised the need for improved monitoring of longline fisheries on the high seas including strengthening data reporting through electronic reporting (ER), and thanked those CCMs who are voluntarily doing this as reported in **TCC17-2021-RP10**. They noted the need for enhanced observer coverage in the longline fishery, including making electronic monitoring (EM) a priority, and the need for reform of the transshipment measure, and looked forward to the work of the transshipment intersessional working group (IWG) on this. They also recognized that 2021 has been a very busy year, particularly with the negotiation of the tropical tuna measure and the generation of the aggregate tables to support the CMS process, which has placed extra work not only on the Secretariat but also on CCMs, and thanked the Executive Director and the Secretariat for their work.

18. TCC17 noted the Annual Report of the Executive Director, an overview report of the MCS and Compliance Programmes (**TCC17-2021-05**).

AGENDA ITEM 3 — IUU VESSEL LIST

19. The Chair referenced **TCC17-2021-06 WCPFC IUU Vessel List**, which was posted to the TCC17 meeting page website on 14 August 2021. There were no submissions received by the Secretariat of presumed IUU vessels, and no new vessels nominated for consideration. The Chair observed that the three vessels on the list have been there for some time, and that TCC’s task, in accordance with CMM 2019-07, is to recommend any proposed changes to the current WCPFC IUU Vessel list, as appropriate.

20. The Executive Director stated that as directed by the Commission at WCPFC17, the Secretariat corresponded with CCMs, relevant RFMOs, and the flag States of vessels on the WCPFC IUU Vessel List, but received no new information; the Executive Director stated the Secretariat had no updates to the WCPFC IUU Vessel List.

21. New Zealand, on behalf of FFA members, supported the retention of the three vessels on the current WCPFC IUU Vessel list. They stated that with the exception of the prior provision by Chinese Taipei of the name of the master of the Yu Fong 168, there had been no new suitably documented information provided in accordance with CMM 2019-07. They observed that the vessels had been on the WCPFC IUU List for over 10 years, and that the issue continues to be a serious concern to FFA Members, especially as

these vessels have been listed in other RFMO Lists. They noted that the Executive Director provided a prior update (in December 2017) that Chinese Taipei had deregistered the vessel Yu Fong 168; this is the same vessel for which Chinese Taipei provided the Executive Director (in April 2020) with the name of the master of the Yu Fong 168 at the time of the offence. FFA members stated that their longstanding questions remained relevant: what further actions can the Commission take, and should these three vessels remain listed in perpetuity? FFA members recalled that WCPFC13 tasked TCC with investigating options to address the circumstances of vessels remaining on the WCPFC IUU Vessel List for several years, and reiterated the need to collectively think of innovative ways to deal with this issue, so that it does not become routine to simply roll over this IUU Vessel List each year. They proposed the following options:

- Cooperation of CCMs as per the WCPFC14 decision to seek the cooperation of Georgia and Chinese Taipei to actively find out any information about these vessels and inform the Commission, and that CCMs provide prompt advice of any information they come across about these vessels. FFA members noted that apart from the master's name for Yu Fong 168 from Chinese Taipei, no information has been forthcoming.
- Letters from the Executive Director to other RFMOs conveying this same message for cooperation to locate these vessels. FFA members noted that no information has been forthcoming.
- Inclusion of master's name and nationality in the WCPFC IUU Vessel List, so that the rogue persons involved in these cases can be tracked.

New Zealand stated that at TCC14, TCC15, and TCC16, FFA members had advised that they are broadening their approach to combating IUU fishing from being heavily vessel-focused to include greater scrutiny and profiling of persons — both individuals and companies — that are involved in IUU fishing. This work has been fully endorsed by FFA Fisheries Ministers and is underway. They stated TCC will need to consider the criteria for determining beneficial ownership, in particular for any new WCPFC IUU Vessel listings.

22. Nauru, on behalf of FFA members, stated that they would continue to call on the cooperation of all CCMs to actively work together to locate these vessels in order to stop their illegal activities. They recommended to the Commission that the Executive Director be tasked to liaise with former flag States, all CCMs, and other RFMOs, in accordance with paragraph 388 of the WCPFC17 Summary Record.

23. Vanuatu, on behalf of FFA members, stated that the Fu Lien No 1 (IMO # 7355662) appeared to be currently (or had previously) flown the flag of Panama, possibly after the vessel was listed by the WCPFC. Through the Secretariat, FFA members requested specific information from Panama on if and when the vessel Fu Lien No 1 (IMO # 7355662) was registered under Panama's registry. If so registered, FFA members stated they also sought information from Panama on the ownership of the vessel when it was registered there. In addition, they noted that the owning company of the listed vessel is the Fu Lien Fishery Co. Ltd registered in Georgia, and that the parent company was believed to be the Fu Lien Fishery Co. Ltd of Kaohsiung City, Chinese Taipei. FFA members stated they were seeking information from Chinese Taipei on:

- (i) whether the Fu Lien Fishery Co. Ltd of Georgia is/was part of the Fu Lien Fishery Co. Ltd of Kaohsiung City, Chinese Taipei?
- (ii) whether the Fu Lien Fishery Co. Ltd of Kaohsiung City, Chinese Taipei, has any interests, beneficial or otherwise, in the vessel Fu lien No 1 (IMO # 7355662)?
- (iii) whether the Fu Lien Fishery Co. Ltd of Kaohsiung City, Chinese Taipei, has any vessels on the WCPFC Record of Fishing Vessels (RFV)?

FFA members further stated that the vessel Yu Fong 168 is owned by Chang Lin Pao-Chun, 161 Sanmin Rd., Liouciuo Township, Pingtung County 929, Chinese Taipei. FFA Members stated they were seeking information from Chinese Taipei on:

- (i) whether Chang Lin Pao-Chun is a person or a company?
- (ii) whether any actions have been taken against Chang Lin Pao-Chun (registered owner) or the master of the vessel Mr Jang Faa Sheng?
- (iii) whether Chang Lin Pao-Chun has interests, beneficial or otherwise, in any other vessel on the WCPFC RFV?

24. China stated that additional information is needed. It stated that to its knowledge one of the vessels on the list was scrapped and that the company was bankrupt, noting that this raised the question of how to treat the vessel, when both it and the company no longer exist. They agreed with FFA that cooperation between CCMs was needed. China stated it was unsure regarding requests to other RFMOs for cooperation with WCPFC, as China's understanding is that only WCPFC among tuna RFMOs did not agree with cooperative listing; other tuna RFMOs already have cross listing, and the vessel is already on the lists of other tuna RFMOs based on their cross listing of WCPFC's IUU Vessel List. China stated that there was no need to burden the Secretariat with again querying other RFMOs on the issue.

25. PNG supported the statement by FFA members, and stated the need to obtain information from the originating flag state on the date of deregistration. PNG stated that TCC should consider the utility of maintaining the vessels on the WCPFC IUU Vessel List, as they had been listed for over 10 years; any vessel would have to make port calls during that time, or may have been scrapped. PNG proposed to have these vessels removed from the active WCPFC IUU Vessel List or maintained as a historical file so they can be found if still fishing, and then be addressed under national legislation.

26. The Chair stated that TCC had heard a number of fairly complex requests for additional information, and some views on the need for further work. The Chair requested that those CCMs that had addressed the issue provide their requests to CCMs in writing and to the Secretariat; he encouraged any CCMs that could provide additional information on the status of the vessels on the list to do so. He noted that TCC could again make the standing request to the Executive Director to reach out and seek more information, but observed that was likely to be of limited benefit.

27. RMI supported the approach suggested by the Chair, and supported collective efforts to resolve the issue of the IUU vessels, including addressing the issue of removing vessels from the WCPFC IUU Vessel List.

28. Chinese Taipei stated it looked forward to receiving detailed inquiries from CCMs and to responding to these. It noted that it was unaware that one vessel could have been scrapped, as indicated by China, and had not heard this from the vessel owner. China replied that its information was from industry sources, which indicated that the vessel had been scrapped or possibly sank some years ago, but stated that additional information was needed from Chinese Taipei so that this could be confirmed.

29. The Chair encouraged CCMs to continue working cooperatively to address the Commission's IUU vessel listings, noting the requests for information that had been made.

30. TCC17 recommended to WCPFC17 that the three fishing vessels **NEPTUNE, FU LIEN No.1 and YU FONG 168** on the WCPFC IUU Vessel List in 2021 remain on that list for 2022.

AGENDA ITEM 4 — CNM REQUESTS

4.1 Assess applications for CNM status and provide recommendations and advice on CNM applications

31. The Chair stated the Secretariat received eight requests for grant of CNM status in 2022. TCC's task in accordance with CMM 2019-01 was to consider the applications for CNM status for 2021, and make recommendations and technical advice to the Commission. The Chair noted that the following CNMs had registered for TCC17 (as of 20 September 2021): Ecuador, El Salvador, Panama and Thailand. **TCC17-2021-07_rev1** *CNM Requests for 2022* (posted 20 September) details the dates of receipt of each request, the status of financial contributions, and includes as attachments copies of letters and communications related to the requests. TCC17 established a CNM SWG (chaired by the TCC Vice-Chair) to develop draft recommendations and technical advice for TCC17 to consider for recommendation to the Commission.

32. Following its deliberations that were completed through via email, the Chair of the CNM SWG provided a report from the CNM SWG.

33. TCC17 reviewed the following applications for renewal of CNM status and forwards them to WCPFC18 for consideration: Curacao, Ecuador, El Salvador, Liberia, Nicaragua, Panama, Thailand, and VietNam.

34. TCC17 noted with appreciation the attendance and participation of Ecuador, El Salvador, Panama, Thailand and VietNam at this year's meeting.

35. TCC17 reminded CNM applicants of the obligations included in CMM 2019-01, particularly paragraph 11(a), which states that CNMS shall "*comply with all conservation and management measures adopted by the Commission.*" TCC17 expressed concern over repeated instances of non-compliance by some CNMs and recommended that relevant CNM applicants prioritise addressing these issues for future years.

36. TCC17 further reminded CNM applicants of the considerations specified in paragraph 3(a) of CMM 2019-01, which include "the attendance by an applicant for CNM status at the TCC meeting where its application is considered, subject to the applicant being able to attend the meeting as an observer."

37. For the eight applications for CNM renewal status, from Curacao, Ecuador, El Salvador, Liberia, Nicaragua, Panama, Thailand, and VietNam, TCC17 noted the following gaps or issues for individual applicants:

- a. **Curacao:** TCC17 noted that Curacao had not yet made a financial contribution for 2021 at the time of TCC17, and encouraged them to submit any outstanding contributions in advance of WCPFC18. TCC17 also noted that Curacao was not in attendance at TCC17, and reiterated the importance of the attendance of CNM applicants at meetings where its application is being considered, as outlined in CMM 2019-01.
- b. **Ecuador:** TCC17 noted potential compliance issues for Ecuador and encouraged them to fulfill any pending obligations in advance of WCPFC18.

- c. **El Salvador:** TCC17 noted one potential compliance issue for El Salvador.
- d. **Liberia:** TCC17 noted that Liberia had not yet submitted its full financial contribution for 2021, and encouraged them to submit any outstanding contributions in advance of WCPFC18. TCC17 also noted past compliance issues for Liberia, and requested additional information on how Liberia has sought to address the compliance issues identified in the 2020 CMR in advance of WCPFC18. TCC17 further noted that Liberia was not in attendance at TCC17, and reiterated the importance of the attendance of CNM applicants at meetings where its application is being considered, as outlined in CMM 2019-01.
- e. **Nicaragua:** TCC17 also noted past compliance issues for Nicaragua, and requested additional information on how Nicaragua has sought to address the compliance issues identified in the 2020 CMR in advance of WCPFC18. TCC17 further noted that Nicaragua was not in attendance at TCC17, and reiterated the importance of the attendance of CNM applicants at meetings where its application is being considered, as outlined in CMM 2019-01.
- f. **Panama:** TCC17 noted past compliance issues for Panama and highlighted that Panama has been encouraged to continue to make improvements to the management of its vessels, both in the WCPFC and in other RFMOs.

AGENDA ITEM 5 — COMPLIANCE MONITORING SCHEME

38. The Chair opened a discussion on the TCC17 CMR review process, as detailed in **TCC17-2021-09 Chair's Proposal for developing a provisional Compliance Monitoring Report at TCC17**. The Chair outlined the CMR review process, and highlighted new elements that would be tested at TCC17. He stated that there would be three stages to the review:

- A review of Capacity Assistance Needed statuses from previous years; two CCMs have Capacity Assistance Needed requests and capacity development plans which TCC would review.
- A review of the aggregate tables, which would be a new process.
- Review of issues arising from the dCMR, which would follow the usual process, and cover the full list of obligations covered in the dCMR, based on the agreed list from WCPFC17, which included no deadline issues. The Chair stated priority would be given to the list of 39 potential compliance issues identified by the Secretariat (in Annex A of **TCC17-2021-09**).

Draft CMR review

39. The Chair requested views regarding whether the dCMR discussions would be open to observers, noting that if closed to observers, non-public domain data would not be accessible by observers, with the exception of FFA, PNAO, and SPC (as per CMM 2019-06).

40. The EU stated it favoured holding all CMR discussions in open session for the sake of transparency. They noted that this is the default option in the Commission's rules of procedure and that they would like to maintain that. The EU also stated that some members had expressed concern over disclosure of sensitive data, and suggested that TCC seek to identify the specific data in question so that TCC could develop a way

to address the CCMs' concerns, and progress toward consideration of the CMR in open session. The EU noted that the goal of holding the CMR discussions in open session is included in the TCC workplan, which is a positive step, but that no progress was being made on the issue.

41. The USA stated its support for as much transparency as possible in the work of TCC, especially in relation to the CMS process, which is central to the work of the Commission. It acknowledged that some CCMs were not comfortable with sharing non-public domain data in open session, but stated that it is a very high priority for the USA, and a priority task for the CMS IWG. The USA noted the proposal by the EU regarding identifying particularly sensitive data, and stated that a paper submitted at WCPFC16 (**WCPFC16-2019-DP14 Draft Guidelines for participation of observers in closed meetings of the commission and its subsidiary bodies which consider the compliance monitoring report**) proposed a compromise solution that has merit, and should be reviewed. The USA stated it looked forward to working with other CCMs in the CMS IWG and developing a solution to the issue.

42. The Chair noted that there is a default position that meetings are open but there is also a requirement for consent to disclose non-public domain data.

43. The Ocean Foundation, also on behalf of the Pew Charitable Trusts, thanked the CCMs who supported an open compliance review process. They urged TCC to permit observers into the CMR discussions, stating that this was not just about giving effect to the principle of transparency as articulated in the Convention in Article 21, but in a practical sense about creating a system of responsive, effective fisheries management, one that ultimately improves outcomes on the water. They stated that observers can possess information relevant to the compliance discussions, provide assistance that could be targeted better to address gaps in implementation, and provide technical help to improve implementation, and that the very act of bringing a greater degree of openness to these discussions could improve accountability with respect to implementation of the CMS and the implementation of CMM obligations. They stated that they looked forward to discussions to resolve the issue.

44. FSM stated that the FFA members' position is that the dCMR is classified as non-public domain data, and thus that this should be a closed session.

45. RMI supported holding the dCMR review as a closed session as stated by FSM.

46. The Chair stated that, based on the lack of consensus for holding the dCMR review in open session, the discussions would be closed to observers.

Aggregate tables review

47. The Chair stated that review of the aggregate tables was not implemented by TCC16 because of the difficulties associated with the virtual meeting format. WCPFC17 tasked the TCC Chair to develop a process to give effect to para. 26 of the CMM 2019-06. Circular 2021/68 and **TCC17-2021-09** outline an approach to consider the aggregate tables in accordance with paras. 33 and 34 of the CMM. The Chair referenced the dynamic aggregate tables document prepared by the Secretariat (**TCC17-2021-dCMR02_rev1**) which is available to authorized CCM users. He noted the goal was to present the summary information in a way that is useful for CCMs and can facilitate TCC review, and identify systemic issues. The Chair reviewed the procedures that would be followed with respect to the aggregate tables review, in particular: (i) for implementation challenges (as addressed in paras. 11-17 of **TCC17-2021-09**); and (ii) for outstanding cases (as addressed in paras. 18-22 of **TCC17-2021-09**), noting the need to confirm the approach to be taken regarding Regional Observer Programme (ROP) pre-notifications, and cetacean and whale shark interactions and/or infringements. The Chair indicated that the normal procedure for TCC was to exclude outstanding cases related to ROP pre-notifications, but that the discussion at the Heads of

Delegations (HODs) meeting prior to TCC17 touched on the need to address this issue at some point and move to consideration of aggregated rather than individual cases. The Chair also stated that at HODs some CCMs had noted the lack of distinction in the Compliance Case File System (CCFS) between interactions and infringements related to cetaceans and whale sharks, and that for this reason these data should also be excluded. The Chair invited comments from CCMs on the exclusion of ROP pre-notifications and whale shark and cetacean cases.

48. The USA stated that it supported the exclusion of the ROP pre-notification issues, but that regarding cetacean and whale shark cases it saw value in considering these, in order to look more closely at what they indicate, with a view to improving the process of observer reporting and pre-notification.

49. Fiji on behalf of FFA members supported not including the information from the ROP pre-notifications or the cetacean and whale shark cases in consideration of the aggregate tables, or in the CMS process. In so doing they referenced data provided by PNG to TCC16 (as referenced in the **TCC16 Summary Report** para. 140), which indicate that all interactions, and not only infringements, are included in the dataset. They noted that **TCC17-2021-dCMR02_rev1** lists 8,759 cases in the CCFS for 2016-2021; 46% are pre-notification, and 32% of these are in the whale shark and cetacean list.

50. China raised the question of the purpose and need for the aggregate tables, and supported Fiji's intervention. China also suggested that non-intentional catch of small sea turtles should be considered in the same way as the cetacean and whale shark cases.

51. The EU agreed that ROP pre-notification and the cetacean and whale shark interactions and/or infringements are the bulk of the issues that are listed in the CCFS, and acknowledged that most may be false positives. However, the EU observed that even if a small percentage are actual positives, given the large number, there could be many alleged infringements, and these would be excluded from the CMS process if they are not considered. The EU stated that if TCC was seeking to address systemic problems it should not discard the cases just because there are a large number of them, and that while they could reluctantly agree to not consider the ROP pre-notification cases, this would mean that the value of such cases in TCC's framework would be unclear. The EU stated it was not comfortable not including whale shark and cetacean cases, as this would make it impossible to address any issues that involved intentional setting on these species.

52. Japan stated that its understanding that the exercise at TCC17 with the aggregate tables was a trial, and that the outcome would not be used in preparing the pCMR. Japan stated it could support excluding the ROP pre-notifications, but that given that this is a trial excluding the cetaceans and whale shark obligations could be confusing, and stated it would prefer to carry out the entire exercise, as a trial considering all obligations except ROP pre-notification as covered by the CCFS.

53. PNG on behalf of the PNA and Tokelau stated they did not support including cetacean and whale shark data as these include all interactions, and most are false positives. They also stated that the CCFS data were very unbalanced, given that there is 100% PS observer coverage and very low longline observer coverage. They stated they would be happy to hold discussions on how to fix this problem in the future.

54. The Chair suggested that cetacean and whale shark interactions and/or infringements and ROP pre-notification issues be excluded at TCC17, but with a clear tasking that these be addressed at TCC18.

55. The EU stated it would like to see a specific tasking for this work to be undertaken intersessionally so that there will be a resolution on these issues prior to TCC18. The EU stated that regarding the differential coverage rates between the longline and PS fisheries mentioned by PNG, these coverage rates stem from the Commission's observer requirements, and were not relevant to maintaining an exemption for whale

shark and cetacean cases. The EU stated that reviewing the whale shark and cetacean CCFS data for these interactions should be straightforward: when it is obvious it is simply an interaction, no action need be taken. If there is an infringement, then it is up to the flag State to take action. The EU stated that there was a need to make sure that flag States follow up appropriately on all of the cases.

56. The Chair stated that the central issue with ROP pre-notifications and whale shark and cetacean interactions and/or infringements (comprising observer data related to interactions that had not been through a verification process) was the need to determine whether there were actual underlying issues, and that it was clear that there is a need to determine, prior to TCC18, how to address these. The Chair contrasted this with the sea turtle issues, which are related to Article 25-2 investigations (i.e., have come via port inspection or high seas boarding and inspection), and are thus legitimate cases that have been raised, and specifically cases to which para. 34 applies (cases that have been in the case file system for over 2 years). The intention of the para. 34 process is to help the Commission understand if there are impediments to progressing these cases. The Chair stated that based on this understanding the sea turtle cases should be included to enable general issues (and not individual cases) to be addressed. The Chair further suggested that a decision be made to delink the consideration of the aggregate tables from the assessment of compliance scores for 2020, with the understanding that TCC could reconsider this decision during TCC17 if desired.

57. In the ensuing discussion the USA and EU spoke in favour of deferring a decision by TCC17 on whether to link the aggregate table analysis and the compliance score, and RMI stated that the aggregate tables should not be used in assessment of compliance scores for 2020. The Chair stated that given a lack of consensus to apply a trial process to a compliance score he proposed to delink these. In response the EU stated its understanding that the default should be what was agreed in the CMM, which in Annex 1 indicates that information from the aggregate tables can be used for attribution of compliance status, and that to divert from this would require consensus, which is the reverse of what the Chair presented.

58. The Legal Adviser noted that the need for a transparent process, which required that the decision on how to proceed be taken in open session. She also referenced the lack of clarity within the CMM, the need to ensure that a precedent is not being established, and stated that the definition of consensus is the absence of formal objection.

59. The Chair remarked on the importance of conducting a trial of the aggregate tables with support from all CCMs, while not creating a precedent. He stated that TCC17 would delink the aggregate table assessments from CCMs' compliance scores for 2020 only, and commit to progressing the issues discussed intersessionally, prior to TCC18. He stressed that the decision was being made under extraordinary circumstances, and under the assumption that CCMs would engage to fully implement the CMM in 2022.

60. The discussions related to the future dCMR and aggregate tables review process may be found under Agenda 5.3 (c) Continuation of Compliance Monitoring Scheme Intersessional Working Group to progress the CMS Future Work tasks.

61. TCC17 agreed on the proposed CMS process which was amended from that outlined in **TCC17-2021-09** as follows:

- a. for TCC17, information in the CCFS on cetaceans and whale shark (CWS) interactions was excluded from consideration of the aggregated tables.
- b. the process set out in Circular 2021/68 for consideration of the Aggregated Tables applied with respect to the effect on a CCM's compliance score for 2020.

5.1 Provisional Compliance Monitoring Report and Executive Summary

62. TCC17 committed three and a half sessions to the review of the full dCMR covering 2020 activities prepared by the Secretariat in accordance with CMM 2019-06 (Compliance Monitoring Scheme). The agreed CMS process included consideration of aggregated summaries of information drawn from the online compliance case file system as per paragraph 26(ii) of CMM 2019-06. The review continued to be held in closed session to the exclusion of observer delegations.

63. TCC17 submitted the Provisional CMR, containing its provisional compliance assessment, and recommends the report to WCPFC18 for its consideration and final assessment.

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

64. TCC17 noted for WCPFC18 that there were recommendations in the Provisional CMR relating to the revision of existing Conservation and Management Measures. TCC17 recommends that WCPFC18 consider approaches to address challenges identified for the following obligation, noting that more information related to this recommendation is contained in the Provisional CMR:

- a. CMM 2018-01 paragraph 51.

5.3 Enhancing the CMS

(a) Streamlining of Annual Reporting, specifically the trial of Annual Catch and Effort (ACE Tables)

65. The Chair referenced **TCC17-2021-10 Summary of submissions of annual reports and update on initiatives to streamline Annual Reporting**, which provides updates on two streamlining of annual reporting initiatives initially implemented in 2020: (i) the Annual Catch and Effort Estimates (ACE) Tables, which were enhanced by SPC-OFP in 2021 SPC-OFP, and that assisted the Secretariat in completing the initial dCMR work in advance of CCMs' Annual Report Part 1 submissions (due in mid-July); and (ii) the Annual Report Part 2 online system, which was made available for CCMs on 5 March, three months in advance of the agreed reporting deadline. The Chair noted that the paper also discusses the Secretariat's preliminary views on ways to enhance reporting processes to better support CMS work.

66. The EU stated that the ACE tables are very useful, while noting some minor implementation issues. Regarding the Annual Report Part 2 the EU stated that the naming of prior year obligations was somewhat confusing, and suggested a reference to implementation obligations would better reflect the content of the section; they stated they could support the earlier submission deadline for the Annual Report Part 2 of 100 days prior to TCC. Regarding streamlining, the EU stated that reporting could use the checklist in Annex 3 of the paper for questions where templates and standards are not specified, but questioned whether this would constitute a new obligation. They stated it was not clear how the use of ACE tables could help in streamlining the reporting process, and that the paper states that these tables could be updated throughout year, which raises the issue of how to ensure tables are complete when used for data provision. In response SPC stated it would discuss the specific implementation issues directly with the EU.

67. Cook Islands on behalf of FFA members acknowledged the work relating to the enhanced ACE tables and streamlining the Annual Report Part 2. They supported and encouraged continuation and enhancement of the work, and supported the suggestions in the report that could potentially be further considered by the Commission, through the work of the CMS-IWG, such as:

- (i) the Commission clarifying the intended purpose and use of certain required reports, and where needed, initiating work to develop formal templates or minimum guidelines for these required reports; and
- (ii) consider recommending that certain obligations be removed from future Annual Report Part 2 and from the complete list of obligations for potential review through the CMS.

68. Palau on behalf of the PNA and Tokelau supported the FFA statement on the value of the paper and the ongoing work by the Secretariat to streamline annual reporting. They supported the proposal in the paper that the first two suggestions in para 39 of the paper should be referred to the CMS-IWG by TCC or the Commission, as appropriate. In addition, they stated their hope that early progress will also be possible on the two other suggestions in para 39 as noted by FFA members.

69. Japan stated that streamlining of the Annual Reports is important, while noting that submission of Annual Reports is an obligation in the Convention. It stated that ACE tables can be used voluntarily, but final reports must be submitted by CCMs, and that Annual Reports are closely related to compliance issues, and each CCM has the obligation to submit the reports.

70. New Zealand stated its appreciation and support for the proposals in the paper, but noted that it struggles with the ability to source the catch data needed for some sections. It noted that earlier deadlines could force New Zealand to provide provisional catch data until final data were available; it queried why such data need to be reported in the Annual Report Part 2 when it is also reported in the Annual report Part 1 a month or so later.

71. The Compliance Manager referenced challenges with the Part 1 Annual Report format that makes it difficult to identify information related to qualitative limits (CCMs report differently, and it can be difficult to identify the relevant tables or paragraphs; some CCMs use a template that provides this specifically, and others do not). The second issue is the timing: the report comes in around mid-July, which gives about 2 weeks for analysis. The expanded ACE tables assisted the Secretariat by enabling some advance work to take place, meaning that the work undertaken in July is more of a verification exercise. She stated that the Secretariat appreciated the need to consider whether guidelines and deadlines could be adjusted, particularly in light of national capacities.

72. China supported streamlining of the Annual Reports in concept, noting that the current system is very complicated. However, China observed that its staff are now familiar with the current system; if this was to be changed in the context of streamlining, it stated there should be a trial period (possibly 1 year) so that staff could self-train to learn the new system.

73. Palau on behalf of the PNA and Tokelau stated it is clear that the Annual Report Part 1 is much less useful given that the ACE tables are available. For a small administration such as Palau, they stated that it is time to rearrange the reporting and remove the requirement for Part 1 reports. Palau noted that it was making the comment in relation to planning future work.

74. Chinese Taipei supported streamlining through the use of the ACE tables, but agreed with Japan that CCMs' reporting obligations were very important.

75. The Ocean Foundation stated that it understands the need to reduce transaction costs and streamlining annual reporting. It suggested considering ways to make data more easily available. It stated that promoting greater visibility of the data is crucial to enable CCMs and other to understand the impact of fishing in the region.

76. The Chair noted the suggestions in **TCC17-2021-10**, para 39 that point to future work for the CMS IWG.

77. TCC17 noted the positive effect of improvements made to streamline annual reporting requirements set out in **TCC17-2021-10** that were implemented in 2021 and supported their continuation.

78. TCC17 requested the Secretariat to consider suggestions raised by CCMs at TCC17 and to report back to TCC18.

(b) Update on improving the online Compliance Case File System

79. The Chair referenced **TCC17-2021-12** *Update on Progress to Implement Proposed WCPFC Online Compliance Case File System Enhancements*. He noted that a new email alert system and some other CCFS enhancements were delivered from early April 2021. Other planned enhancements could not be delivered because ongoing SharePoint development work is no longer feasible using the on-premises platform. In 2021 the Secretariat commenced a workplan of activities to support and implement redevelopment of the CCFS using the Drupal platform. The CCFS has continued to expand with additional Article 25(2) and updated ROP data covering 2017/2019 periods, enhanced by SPC's ability to reduce the backlog of data entry due to the reduced number of new observer reports being received. About 4,698 cases related to alleged infringements (excluding pre-notification issues that are not observer obstruction issues) are presently notified in the online WCPFC Compliance Case File system for 2016-2021. Each individual case has information about the alleged infringement and the status of the investigation undertaken by the flag CCM and any findings.

80. Korea stated it finds the automatic email notification system very useful. It noted that are several pending items as shown in the Appendix (Summary of Progress) to **TCC17-2021-12**, and stressed the importance of observer report tracking (Item M in the Appendix) as it is directly related to flag State investigations and compliance with CMMs. It suggested this issue be given priority, and looked forward to continued progress.

81. New Zealand on behalf of FFA members thanked the Secretariat for its work on enhancing the online CCFS, noted the progress, inquired regarding any impacts on current cases associated with the move from Sharepoint to Drupal (particularly from an end-user perspective), and further asked how any identified impacts would be remedied. They stated their understanding that the move from Sharepoint to Drupal is likely to be complete by January 2022, after which work on pending recommendations will take place. FFA members sought to better understand the timeline for work on the pending items in Appendix 1.

82. The Compliance Manager addressed the comments by Korea and New Zealand, stating that there were significant limits to what the Secretariat could do under the existing SharePoint system, especially regarding the RFV, CCFS, and Annual Reports, and Compliance Monitoring; these limitations are detailed in **TCC17-2021-12**, and have led the Secretariat to redevelop the WCPFC CCFS using the Drupal platform. The IT Manager stated that the new system would be easy to use and enable data downloads; he noted there would be no loss of data, or comments.

83. RMI on behalf of PNA and Tokelau requested that the CCFS be broken down by zones, including EEZs, which would complement the zone-based system used by the PNA and Tokelau.

84. PNG suggested that to facilitate completion of online investigation of infringement cases in a timely manner through the CCFS, vessel details should be linked to the RFV for continuous monitoring by creating an automated continuous system using permanent vessel identifiers (e.g., VID, WIN or IMO numbers) to enable tracking even following vessel name changes. PNG also noted the need for effective communication between flag State CCMs, coastal State CCMs, and observer providers, and noted that in their experience this has not always been effective, while acknowledging that the Secretariat had sought to provide assistance. PNG encouraged CCMs to cooperate through collaborative enforcement efforts. It supported revision of paras. 11 and 12 of CMM 2019-06 to enable cooperation between relevant CCMs in cases where a vessel has been reflagged, and the previous flag State CCM cannot fulfil the flag State responsibility online. PNG suggested that the WCPFC ROP verify ROP pre-notification cases in the CCFS. PNG noted the observer debriefing procedures, and encouraged the Commission to use the processes in the original observer programme. It stated that the CCFS should not be used to pre-populate notified cases that may not need to be notified in the system; rather it should be a tool to assist flag State CCMs fulfil their responsibilities, and not as a tool to assess compliance against members. PNG also advocated that TCC recommend that the Commission task the ROP to develop enhanced observer reporting on pre-notification issues, to avoid over population of the system itself; this should apply for example to cetacean and whale shark issues as well as pre-notification.

85. FSM inquired whether the new system included an option for EM data, given that most information is from observer workbooks, and supported PNG's comments to improve pre-notification.

86. The Compliance Manager stated that the Secretariat would need to have the system functioning before committing to any modifications such as those suggested by PNG. She noted the need to have the updated system in place, in order to manage requests for enhancements.

87. The Chair requested that CCMs provide any suggestions in writing so they could be captured and addressed. The Vice-Chair noted that one of PNG's suggestions regarding pre-notification was in the TCC workplan.

88. TCC17 noted the CCFS enhancements implemented in 2020 and 2021 and the delay in the delivery of further enhancements requested by CCMS which are not feasible using the existing Secretariat IT platforms.

89. TCC17 noted the workplan of activities to support and implement a redevelopment of the CCFS and provided further guidance on additional enhancements based on their experience with the current system.

90. TCC17 requested the Secretariat to consider suggestions raised by CCMs at TCC17, and tasked the Secretariat to provide an update to TCC18 on progress on the implementation of the proposed CCFS enhancements.

(c) Continuation of Compliance Monitoring Scheme Intersessional Working Group to progress the CMS Future Work tasks

91. The Chair noted two papers:

- **TCC17-2021-13A**, providing an overview of the CMS-IWG work through 2021; and
- **TCC17-2021-13B**, providing an update on progress related to the risk-based assessment framework (RBAF).

In addition, the Chair stated that **TCC17-2021-08A** overviews the Secretariat's support to CMS-IWG activities, including exploration of the use of thematic categories, and **TCC17-2021-17** provides an overview on the capacity of the Secretariat to deliver on future CMS reforms. The reforms necessarily will require enhancements to the Secretariat's IMS, which is ongoing, and require increased analytical capacity at the Secretariat in the next few years.

92. The TCC Vice Chair, Emily Crigler provided a brief update on the work of the CMS-IWG, as outlined in **TCC17-2021-13A**. At WCPFC17 the Commission prioritized four items for the CMS-IWG's consideration in 2021-2022. Three have been ongoing in 2021 (development of the RBAF, work on audit points to clarify Commission obligations assessed under the CMS, and development of a process for TCC to consider the aggregate tables alongside the dCMR), while development of guidance on the participation of observers in the CMS process will be addressed in 2022.

RBAF Update

93. Heather Ward (New Zealand), the RBAF lead, provided an update on the RBAF progress as outlined in **TCC17-2021-13B**, with an associated spreadsheet. The RBAF spreadsheet lists current obligations, relevant compliance history, provides a "likelihood" of non-compliance rating for each obligation, and provides scope for CCMs to consider "consequence" of non-compliance for each obligation – and hence an overall risk rating. She noted that 70 obligations were assessed at TCC17, and there was a need to maintain a similar level to ensure all obligations could be assessed. She sought feedback on ways to rationalize the list of obligations. She proposed to consolidate feedback and conduct a IWG meeting prior to WCPFC18 that would agree on a list of items for the Commission to consider for assessment in 2022.

94. Tuvalu on behalf of FFA members thanked those involved for progressing the work, stating that they submitted discussion papers regarding the work on both audit points and the RBAF, and proposed that any discussion at TCC17 or leading up to WCPFC18 be focused on outlining a process to progress this work through the coming year, given the busy schedule in 2021. They stated they would provide comments on the RBAF by 1 November as requested.

95. Tokelau, commenting also on behalf of the PNA, supported the statement by FFA members regarding focussing on outlining a process to progress the work through 2022, given the busy schedule in 2021. They looked forward to further development of the two initiatives, but expressed concern at the number of delays, and stated they were very disappointed that the audit point and RBAF process work had not been given more attention at TCC17, and did not see how it could be progressed such the Commission would be able to make final decisions on these matters at WCPFC18. Regarding the RBAF they stated it should be kept separate from the decision process on the list of obligations to be assessed, noting the while the RBAF is linked to decision making and will guide and assist in improving decision-making, it is not a decision framework, but an assessment framework. In particular, PNA members stated the risk-based framework should not be shaped towards any particular outcome on the list of obligations to be assessed, such as having a 3- or 4-year cycle for the list, or having all the highest risk obligations assessed annually;

those discussion should take into account issues such as the effectiveness of the CMS and the priority that it will be given by CCMs.

96. The Chair noted that some issues suggested for consideration by the CMS IWG could be broader than the current remit of the CMS IWG. The Vice-Chair noted the need to consider prioritisation and framing of any additional work tasked to the CMS IWG.

97. In response to questions from CCMs, the CMS IWG Chair (the TCC Vice-Chair) confirmed that a RBAF SWG meeting would be held intersessionally, possibly as a session of the CMS IWG, prior to WCPFC18. The RBAF lead would use the draft RBAF framework as a trial to develop a list of obligations, which would be reviewed at WCPFC18.

98. The RBAF lead confirmed the remarks by the TCC Vice-Chair, stating that in response to feedback from some members, she had moved the date for feedback on both the Discussion Document and completion of the risk rating spreadsheet to 1 November. She observed that FFA had already collectively done significant work on the risk rating of obligations, and expected that FFA would be in a position to submit a completed risk rating spreadsheet by 1 November for consideration by members. She stated her intent to circulate a consolidated spreadsheet, reflecting inputs from members, as soon as possible after 1 November. She proposed that the SWG meet in early November to consider this consolidated spreadsheet, and would work with the Secretariat and provide a date and agenda for this SWG as soon as possible. The December SWG meeting will focus on the risk ratings and how this might be used to develop the annual priority list of obligations to be assessed in 2022. In other words, the SWG would test-drive the RBAF to develop the list. She stated that further work could continue by email up until WCPFC18. She noted that the updated discussion document and risk rating spreadsheet that had been circulated include (i) an update to the proposed process; (ii) an update to the spreadsheet (in response to feedback, highlighting some obligations which are non-binding and adding the Convention obligations into a separate section); and (iii) an update to the discussion document to note the revised total of 220 obligations.

99. Tokelau stated their understanding that the proposal was to obtain (prior to 1 November) risk ratings to feed into the RBAF, which would then be used to develop the draft list of obligations; on that basis, Tokelau observed that a process for the development of the list of obligations had not yet been agreed. Tokelau also stated (also on behalf of the PNA) that they supported the comments from FFA members that the list of obligations to be assessed in 2022 be capped at 70, and noted that the Secretariat had reported that development of the CMR required many additional hours of work because of the changes made in 2020, particularly in replacing reporting obligations with additional limit and implementation obligations. Tokelau stated that this indicates there is no room to expand the number of obligations to be assessed, and that some obligations might need to be dropped as a consequence of the decision to include oceanic whitetip and silky sharks.

100. The RBAF lead stated that it was proposed that the SWG discuss the RBAF and test drive its use in developing the priority list of obligations. She noted that development of the priority list of obligations for the CMS is an annual responsibility, and that the proposed priority list of obligations for assessment in 2022 would be considered by the Commission, with a decision made at WCPFC18.

101. The Chair encouraged all CCMs to provide feedback as requested by the RBAF lead and the CMS IWG Chair.

Future dCMR and aggregate tables review

102. Following consideration of the dCMR, the Chair sought input from CCMs regarding how the process of developing the CMR (and treatment of the aggregate tables in particular) could be handled in the future, given the experience and discussions in closed session at TCC17.

103. The USA stated it had some specific suggestions, and as an overview advocated that the focus should not be on specific cases but on a review of CCM investigations within each category, even if there may be only one case in the category. The USA proposed that in considering the aggregated report under Section VII of the CMM, TCC should not review investigations for specific cases (e.g., naming specific fishing vessels), but should review CCM investigations for each CCFS category with one open investigation just as it would for those categories with more than one open investigation. It also stated that to enhance consideration of the aggregated report until item M identified **TCC17-2021-12** is implemented, CCMs should be encouraged to provide to the Secretariat information on requests for observer reports before the aggregated report is prepared for a given TCC session, and that this information should include the dates and cases for which observer reports were requested, and that information be included in the aggregate report in advance of the TCC session. The USA also advocated that to enhance consideration of the aggregated report under Section VII of the CMM, flag CCMs should ensure data in the CCFS are finalized before any deadline established for notifying the TCC of potential implementation challenges pursuant to paragraph 33 of the measure pertaining to other CCMs. The USA noted that recognizing that full implementation of a given obligation often requires investigative action in years subsequent to the activity (fishing) year, TCC should take into consideration the aggregated report when determining a compliance score for a given year as follows:

- If an implementation challenge is identified under paragraph 33, consider whether “capacity assistance needed” is the appropriate compliance status.
- If “capacity assistance needed” is not appropriate, or if no implementation challenge is identified under paragraph 33, consider the open cases that are in the CCFS, consider the numbers of observer reports requested and received for those cases, and determine whether there has been a systemic failure by the flag CCM to take adequate action for those cases collectively. If systemic failure is found, determine a status of “non-compliant” or “priority non-compliant”, as appropriate.

104. The EU stated its concern that the process could allow for some important issues to be overlooked by TCC. The EU stated its specific concern regarding the issue of whether fishing vessels under Charter but flagged to non-PNA countries could use the Footnote 1 exception under CMM 2020-01 to fish during FAD closures, noting that some CCMs say this is permissible because these vessels are considered part of the domestic fleet of the chartering CCM. The EU stated its concern that this issue was not being addressed under the CMR process, and stated it wanted to ensure that this could be addressed by TCC.

105. PNG responded to the comment by the EU regarding Footnote 1, and stated that this should be addressed through the tropical tuna measure negotiations rather than the CMS process.

106. Australia observed that much progress had been made over the previous year with respect to enabling analysis of the aggregate table data. It noted the importance of understanding data anomalies revealed by the tables, and then assessing which possible anomalies are caused by implementation challenges, and which by failures of flag State actions. Australia stated that it was not necessarily constructive to immediately seek to address systemic failures or implementation challenges, if these are not necessarily clear or agreed, and suggested a more constructive approach could be to begin by analysing the anomalies.

107. China stated it appreciated Australia’s intervention. It noted that the aggregate tables indicated whether a flag state CCM has a pending case, and that for a number of cases, the only reason they are

pending is because the flag State did not receive the observer report. Therefore, it suggested the need to name the observer provider so it can be seen that a provider did not provide a report. Regarding the EU suggestion about Footnote 1, China stated it understands the position but agreed that this should be raised through the tropical tuna measure.

108. The USA noted that the outcomes under para. 34 of CMM 2019-06 are intended to be the findings of TCC, and not simply updates from CCMs on the progress of their investigations. The USA stated its concern that TCC has not clearly identified what is needed to resolve the cases in the timeframes identified, which is the key issue addressed in para. 34; TCC must obviously rely on information from CCMs to make its determinations, but in the USA's view the determinations need to be those of TCC. The USA stated its awareness that this was a trial process, and there was a need for TCC to develop a workable approach to ensure the para. 34 review is meaningful. The USA recommended that in the future TCC adhere more closely to answering the specific questions in para. 34.

109. The TCC Chair suggested further intersessional work was needed on a revised process to implement para 26(ii) of CMM 2019-06 for the consideration of aggregated summaries of information drawn from the online CCFS ahead of TCC18. The Chair further proposed to work intersessionally with CCMs to provide advice to the Commission on key elements of this work, including the views expressed at TCC17. The Chair stated that in the discussions at TCC17 CCMs had outlined the following as key focus areas for this work:

- Developing a clear pathway for using the aggregated tables to identify potential anomalies and then for such anomalies to be reviewed using the processes trialled by TCC17 to implement paras. 33 and 34.
- Addressing the utilisation of ROP pre-notifications and cetacean and whale shark cases, along with any other issues related to data inputs for this process.
- Developing guidelines on how the review of outstanding CCFS cases (the para. 34 process) will consider situations where single or very low numbers of cases remain outstanding.
- Developing a clear process for how the aggregated information will be considered in the development of the pCMR, particularly the assessment of compliance statuses.

The Chair stated that through the discussions at TCC17, CCMs had noted the links between various elements of the ongoing CMS work, including consideration of the aggregated tables and the development of audit points and a risk-based assessment framework.

110. TCC17 recommended that WCPFC18 task the TCC Chair to lead further intersessional work on a revised process to implement para 26(ii) of CMM 2019-06 for the consideration of aggregated summaries of information drawn from the online Compliance Case File System ahead of TCC18.

111. TCC17 noted that the TCC Chair would work intersessionally with CCMs to provide advice to the Commission on key elements of this work, including the views expressed at TCC17. CCMs were encouraged to provide views and recommendations to the TCC Chair as soon as practicable and no later than 1 November 2021.

112. TCC17 noted the need for a clear pathway to progress the work of the CMS-IWG and tasked the CMS-IWG Chair (the TCC Vice Chair) to work with the leads of the work streams to provide advice to WCPFC18 on a workplan for the IWG for 2022.

113. TCC17 recommended that in future presentations of the aggregated tables, CCFS cases are reported by zone as well as by flag if applicable, as well as information of observer provider.

114. TCC17 recommended that WCPFC18 agree to consider the effects of COVID-19 in developing the list of obligations for assessment, and in assessing CCM compliance with obligations through the CMR in 2022. In making this recommendation, TCC17 noted that this does not represent a suspension of any obligation; rather this is a recognition of the genuine impact that the COVID-19 pandemic will have on the ability of the TCC to assess this obligation. TCC17 further noted that the decision not to assess this obligation does not remove CCMs' obligation to comply with this provision.

115. TCC recommended that the CMS-IWG, with assistance from the Secretariat, develops intersessionally a working paper aiming at: i) clarifying the nature of the information and data that populate the excel file supporting the dCMR, based on the WCPFC Rules for protection, access and dissemination of data held by the Commission, ii) identifying instances (categories in this excel file that supports the dCMR) that are likely to include data that could be in breach of such rules and iii) formulating suggestions for addressing the risk of unintended release of non public domain data during the dCMR process.

116. TCC17 noted the updated discussion paper prepared by the Lead of the Risk-Based Assessment Framework (**TCC17-2021-13B_rev2**), and the proposal for a small Working Group to meet in early November to test the use of the Risk-Based Assessment Framework in developing the priority list of obligations for assessment in 2022, which will be considered by WCPFC18.

(d) Expiry of CMM 2019-06 (CMM 2019-06 para 47)

117. Cook Islands, on behalf of FFA members stressed the importance of the principles embedded in the measure with respect to effectiveness, efficiency, fairness and cooperation in the context of compliance. They stated the CMM has been refined and improved over time, and that a number of tasks (such as the work relating to audit points, the RBAF, and consideration of the aggregate tables) were foreseen to further enhance the CMS. Unfortunately, progress in these areas has been limited, due in part to the limited time during virtual meetings to progress these issues. FFA members stated they are considering the issue relating to the expiry of the measure in 2021 and would revisit it at WCPFC18

118. The USA stated that is important for TCC to have a recommendation for the Commission because the measure will expire in 2021. Regarding the CMS workplan, it stated the need to modify that element, so it more closely reflects TCC's work. The USA stated it favoured recommendations on both CMM 2019-06 and the future workplan from TCC; it supported a rollover of the current CMM, with updating of deadlines as required, with adoption of a more permanent CMM delayed.

119. Tokelau, also on behalf of the PNA, stated it was not able to agree to a TCC17 recommendation to rollover the CMM, and looked forward to addressing the issue at WCPFC18. This view was also supported by PNG, which stated there was a need to balance the needs and obligations of all CCMs.

120. TCC17 acknowledged the delay in completing the work to enhance the CMS, but reaffirmed its commitment to do so, and urged the WCPFC18 to take action as needed to allow the TCC to fulfill its function of monitoring and reviewing compliance with conservation and management measures.

AGENDA ITEM 6 — TECHNICAL AND COMPLIANCE MATTERS ARISING FROM COVID-19 RELATED INTERSESSIONAL DECISIONS

6.1 Implementation of Intersessional Decisions taken in response to COVID-19 in 2020-2021

121. The Legal Adviser briefly introduced **TCC17-2021-14 COVID-19 related Intersessional Decisions**, which summarizes the available information on the implementation of the COVID-19 Intersessional Decisions in 2020/21 (**WCPFC17 Summary Report, para 120(iii)**), and provides background information on the situation with regard to COVID-19 in the region and potential options relating to the Intersessional Decisions relating to COVID-19. The Legal Adviser focussed on an analysis of the conditions required for lifting the suspension of certain observer and transshipment obligations. She outlined three options for addressing the suspension: (1) immediate removal early in 2022; (2) continue suspension of all three obligations until COVID-19 no longer poses a threat; or (3) a phased approach, which would enable suspension of the obligations to be gradually lifted, subject to certain conditions being met.

Intersessional decisions

122. China stated that it preferred Option 2 as outlined in **TCC17-2021-14**, para. 42, as it was impossible to anticipate when the COVID-19 crisis would end. China also stated that the requirement for 5% observer coverage aboard longline vessels should be exempted from the list of obligations to be assessed at TCC18.

123. PNG on behalf of FFA members stated that getting observers back to work safely on fishing vessels is their priority, and encouraged CCMs to use the FFA COVID-19 Operating Protocols for the Fishing Sector in the Pacific (which was shared with CCMs prior to TCC16 and updated in April 2021) as one of the key requirements to re-commence deployment of observers on fishing vessels. Notwithstanding the temporary suspension of observer coverage requirements and noting that the suspension does not prevent the placement of observers on fishing vessels, FFA members stated that few FFA members continued to deploy observers on fishing vessels during the COVID-19 pandemic, and encouraged CCMs that are able to start deploying observers back on their vessels and to work with observer providers to operationalise the Protocols in order to enable observers to be safely placed on fishing vessels again. They highlighted the importance of COVID-19 vaccination in supporting the resumption of observer redeployment and in supporting vessel port activities. FFA members stated they have included observers as frontline workers in their national vaccination rollouts, resulting in an increased number of observers vaccinated. They stated that one FFA member has taken a leadership role to vaccinate crew on fishing vessels that call into their port. They called on flag CCMs to do more to vaccinate crew on board their fishing vessels. They also noted that the Secretariat has proposed conditions for safe redeployment of observers on vessels, and that FFA members have also identified and agreed on minimum requirements as conditions for observer redeployment (covering pre-deployment, deployment and post-deployment) to ensure the safety of observers. They stated that the proposed conditions set out in **TCC17-2021-14** are generally consistent with the conditions agreed to by FFA members as part of the observer redeployment plan. However, the FFA Redeployment Plan further requires observers to be picked up and dropped off at their home port, unless agreed with observer providers. They noted the proposed options for lifting the suspension due to COVID-

19 and agreed in principle to a phased approach (Option 3). However, they did not support a uniform approach due to the different circumstances of FFA members and other factors in the region that are outside of the control of FFA members' fisheries administrations.

124. Japan stated that the situation with respect to COVID-19 varies by region and CCM, and still fluctuates widely from month to month; making it difficult to commit to a uniform schedule, and making Option 2 the only feasible option.

125. USA stated that while the USA supports the phased approach (Option 3) in concept, the risk profiles vary widely across the Pacific and testing and quarantine requirements need to be coordinated by Flag States. It noted some CCMs (such as American Samoa) have remained COVID-19 free by virtue of restrictions specific to their circumstances. As noted in para. 46 of **TCC17-2021-14** any approach would need to be implemented flexibly and be subject to a periodic review in light of evolving risk profiles assorted with COVID-19.

126. Indonesia stated it has trouble in meeting the 100% requirement for observer coverage, and faced budget constraints as a result of COVID-19, which would make it difficult to meet the specific timeline requirements in Option 3; it therefore supported Option 2.

127. Chinese Taipei stated it fully understands the importance of deploying observers on fishing vessels and supports efforts in this regard. It noted differences among CCMs (some have vaccine shortages domestically and some CCMs have international travel bans and related difficulties).

128. The Chair noted in-principle support among CCMs for a phased approach, but without the specifics contained in the Option 3 in **TCC17-2021-14**. In the ensuing discussion CCMs noted continuing concerns related to the absence of observers (e.g., the lack of data for stock assessments, and deterrence for IUU fishing), and the need to ensure the safety of crew and observers. CCMs asked what standards would be used for vaccination of observers, and what level would be considered acceptable for full observer deployment? CCMs agreed that the issue of suspension of assessment of the requirement for 5% observer coverage aboard longline vessels should be addressed under Agenda Item 5.

ER of catch and effort data

129. New Zealand highlighted that during the COVID-19 pandemic, a number of the Commission's monitoring tools have been severely impacted; in addition to suspension of observers, other MCS tools (e.g., port state measures, high seas boarding and inspection, aerial surveillance, and transshipment monitoring) have also been significantly impacted. Meanwhile vessels have continued fishing, and in some cases fleets have apparently increased their numbers in certain fisheries. It stated that although this situation is not ideal, it may continue for some time. New Zealand advocated using other available tools to monitor fishing activity, particularly on the high seas where there is less oversight than within Pacific Island EEZs, and strongly supported the passage of a recommendation by TCC17 to the Commission that electronic reporting (ER) of catch and effort be made mandatory for all fishing vessels operating on the high seas, and that mandatory reporting tools and systems also be applied to high seas transshipment reporting. New Zealand stated that the requisite technical work had been done by members of WCPFC, in particular reaching agreement on ER data standards (adopted in Dec 2016), with appropriate systems in place at the Secretariat and SP; it stated that many CCMs already implementing ER (for example FFA members have committed to progressively adopting ER for fishing vessels operating within their EEZs and the high seas with a view to achieving 100% adoption by 2022, in FFC114 decision in June 2020). Other CCMs (such as Korea) use ER for high seas transshipment and operational-level data. New Zealand stressed that ER could be made mandatory if recommended by TCC and adopted by the Commission.

130. Australia supported the suggestion by New Zealand.
131. Japan stated it was hard to agree because of the lack of discussion on the issue during TCC17. It stated this would require fishermen to purchase equipment to enable ER, and would be difficult for Japan to support.
132. In response to a query from the USA regarding the capacity of the Secretariat to manage the increased flow of data, the Compliance Manager stated that this would need to be considered in the context of the specifics of how ER would be implemented.
133. China stated that its fleet had trialled ER for a percentage of its longline vessels on the high seas to remit log sheets to the fishing companies, but that to extend this to all Chinese vessels would pose budget problems, and require time for training and to address other issues. They stated their understanding that vessels on the high seas report only catch and effort data back to the flag CCM. In that case if the flag CCM can fulfill its data obligations through the agreed format, it was not appropriate to ask all vessels who now report to the flag CCMs to also report to the Commission or SPC. China stated its view was largely aligned with Japan's.
134. Korea stated it was not in a position to support ER at present, and that their long-standing position was that ER and EM should apply throughout the CA (and not just the high seas), once certain standards or principles have been adopted.
135. Tokelau, also on behalf of the PNA, supported the New Zealand proposal on ER as a very effective response to the current difficulties in monitoring under COVID-19. They stated that in their experience most longline vessels could currently provide high seas ER.
136. New Zealand proposed the following specific recommendation for TCC17's consideration:
- “TCC17 recommends that the Commission agree that CCMs shall submit operational catch and effort data in accordance with the agreed Standards, Specifications and Procedures for Electronic Reporting in the WCPFC – operational catch and effort data + observer data from 1st of January 2023.”
137. The EU stated that there were some ER compatibility issues that it was seeking to address with the Secretariat, so it might not be ready to meet the proposed date, but that it would not block the proposal if it was supported by other CCMs.
138. China stated that the proposal was important but it could not agree with the proposed deadline.
139. Japan stated that in its view the data to be submitted via ER and the logbook content were identical, and in most cases ER data could not be submitted at sea, but only when in port, so effectively the ER offered no advantage. In addition, enabling all vessels to undertake ER would require effort and entails costs for fishing vessels, and be complicated by COVID-19. Japan stated it could not support the proposal at TCC17.
140. The USA, FSM, PNG and RMI expressed support for the proposal. In addition, PNG noted that it is especially important for the longline fishery in the high seas to engage in ER, and would be important for monitoring future tropical tuna measures; RMI stated that if applied to both the high seas and EEZs it could address some longstanding issues; and the USA stated it would work with New Zealand on the proposal.

141. TCC17 recommended that WCPFC18 continue the suspensions through the three intersessional decisions after 15 December until 15 March 2022.

142. TCC17 recommended the Commission review through an expedited inter-sessional decision-making process, the possible phasing in of the removal of the suspensions, which would need to be implemented flexibly and be subject to a periodic review in light of changed circumstances.

AGENDA ITEM 7 — TECHNICAL MATTERS REQUIRING TCC ADVICE

7.1 Support efforts by CCMs and the Secretariat to continue technical work intersessionally to optimize TCC’s efficiency in evaluating CCMs’ VMS compliance, address the VMS Gap, and improve the number of vessels reporting to the Commission VMS

(a) Expiry of VMS SSPs 5.4 - 5.5

143. The Chair provided the following background to the VMS discussions: at WCPFC16 the Commission agreed to establish the VMS-SWG to address the VMS data gap and improve the number of vessels reporting to the Commission VMS for consideration by TCC16 (**TCC Summary Report**, paragraph 211). The Commission agreed that the SWG would be co-chaired by the United States and Australia. At WCPFC17 the Commission noted the intersessional progress report by the VMS Data Gaps Review SWG (**WCPFC17-2020-VMS-SWG**).

144. The Chair stated that the following papers were relevant to this agenda item:

- VMS SWG report to TCC17 (**TCC17-2021-15A**)
- a set of draft revisions to the VMS Standard Operating Procedures (VMS SOPs), which have been considered through the VMS SWG (**TCC17-2021-15B**)
- delegation papers from the Philippines (**TCC17-2021-DP08** *Vessel Monitoring System Transponder VMS 100S Transmission Study*) and Japan (**TCC17-2021-DP07**: *Report of Field Tests of SRT VMS-100S*)

145. Chair also noted the *Annual Report on the Commission VMS* (**TCC17-2021-RP02**). The paper was posted on 16 September, and provides information in accordance with the VMS SSPs for the consideration of TCC17.

Work of the VMS SWG

146. Viv Fernandes (Australia), VMS SWG Co-Chair, presented **TCC17-2021-15A** posted 16 September 2021, noting there were no recommendations to change fundamental VMS obligations. He stated that the SWG developed recommendations related to six distinct VMS-related issues, in the form of twelve specific VMS-related recommendations, most of which seek to clarify processes and capitalize on efficiencies for the benefit of the Secretariat and CCMs. The SWG’s main approach has been to identify and address VMS data gaps, and provide transparency. Key elements are enhancements to the VMS reporting tools. Of particular note are the proposed revisions to the VMS SOPs (**TCC17-2021-15B**); the purpose of the VMS SOPs has not changed, but the updates seek to provide more detail and clarity.

147. Cook Islands on behalf of FFA members stated they had been participating in the work of the SWG under the able leadership of the two Co-Chairs and were pleased to see the recommendations put forward in the paper for TCC consideration. They supported the progress made by VMS SWG and hoped that some of the steps will eventually address the long-standing issues of VMS data gaps. FFA members stated their primary concerns over VMS data gaps relate to the high seas. For example, the Eastern High Seas Pocket annual report continues to identify issues with VMS reporting of vessels in the Eastern High Seas Pocket, something that adjacent FFA members have also identified. FFA members stated they remain committed to addressing VMS data gaps in the Commission's VMS, and looked forward to monitoring any VMS data gaps in future TCC meetings. FFA members made the following specific comments with regard to the recommendations to address the various issues identified:

- (i) **Issue 1** (Disparity between CCM-held and Secretariat-held VMS data): FFA members in general supported the two recommendations on the understanding that this applies to vessels directly reporting to the WCPFC VMS and vessels that are reporting through the FFA VMS will continue to do so as per current practice.
- (ii) **Issue 2** (Data gaps from VMS failure): FFA members supported the three recommendations.
- (iii) **Issue 3** (CCM's use of the VMS Reporting Status Tool, or VRST): FFA members supported the recommendation to address issue 3.
- (iv) **Issue 4** (ALC/MTU Type approval): FFA members supported the three recommendations to address this issue.
- (v) **Issue 5** (Assessing compliance with CMM 2014-02 para 9(a) VMS SSP 2.8): FFA members supported recommendation (1) and suggested that the Secretariat also provide the costs associated with the suggested options. In terms of the recommendation (2) and the proposed draft VMS template, FFA members noted that FFA submitted a discussion paper on Audit Points to WCPFC and the CMS Audit Point Lead in July, which includes obligations relating to VMS, and compliance review of IMPLEMENTATION type obligations is guided by paragraph 7(ii)(a) and (b) of the CMS measure. They suggested that this work on the Audit Points, already submitted to WCPFC, be also taken into consideration.
- (vi) **Issue 6** (Review of Commission VMS): FFA members supported this recommendation.

148. Japan stated it had some technical questions that could require some modifications, and would work with the co-chairs to address those, but that it could generally support the proposed recommendations. In response to its inquiry regarding 30-minute reporting frequency, the co-chair stated that this was to pick up the FAD closure 30 min VMS reporting requirement.

149. PNG supported the recommendations, and acknowledged the excellent work by the SWG.

150. TCC17 noted the report on progress from the VMS-SWG (**TCC17-2021-15A**).

151. TCC17 recommended as follows:

Issue 1 Disparity between CCM-held and Secretariat-held VMS data

- a. TCC17 recommended that WCPFC18 task TCC18 to further consider future work to enable direct/simultaneous VMS reporting by vessels/ALCs reporting to the WCPFC VMS.
- b. TCC17 encouraged any CCMs capable of utilising a direct/simultaneous reporting framework to consider doing so on a voluntary basis. Any such CCMs are requested to report their experiences to TCC in the future, particularly any information regarding

changes in the number of discrepancies between CCM-held and Secretariat-held VMS data.

Issue 2 Data gaps from VMS failure

- c. TCC17 noted the Secretariat's progress, and recommended that WCPFC18 support the Secretariat's continued work, including with interested CCMs on a trial basis**, to facilitate automatic integration of VMS manual reports into the Commission VMS within their existing budget. TCC17 recommended that WCPFC18 task the Secretariat to report on their further progress to TCC18.

** Footnote: Ensuring that any VMS manual reports automatically integrated into the Commission VMS are clearly identifiable as manually generated reports, and can be distinguished from non-manually generated VMS positions.

- d. TCC17 recommended that potential incentives for non-binding measures, including 'VMS best practices' that CCMs may adopt to minimise data gaps from VMS failures be considered by TCC18.
- e. TCC17 recommended that WCPFC18 approve extension of the WCPFC9 adopted amendments to the VMS Standards, Specifications and Procedures (SSPs) that were previously extended (via attachment 1 of the SSPs) at WCPFC11, WCPFC13 & WCPFC15, through 1 March 2024, and that this remains in force thereafter unless the Commission directs otherwise. TCC17 also recommended that WCPFC18 task the Secretariat to update online references accordingly.

Issue 3 CCM's use of the VMS Reporting Status Tool (VRST)

- f. TCC17 recommended that WCPFC18 adopt the draft SOPs (**TCC17-2021-15B_rev2**) in order to accurately reflect recent changes in technology and technical processes. TCC17 also noted that the new SOPs are also expected to greatly benefit (and reflect) other VMS technical work undertaken by the Secretariat and VMS SWG to address VMS data gaps. (**Attachment E**)

Issue 4 ALC/MTU approval

- g. TCC17 noted the successful steps taken by the Secretariat and CCMs to facilitate the reporting of ORBCOMM ST6100 and/or SKYWAVE IDP-690 MTU units to the Commission VMS. TCC17 encouraged any other CCMs using either if these units to follow similar steps to ensure successful VMS reporting to the Commission.
- h. TCC17 noted that the Secretariat, in close coordination with the VMS SWG co-chairs, has developed and provided new draft VMS SOPs for consideration and adoption by WCPFC18. This document includes details on the standard processes used to assess the ability of an MTU/ALC and its communication / satellite service provider / gateway to successfully report to the Commission VMS.

- i. TCC17 noted that the draft VMS SOPs outline in detail how the VMS Manager will work with relevant vendors and CCMs to assess proposals for inclusion of additional MTU/ALC units and their communication / satellite service provider / gateway, against the new MTU/ALC type approval checklist. The VMS SOPs outline how the Secretariat shall provide this information to CCMs, along with any other documentation provided by the flag CCM or vendor, to better inform their consideration of any units proposed for listing or delisting.

Issue 5 Assessing compliance with CMM 2014-02 para 9(a) VMS SSP 2.8

- j. TCC17 recommended WCPFC18 task the Secretariat to provide a report to TCC18 with suggested options and, if practical, an estimated timeline and costs to facilitate electronic (online) submission and processing of new and updated VTAFs. Any process shall track progress transparently with the relevant flag CCM that provides the VTAF.
- k. TCC17 recommended that WCPFC18 approve the streamlined VMS reporting template below as Annex 2 of CMM 2014-02 for use in CCM's Annual Part 2 Report submissions beginning with TCC18 until such time as the Commission's work developing Audit Points (including for VMS) may be completed. (**Attachment F**)

Issue 6 Review of Commission VMS

- l. TCC17 recommended that WCPFC18 task the Secretariat to provide further information in the VMS Annual Report to TCC18 on the status of implementing VMS SWG recommendations.

SRT VMS-100S

152. Japan introduced **TCC17-2021-DP07: Report from field tests of SRT VMS-100S**. It noted its conclusion that of 1,577 position reports received, 51 (3.2%) had a delay of 60 minutes, and recommended that an expert evaluation of the SRT VMS-100S be sought.

153. The Philippines introduced **TCC17-2021-DP08 Vessel Monitoring System Transponder VMS-100S Transmission Study**, and stated that more than 1,000 of its vessels had been using the SRT VMS-100S. It compared the performance of the VMS-100S onboard 468 vessels (with over 740,000 position reports) with that of a WCPFC certified transponder aboard 194 vessels (with over 81,000 position reports). It stated that 1.4% of positions reported by the VMS-100S exceeded the 60-minute reporting frequency, while 3.8% of the position reports from the WCPFC certified transponder exceeded the 60-minute reporting frequency limit. The Philippines advocated that SRT VMS-100S be accepted as meeting the Commission's requirements under CMM 2014-02.

154. The Chair observed that relevant detail had been provided by both CCMs on testing of the unit, and stated that the key question for TCC was whether it could recommend that this unit be on the approved SRT list, and invited comments from CCMs.

155. PNG referenced the new Annex B for the VMS SOPs, introducing a 30-minute call in standard, which would could be more difficult for VMS AIS units to meet. PNG noted that the trial data referenced did not provide clarity on the performance of the VMS-100S and suggested that an additional test be performed on units that had been installed by a certified SRT installer, and that a specific area be nominated in which to have the trial conducted. PNG also asked that the VMS SWG consult with AIS radio experts to determine if the current usage of the frequency is inconsistent with IMO or ITU policy.

156. Japan suggested further testing be conducted as suggested by PNG. It stated that the proposed SOP revisions (in **TCC17-2021-15B** pp. 16-17), could help determine whether this VMS meets the minimum standards.

157. The Philippines stated that it had invested substantial funding and effort in its VMS project, and stated that the VMS-100S has met the established requirements, and that the data transmission specifications being discussed were far above the minimum standards that had to be met for approval. It stated that at TCC16 the Secretariat had stated that the VMS-100S met the minimum standards of the Commission, and urged TCC to make a decision.

158. The VMS SWG Co-Chair stated that the SWG outputs did not address the issues specifically. He observed that TCC16 had discussed the issue and came to an impasse as a committee. He stated that a number of tests had been conducted and there were requests for more testing. He noted the guidance in the SOPs for the Secretariat's approval process, and suggested possibly tasking the Secretariat to make more investigations, with clear guidance.

159. Japan voiced support for this approach.

160. The Compliance Manager suggested returning to the issue, once draft text outlining the further testing that Japan and PNG would like to have done, had been documented. Having the specific suggestions in writing could support TCC considering options for next steps.

161. The Philippines acknowledged the draft SOPs but stated that these were not yet approved by the Commission, and that it was unfair to judge the SRT VMS-100S by these new rules when their application for accreditation had been pending for almost 2 years. The Philippines requested an opinion from the Legal Adviser based on the existing CMM.

162. The Legal Adviser stated that CMM 2014-02 concerns the general process for the implementation of the Commission's VMS. Para 7, which deals with the nature and specification of the Commission VMS, provides that it be developed in and administered by the Secretariat under the guidance of the Commission. This suggests that the Secretariat has an administrative role, but it exercises this role under the guidance of the Commission. The SSPs for the VMS deal in more detail with how ALC/MTU makes and models are approved following proposals from CCMs. The relevant provision is paragraph 2.7. In summary:

- The Secretariat assesses proposals for inclusion of additional ALC/MTU makes and models on the list of approved ALC/MTUs from CCMs.
- The Secretariat includes the ALC/MTU make or model being proposed on this list, if in the Secretariat's assessment, the ALC/MTU make or model meets the minimum standards for the Commission VMS. In doing so the Secretariat considers whether the ALC/MTU make and model has the ability to successfully report to the Commission VMS.
- However – the paragraph goes on to make clear that the Secretariat may only include an ALC/MTU on the approved list if no CCM objects in writing within 30 days of the Secretariat notice of its intent to approve the ALC/MTU make or model.

- If a CCM objects in writing to the Secretariat's proposal, the Secretariat then makes recommendations regarding the proposed ALC/MTU make or model for the TCC's consideration and the Commission's approval.

The Legal Adviser stated that although the Secretariat can make recommendations, the consideration of those recommendations is a matter for TCC and for the Commission's approval; the matter currently lies with TCC.

163. The Chair overviewed the draft recommendations developed by the Secretariat in consultation with Japan and Papua New Guinea, with assistance from the VMS SWG Co-Chairs, and posted for the consideration of TCC17 participants.

- Noting that some CCMs expressed concerns regarding the ability for the SRT VMS-100S to meet the WCPFC minimum standards as a result of the unique technical nature of the unit.
- Noting that inclusion of additional units to the approved MTU/ALC list requires the approval of the Commission (as per VMS SSPs 2.7).
- Potentially recommending that the Secretariat facilitate specific testing of the SRT VMS-100S unit via an independent expert and report to TCC18 regarding progress and results. This testing shall be conducted in accordance with the VMS SSPs, and include consideration of at least the following:
 - a) whether the unit meets the WCPFC minimum standards for Commission VMS contained in Annex 1 of CMM 2014-02, particularly the requirement to transmit data hourly;
 - b) the ability of the AIS frequency "Message 25" to be used for data transmission (seeking advice from the International Maritime Organization (IMO) or International Telecommunication Union (ITU) where relevant); and
 - c) ensuring the test is undertaken using at least 3 vessels and includes testing in a specified area with high vessel traffic congestion within the Convention Area. The Philippines recalled the official tests conducted by the Secretariat in October-December 2019, and noted that the Secretariat stated (in **TCC16-2020-15**, para. 7) that

"The Secretariat maintains its Assessment that the SRT VMS-100 unit meets the minimum standards for the Commission VMS as set out in Annex 1 of CMM 2014-02 (or its successor measure) and WCPFC SSPs, as relevant, and has the ability to successfully report to the Commission VMS through the SAT-Trak Comm System."

164. The Philippines stated that the results of the tests conducted by the Secretariat, which constitute the official test, showed that of the 19,354 reports received per day, the average reporting rate is 6.2 minutes; 159 reports (.82%) had an average latency of 60-90 minutes. Japan's tests, involving 1,577 position reports, and referenced in **TCC17-2021-DP07** were conducted in August 2021, and had an average reporting rate of 14.6 minutes, with an average latency of > 60 minutes of 3.2%. The study conducted by the Philippines, involving 740,042 position reports in "at-sea conditions", and referenced in **TCC17-2021-DP08**, revealed an average reporting rate of 14 min, with a latency of > 60 minutes of 1.4%. The Philippines stated that the results clearly showed that VMS-100S has the ability to successfully report to the Commission VMS through the SAT-TRAK Comm System. The Philippines stated that it objected to the proposed VMS SRT-100S testing plan outlined in the draft recommendations presented to TCC17 (specifically paras. b and c) as these have no basis under the current CMM in effect. The Philippines stated that while it valued the inputs of CCMs, that was not enough to deprive it of the right to the same process and standard used in previous applications. The Philippines stated it was aware of the current effort of the Commission to address

reporting gaps in the WCPFC VMS. It stated that a VMS-SWG created for the purpose may conduct a scientific study and gather inputs from CCMs until the process is completed, and a future amendment to the current CMM 2014-02 or a successor measure is approved by the Commission. Absent any rule contrary to the current measure, it stated that the VMS-100S should not be subjected by TCC17 to further processes without basis. The Philippines reiterated its request that a just and fair resolution of its application for inclusion of the VMS-100S in the WCPFC approved list of ALCs.

165. Japan stated that it raised its concerns because the SRT VMS-100 is a new, unique type that uses AIS channels 1 and 2. Japan stated that it is a common understanding among technicians that position data transmission using AIS data channels is not stable, because AIS channels are heavily used. The table in Para 3 of **TCC17-2021-DP08** shows a lower percentage of position reports exceeding one hour (1.4%) than does the Iridium unit (3.8%), but this figure appears to include the period when vessels are in port. If 194 vessels transmit hourly data for the 30-day test period the total number of positions reported would be around 140,000, but the table shows only 81,000. In Japan's Iridium testing the percentage of position data reports with a latency exceeding 60 minutes when vessels are not in port is 0%. Japan stated it there is a clear contradiction in its test results and those of the Philippines. It stated that the SRT VMS-100S sets the original intervals at 2-3 minutes, with an average reception interval of about 15 minutes, which explains why the percentage of reports exceeding 60 minutes can be quite low. Japan stated that the testing protocols should be clarified, and stated it preferred third party testing in conjunction with the Secretariat. It noted prior troubles with the Argos terminals, which use the Inmarsat satellite system. The draft SOPs stipulate that if the Secretariat finds a problem with a VMS unit it will propose the delisting of the ALC, and Japan advocated being cautious with approval of all units for that reason; it suggested that was particularly the case with this unit as it is very unique. Japan suggested that more tests be conducted, and that this need not take lot of time if the interested parties cooperate. Japan suggested an intersessional decision could possibly be made to alleviate the Philippines' concern regarding delays.

166. PNG stated it had some technical concerns regarding the SRT VMS-100, and supported the comment by Japan. It also referenced the comment by the Legal Adviser, noting that the unit fails to meet the minimum VMS standard for the type-approved units. PNG stated it also had a technical response to **TCC17-2021-DP08**, which it refrained from sharing because of the time constraints. PNG supported the proposed recommendation developed in conjunction with Japan that called for specific testing of the SRT VMS-100S.

167. China noted that the suggestion by the Philippines to have an assessment of the SRT VMS-100 by an independent expert and raised the question of who would pay the cost, stating that this should not be borne by the Commission, but perhaps by the manufacturer of the SRT VMS-100.

168. CCMs exchanged further views on whether the unit should be approved, but agreement was not reached. It was noted that there was extensive discussion of the issue at TCC16, which is reflected in the TCC16 Summary Report (paras. 217-229).

7.2 Review Indonesia and Philippines delegation papers and provide advice to inform a Commission discussion on the application of paragraph 51 of CMM 2018-01

169. The Chair stated there were three papers relevant to this agenda item:

- **TCC17-2021-16** *An assessment of available information to address the WCPFC17 Recommendation on the Tropical Tuna CMM para 51 (other commercial fisheries)* providing a copy of the SPC-OFP paper to SC17 and a note on SC17 outcomes

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- **TCC17-2021-IP10** *Estimates of annual catches of tropical tuna by the Philippines relevant to WCPFC CMM on tropical tunas “other commercial fisheries”*
- **TCC17-2021-IP11** *Availability of catch estimates from the Other Commercial Fisheries in Indonesia.*

170. The Chair stated that **TCC17-2021-16** presents for consideration by TCC17 an assessment of available information and formulation of advice to address the WCPFC17 recommendation on paragraph 51 of the tropical tuna conservation and management measure (CMM 2018-01 and CMM 2020-01):

51. CCMs shall take necessary measures to ensure that the total catch of their respective other commercial tuna fisheries for bigeye, yellowfin or skipjack tuna, but excluding those fisheries taking less than 2,000 tonnes of bigeye, yellowfin and skipjack, shall not exceed either the average level for the period 2001-2004 or the level of 2004.

171. Tokelau on behalf of FFA members acknowledged the Philippines and Indonesia for their cooperation on these issues. They noted that data on the baseline years for the large fish handline fishery are still lacking, and proposed tasking Indonesia and SPC to provide and present the annual catch estimates for 2013-2016 and the baseline options (average or maximum for those years). They also encouraged Indonesia to continue to provide data for this fishery, in line with SC17’s recommendations.

172. The USA stated it also appreciates the work by Indonesia, the Philippines and SPC, and noted that SC17 recommendation on the issue identifies the fisheries to which the limits apply, but that the Commission must then do something about these findings. The USA stated that this could help establish expectations about how the tropical tuna measure applies to these fisheries, or the Commission could amend the tropical tuna CMM and be more specific about the fisheries to which the limits apply. The USA stated that the recommendation from Tokelau was helpful in highlighting the one step that remains. The USA suggested that if data were not available a reasonable baseline figure could be assumed.

173. Indonesia stated that for the baseline information Indonesia would like to follow up with SPC.

174. SPC noted that the period 2013-2016 was selected because these are the only years that annual catch estimates were even attempted; no other annual catch history from the fishery is available.

175. The EU inquired what the share of this fishery is compared to other fisheries? SPC stated this fishery targets large yellowfin, which constitutes about 95%-96% of its catch. The totals (15,000-30,000 mt) are small, but given the proportion of large yellowfin in the catch it is significant.

176. TCC17 reviewed information provided by Indonesia and the Philippines to inform a Commission discussion on the application of paragraph 51 of CMM 2020-01, and noted the paper **TCC17-2021-16** (SC17-2021-ST-WP02).

177. TCC17 supported the SC17 recommendations related to the application of paragraph 51 CMM 2020-01 noting:

- a. that in TCCs view paragraph 51 does not currently affect the following fisheries which are restricted to territorial seas and archipelagic waters:
 - i. Small-scale hook-and-line fisheries
 - ii. Small-scale troll fisheries
 - iii. Small-scale gillnet fisheries

- iv. Small-scale pole and line (funai –Indonesia)
- v. Pajeko (Indonesia mini-purse seine)
- vi. Bagnet, beachseine, artisanal longline and other artisanal gears with very minor tuna catch

b. that in TCCs view that paragraph 51 of CMM 2020-01 currently affects the following fisheries:

- i. Indonesia Pole and Line Fishery fishing outside archipelagic waters and territorial seas for vessels >30 GT, and
- ii. The “large-fish” Handline fishery in Indonesia and the Philippines fishing outside archipelagic waters and territorial seas for vessels >30 GT.

178. TCC17 noted that sufficient data exist to determine a baseline and annual catches for the Indonesia pole-and-line fishery and the Philippines large-fish handline fishery

179. TCC17 requests Indonesia and the Scientific Services Provider to provide and present to the Commission, the annual catch estimates for the “large-fish” Handline fishery in Indonesia fishing outside archipelagic waters and territorial sea for vessels >30GT, for this period and the options for the baseline, that is, the average 2013-2016 or the maximum years, due to the absence of data for 2001-2004, for WCPFC18 consideration. This could help advise an appropriate revision of paragraph 51.

AGENDA ITEM 8 — SPECIAL REQUIREMENTS OF DEVELOPING STATES

180. The Chair stated that in accordance with Rule 2 (h) of the WCPFC Rules of Procedure, *Consideration of the Special Requirements of Developing States pursuant to Part VIII of the Convention* is a standing agenda item on the provisional agenda. He further noted that

- (i) The approved TCC workplan 2019-2021 identified that a TCC priority specific task is to “Monitor obligations relating to, and support building the capacity of, SIDS and territories – (TCC Workplan 2019-2021)”;
- (ii) At WCPFC10 two CMMs were approved: CMM 2013-06 on the criteria for the consideration of CMM proposals, and CMM 2013-07 on the special requirements of SIDS and participating territories; and
- (iii) A Strategic Investment Plan was approved at WCPFC15 and is updated by the Secretariat considering any capacity needs and capacity assessment needed scores in provisional CMR.

8.1 Monitor obligations relating to and support building the capacity of SIDS and territories

181. The Chair noted two papers relevant to Agenda Item 8.1:

- **TCC17-2021-11_rev1** is an extract of what CCMs provided as response in their Annual Report Part 2 for CMM 2013-07 paragraph 19. CMM 2013-07 para 19 requires CCMs to provide an annual report (in AR Part 2) on the implementation of this measure i.e. CMM 2013-07
- **TCC17-2021-08B** summarises capacity assistance needs identified by CCMs, based on this year’s Annual Report Part 2 reporting, and/or dCMR replies. The summary provided also indicates where

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CCMs have provided submissions related to Capacity Development Plans (CMM 2019-06 paras. 14-15) as part of their replies to this year’s draft CMR. The information in the summary is current as 17 September 2021.

182. Tonga’s comment on behalf of FFA members thanked CCMs and the Commission for all assistance rendered to SIDS. They also thanked members who have reported on this in their Annual Report Part 2, noting that the level of details differs among CCMs and some of the assistance reported is not directly related to fisheries. They reiterated that Article 30 of the Convention is fundamental and must be taken into consideration at every aspect of the work of the Commission. They also stressed the importance of a CMM 2013-06 assessment of any proposed measure, in close consultation with SIDS, to ensure that it does not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto SIDS and territories.

183. RMI stated that it fully supported the statement by Tonga. Regarding CMM 2013-06, RMI stated that it has not been fully implemented, and encouraged CCMs to collectively support its full implementation.

184. The Chair thanked CCMs for their comments and noted that this is a longstanding requirement of the Commission.

185. TCC17 noted the importance of continuing to consider the capacity assistance needs of SIDS and Participating Territories, including as set out in paragraph 38(ii) of CMM 2019-06 and the Strategic Investment Plan.

AGENDA ITEM 9 — ADMINISTRATIVE MATTERS

9.1 Anticipated forecast of Secretariat work commitments for TCC

186. The Compliance Manager introduced **TCC17-2021-17 Preliminary Consideration of Anticipated Forecast of Secretariat Work Commitments for TCC in 2022/23**, which presents the outcomes of initial internal planning to forecast the future work commitments of the Secretariat’s MCS and Compliance Programme in 2022-2023 in alignment with the Secretariat’s Corporate Plan 2020 – 2023 (specifically Corporate Plan Objectives 2.1, 3.1 and 3.2). She referenced the Executive Director’s opening remarks, which reference the issues in the paper, and acknowledged with appreciation the consideration that TCC17 participants have given to the Secretariat’s workload. She stated that the Secretariat was doing its best to track additional tasks that had been proposed and identify the expectations and details. She noted ongoing work at the Secretariat, including essential IT upgrades, which were addressed at various points during TCC17, and upgrades to the CCFS, RFV, and in 2023 the Annual Report Part 2 and online compliance reporting systems. She stated that the Secretariat was forecasting the need for additional analytical capacity to support a range of Commission tasks, and stated it would prepare an assessment, for discussion at FAC15, of areas where resourcing is needed, and how it can be supported. She encouraged CCMs with ideas, suggestions, or analytical capacity to contact the Secretariat. She also referenced a request (in para 28 of **TCC17-2021-17**) that was discussed under Agenda Item 5.3c regarding a mid-June deadline for 2022 for the Annual Report part 2.

187. RMI on behalf of FFA members thanked the Secretariat for the report for mapping out the resource implications of future work commitments for the Secretariat’s MCS and Compliance programme. They stated that they recognize the challenge of the busy schedule, staffing and workload forecast for the Secretariat to support the MCS and compliance programme for 2022-2023. FFA Members stated they were

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looking forward to receiving and considering at FAC15 the Secretariat's proposed plan that identifies the necessary upgrades to the IMS, and securing supplementary dedicated analytical capacity for the Secretariat in 2022 and 2023, and that these would be considered in conjunction with their budget implications along with other priorities. FFA members supported the recommendation that the Commission agree to require CCMs in 2022 to submit their Annual Report Part 2 at least 100 days prior to TCC18.

188. TCC17 noted the paper and expressed appreciation to the efforts of the Secretariat in mapping out the resource implications of future work commitments for the Secretariat's MCS and Compliance programme.

189. TCC17 supported, in principle and subject to resource availability, the Secretariat's intention to submit to FAC15 a proposed plan that identifies the necessary upgrades to IMS and securing supplementary dedicated analytical capacity for the Secretariat in 2022 and 2023.

190. TCC17 noted the workload forecasted for the Secretariat to undertake in 2022 in support of the TCC workplan and recommended that the Commission agree to require CCMs in 2022 to submit their Annual Report Part 2 at least 100 days prior to TCC18 (which is a date in mid-June instead of 1 July).

9.2 Update of TCC Workplan

191. The TCC Vice-Chair introduced **TCC17-2021-18 DRAFT TCC Workplan 2022-2024**. Consultations on the workplan were held via email during TCC17, and the TCC Vice-Chair subsequently reviewed the changes that were made.

192. The USA stated it appreciated the work of the Vice-Chair, had reviewed the workplan in detail, and was ready to adopt it.

193. Australia, on behalf of FFA members, thanked the Vice-Chair for her leadership, and supported the draft for adoption. They stated that the approach taken was a very useful way to present the information and would hopefully be of benefit to the Secretariat to support the essential work of TCC.

194. TCC17 recommends the updated TCC workplan 2022 – 2024 for adoption by WCPFC18(**Attachment G**).

9.3 Update on WCPFC IT/VMS Security Audit

195. The Chair noted that the 2021 audit was in progress, and that the report would be complete prior to WCPFC18. He referred to **TCC17-2021-RP-08 rev 1 Annual Report on the Administration of the WCPFC Data Access Rules and Procedures**, posted 20 September.

196. The IT Manager stated that the audit had been hampered by the lack of the ability of the reviewer to travel, so instead the Secretariat was doing Zoom walk-throughs of its systems. He noted that no areas of concern had been identified to date, and that the audit was scheduled to be completed in October. The IT Manager stated that the Secretariat takes security very seriously, and is doing more rigorous quarterly staff

training. He emphasized that the Secretariat is doing work throughout the year to address its security posture.

197. TCC17 noted the 2021 Security Audit is in progress with work proceeding around the constraints of COVID-19 and requested the Secretariat circulate the audit report when available to interested CCMs for feedback intersessionally.

9.4 Next meeting

198. TCC17 recommended that TCC18 be held in Pohnpei, Federated States of Micronesia on Wednesday 21 September to Tuesday 27 September 2022.

AGENDA ITEM 10 — OTHER MATTERS FOR TCC ADVICE ARISING FROM THE TCC17 ODF

ROP Minimum Standard Data Fields for Transshipment at Sea

199. The USA introduced **TCC17-2021-DP01** *ROP Minimum Standard Data Fields for Transshipment at Sea*, noting that it was posted on the ODF as Topic K1, where two comments were provided (recorded in **TCC17-2021-04**). It welcomed further discussion on the paper's two proposed recommendations, which called for TCC17 to:

- recommend that WCPFC18 adopt specific data fields from the Forms FC1, FC2, and FC3 as ROP minimum standard data fields to be collected by ROP observers during transshipments at sea; and
- remind its members and WCPFC18 of the ROP Minimum Standard specifying that that ROP data should be submitted to the Secretariat where possible within 120 days of the observer disembarking the receiving vessel

200. FSM on behalf of FFA members supported the need for minimum data standards for monitoring of high seas transshipments, but suggested that the adoption of longline transshipment monitoring data standards be reviewed by the ROP-IWG and the Transshipment IWG that is reviewing CMM 2009-06 (TS-IWG). FFA members noted they are currently doing some work relating to data standards for longline transshipment monitoring and will report these to TCC18, the Transshipment IWG, and the ROP-IWG, where relevant.

201. The USA supported the proposed review by the TS-IWG, with possible subsequent work intersessionally prior to WCPFC18.

202. China noted that other tuna RFMOs require observers on carrier vessels to provide their information and reports to their Secretariats, and suggested that this requirement (based on forms adopted by WCPFC) be adopted by the Commission. It supported the proposal to have the TS-IWG conduct a review, and stated that it should be made clear in the proposed recommendation who would be submitting the ROP data: the provider or the individual observers?

203. The Chair noted that China's query could be addressed through the IWG review.

204. TCC17 recommended that the TS-IWG be asked to consider the following recommendations from **TCC17-2021-DP01**:

- a. that TCC17 should recommend WCPFC18 adopt specific data fields from the Forms FC1, FC2, and FC3 as ROP minimum standard data fields to be collected by ROP observers during transshipments at sea.
- b. that TCC17 should remind its members and WCPFC18 of the ROP Minimum Standard specifying that that ROP data should be submitted to the Secretariat where possible within 120 days of the observer disembarking the receiving vessel.

Observer Reports for Investigations

205. The USA introduced **TCC17-2021-DP02** *Observer reports for investigations*, noting it was posted on the ODF as Topic K2, where one CCM provided supportive comments (recorded in **TCC17-2021-04**). It stated that flag State CCMs are obligated to ensure their fishing vessels comply with provisions of the Convention, but that for many CMMs, evidence to prove a violation must come from the observer, who is the only independent person on the vessel. It noted that measures for which this is the case include CMMs regarding FADs, setting on cetaceans, sharks, and (importantly) observer safety, harassment and interference cases. The USA stated that a flag State CCM can use other tools to investigate these cases, such as talking with the crew or captain, but these approaches are unlikely to be successful because they require that those involved admit that violations occurred; this makes observer reports essential, especially for the very important cases involving observer safety. The USA stated that unfortunately the issue of access to observer reports by CCMs is a longstanding problem; the Table in Annex A of **TCC17-2021-RP02_rev1** *Annual report on the ROP* shows that, not including the pre-notification cases, there are almost 5000 cases in the CCFS, but observer reports have been obtained for less than 25%; this does not include pre-notification cases, which are traditionally excluded from review at TCC. It noted two problems with the provision of observer data:

- Requests by CCMs and responses by observer providers are not tracked to ensure the information was provided appropriately such that investigation can occur. The USA noted that the Secretariat is working to allow the CCFS to track this information, although it is unclear when this work will be completed.
- The information received by CCMs from the observer provider may be inadequate to sustain an enforcement action under the flag State CCM's laws.

206. The USA stated that discussions at TCC have highlighted concerns that observer providers may have in releasing the entire observer report, and that a solution needs to be found such that enough information is provided to allow prosecution but to maintain comfort among the observer providers with respect to how much information is being provided. In the paper the USA proposed that TCC

- (i) note that in accordance with CMM 2007-01 paragraph 11, CCMs shall cooperate in the exchange of observer information, including responding to, and facilitating the fulfilment of requests for copies of observer reports in accordance with standards adopted by the Commission; and
- (ii) recommend that the Commission not adopt measures that depend on observers to ensure compliance until it has established effective mechanisms for the sharing of observer reports from ROP Providers to CCMs that need the reports for investigations.

207. Nauru, on behalf of FFA members stated that they did not support the USA proposal because part (i) is already captured in paragraph 11 of CMM 2018-05 and is therefore redundant, while regarding part (ii) there is work underway through the TCC Observer WG to address the flow of observer reports from observer providers to flag CCMs, including enhancements to the CCFS. FFA members stated that the Chair of the TCC Working Group on the Flow of Observer Reports and Observer Conduct stated in his report to TCC14 (**TCC14-2018-14**) that the main impediments to obtaining copies of observer reports in a timely manner to undertake flag State investigation were poor communication and limited capacity of ROP providers to address requests to obtain these reports. FFA members encouraged flag CCMs to liaise closely with ROP providers to address this issue.

208. Korea fully supported the USA's proposal. It drew members' attention to its full comments, which were made on the ODF, and are included in the ODF Summary (**TCC17-2021-04**).

209. PNG on behalf of PNA and Tokelau supported the Nauru statement on behalf of FFA members.

210. RMI supported the FFA statement, especially regarding part (ii) of the USA's recommendation. It stated RMI is an observer provider, and tried to fulfil all requests. It also stated that the USA's proposal should include a review under CMM 2013-06, and stated that if this was done it might be possible to find an outcome that addressed the concerns raised by the USA as well as RMI's concerns as an observer provider.

211. The USA stated that it had reached out to FFA members to discuss the issues, but had been unable to make progress, and stated there was a need to discuss how to address this. The USA stated it had ideas on how to progress the issue and welcomed the opportunity to work with other CCMs and observer providers to find a middle ground in terms of obtaining access to observer reports, and the content of those reports. The USA proposed developing a WCPFC-specific template that includes the sections that CCMs need while addressing the concerns of observer providers. The USA reiterated it is looking for a solution to this problem, and suggested that TCC could possibly acknowledge that without observer reports CCMs cannot complete investigations into possible infringements on the part of their vessels. The USA stated that in its view this compromises the effectiveness and fairness of some measures (for example, those related to observer safety, harassment interference, FAD sets during a closure, and setting on cetaceans).

212. During the ensuing discussion some CCMs noted that in their view the primary issue was the need for enhanced cooperation on the part of flag States and observer providers to improve the flow of information from observer reports.

Proposal for Amending CMM 2019-07 (WCPFC IUU Vessel List)

213. The EU introduced **TCC17-2021-DP03 Proposal for Amending CMM 2019-07 WCPFC IUU Vessel List**, which was included as Topic K5 in the ODF. The EU Stated it had engaged on the issue with interested CCMs since TCC16, and received a number of comments, including through the ODF (recorded in **TCC17-2021-04**). It thanked CCMs for the support expressed. It stated it had initially proposed two elements: cross-listing between RFMOs, and actions to be taken against nationals involved in IUU fishing. The EU noted that in the discussion at TCC17 regarding the IUU vessels list some CCMs expressed interest in taking action against nationals, but that it had removed that element because of opposition that had been expressed in response to this proposal. The EU noted other changes, mainly related to a reduction in the number of RFMOs to be included in the IUU cross-listing and the timing of the listing procedure, which was reduced to once a year; both changes were made to reduce the workload for the Secretariat and CCMs. The EU sought support from TCC17 for the adoption of its amended proposal.

214. USA fully supported the proposal and recommendation.

215. Palau on behalf of FFA members thanked the EU for the proposal. They stated that over the past few years, FFA members had asked many questions and sought clarifications on several aspects of the EU proposal (which are reflected in WCPFC reports), but that these had not been addressed by the EU. They stated that the proposal impacts significantly on small SIDS administrations and FFA could not consider the proposal until a thorough CMM 2013-06 assessment was conducted, noting that the CMM 2013-06 assessment submitted by the EU was inadequate. Given those issues, the virtual meeting format, and TCC's priorities, FFA members recommended that consideration of the proposal be postponed.

216. China stated it is a member of other tuna RFMOs, where members had agreed on cross listing, so in principle it could support the proposal, but stated that several issues need to be addressed, including how to reduce the workload for CCMs and the Secretariat, and how to reduce bureaucratic problems, such as how to respond when a cross-listed vessel originally listed by another RFMO is subsequently delisted by that RFMO. China stated it hoped this could be discussed during WCPFC18.

217. The EU stated that it would continue its intersessional work, but that it was unclear what else it could do to progress the issue. It suggested that it would be useful to focus on the technical aspects of the proposal at TCC, and that other issues such as those related to CMM 2013-06 could then be addressed during the Commission meeting. The EU stated that as indicated in **TCC17-2021-DP03**, the EU reached out to FFA members and requested their assistance in undertaking the CMM 2013-06 assessment, but had done the best it could in the absence of any assistance.

218. Solomon Islands stated that the PNA and Tokelau supported the statement by FFA members.

219. The Chair encouraged CCMs to work cooperatively on the issue in advance of WCPFC18.

220. TCC17 noted the updated proposal and the intention of the European Union to prepare a proposal for WCPFC18.
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Guidelines for Non-entangling and Biodegradable FAD Materials (from FAD Management Options IWG)

221. The Chair briefly summarized **TCC17-2021-19 DRAFT Guidelines for Non-entangling and Biodegradable FAD Materials** prepared by the FAD Management Options IWG. It was included as Topic K6 in the TCC17 ODF, where a number of comments were provided (recorded in **TCC17-2021-04**).

222. The USA supported the draft guidelines annexed to **TCC17-2021-19**, especially the draft guidelines that encourage that mesh not be used. The USA noted the significant impact on shipping to American Samoa resulting from the COVID-19 pandemic, which has restricted the availability of materials, and stated it could offer support only if implementation was delayed. The USA stated it would like more investigation into the use of local materials.

223. The EU stated its understanding that there was general agreement to adopt a recommendation for non-entangling design without mesh netting, and stated that the USA indicated they would like to add a specific deadline for implementation.

224. Tuvalu on behalf of the PNA supported the proposed amendment to paragraph 19 of CMM 2020-01 to make the use of non-entangling material in the construction of FADs mandatory.

225. Niue on behalf of FFA members stated they supported an amendment to paragraph 19 of CMM 2020-01 to make the use of non-entangling material in the construction of FADs mandatory. This includes banning the use of mesh netting as it will reduce or eliminate entanglement on FADs. FFA stated that the text provided to the Commission in **WCPFC15-2018-DP08** on what this ban should look like is still applicable, and includes the following measures:

- no netting shall be used;
- if the raft is covered, only non-entangling material shall be used; and
- the subsurface structure shall be made with ropes, canvas or nylon sheets or other non-entangling materials.

FFA members also recommended that the IWG support further scientific studies into the development and application of appropriate biodegradable materials in FAD construction. This should include research on the use of local materials, where practicable, noting that such information is critical in developing guidelines for the use of biodegradable materials on FADs.

226. Japan stated it had actively participated in the IWG discussions, and generally supported endorsement of the guidelines by WCPFC18, but that it was not in support of the potential ban on netting, and that further consideration of that aspect was needed.

227. FSM thanked the Secretariat and all those who had commented and contributed. It stated the FAD Management Options IWG Chair would update the papers from TCC17 and SC17, and recirculate these to the IWG to determine a path forward.

228. TCC17 reviewed the DRAFT Guidelines for non-entangling and biodegradable FADs prepared by the FAD Management Options IWG, and noted that the Draft Guidelines will be updated by the FAD Management Options IWG prior to WCPFC18.

Guidelines for the Voluntary Submission of Purse Seine processor data by CCMs to the Commission (from SC17)

229. The Chair introduced **TCC17-2021-22**, *DRAFT Guidelines for the voluntary submission of purse seine processor data by CCMs to the Commission*. He noted that SC15 recommended that SPC (with assistance from the Secretariat) investigate what Commission mechanisms could be used and/or updated to facilitate submission of cannery data from other processors for future Commission work (Project 60), while ensuring an appropriate level of confidentiality. SC17 reviewed the latest version of the draft guidelines and requested that TCC17 also consider the draft guidelines. The Chair noted the paper was included as Topic K3 in the ODF (recorded in **TCC17-2021-04**); the comments made in the ODF indicate some in-principle support. The Chair noted the recommendations from **TCC17-2021-22**.

230. Kiribati, on behalf of FFA members, supported the voluntary submission of purse seine processor data to the Commission. Considering that such submission is voluntary they proposed that the data be treated as non-public domain data (high risk classification) and be included in Table 1 of the WCPFC data rules. They noted that as such, it was unnecessary to require flag State consent prior to submission of this voluntary data. They stated if CCMs did seek to require flag State consent, then in their view coastal State consent must also be required. FFA members endorsed the draft guidelines, noting their comments, and agreed to forward the guidelines to WCPFC18 for adoption.

231. TCC17 endorsed the draft guidelines for voluntary submissions of processor (cannery) data to the Commission as amended in Attachment x.

232. TCC17 in endorsing the draft guidelines also noted the requirement to add “Processor data” as non-public domain (HIGH risk classification) data to Table 1 of the *2007 Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the Commission*.

233. TCC17 recommended WCPFC18 endorses the draft guidelines (**Attachment H**) and tasks the Commission to direct the Secretariat to update the WCPFC data rules accordingly.

Best Practices for the Safe Handling and Release of Cetaceans (from SC17)

234. The Chair introduced **TCC17-2021-23**, *DRAFT Best Practices for the Safe Handling and Release of Cetaceans*, noting SC17 requested that TCC17 consider and make recommendations on the best practices. The paper was included in the TCC17 ODF as Topic K4, where a number of comments were provided.

235. Japan noted its comments made in the ODF (recorded in **TCC17-2021-04**), which addressed the suggested equipment (line cutters) and proposed amendments to Annex1 and Annex 2 to indicate that actions should be undertaken “to the extent possible”.

236. The Chair noted that there was in-principle support for the best practices and that the USA would provide a revised version to the Commission for consideration at WCPFC18.

237. TCC17 endorsed the Best Practices for the Safe Handling and Release of Cetaceans (**TCC17-2021-23**) pending revisions noted by a CCM at TCC17, and noted that a revised version of the Best Practices would be submitted to WCPFC18 for its review and endorsement.

Update on Intersessional Work on Improving Crew Labour Standards

238. Indonesia and New Zealand introduced their joint delegation paper **TCC17-2021-DP05**, *WCPFC Intersessional work on improving crew labour standards - Update*. The paper was posted on the TCC17 ODF as Topic K7, where several comments were received (recorded in **TCC17-2021-04**). The proponents noted that the proposal was introduced at WCPFC17, and was based on cases and disputes that have taken place over many years, and followed the passage of a non-binding resolution (2018-01). They stated that the rights and welfare of crew are very important, and thanked CCMs for their very good engagement on the issues. They noted that two detailed observer papers (**TCC17-2021-OP04** and **TCC17-2021-OP05**) were also provided to TCC17, and that although there were many areas of convergence among CCMs more discussion was needed on the scope (should it cover the entire Convention Area, or only the high seas), and whether to focus on labour standards or crew safety. They stated they hope to hold an intersessional meeting in November, and welcomed comments from TCC.

239. China noted that this was a complicated and difficult issue, and stated it would comment in detail at WCPFC18, or in 2022 through intersessional work.

240. Australia supported the work on labour standards, and looked forward to additional intersessional work prior to WCPFC18. Australia also noted that the ODF was a good example of the Secretariat's ongoing efforts to support CCMs.

241. Tonga stated that FFA members fully supported the intersessional work on labour standards and remained committed to the development of a binding CMM. FFA members commended the work done to date by the co-chairs, but recognised that much needed to be done to develop a draft that could be supported by all CCMs. FFA members urged all CCMs to participate in the intersessional process with a further update on progress to be provided to WCPFC18.

242. Cook Islands supported the FFA statement and thanked the co-chairs for their work. It emphasized the importance of the issue to the Cook Islands, and stated that there was simply no place for such abuses in today's society. They stated that crew are essential to fishing, and essential to the future of Pacific CCMs. They noted some outstanding issues but urged all CCMs to resolve these and adopt a regional solution to protect crew.

243. The USA, Korea and Chinese Taipei stated their appreciation for the efforts by the co-chairs and supported additional work on the issue intersessionally and at WCPFC18.

244. WWF, also on behalf of Advocates for Public Interest Law, Center for International Environmental Law, Korean Federation of Environmental Movements, the Global Law Alliance (formerly IELP), Pew and IPNLF emphatically expressed support for the proposed way forward suggested by the IWG Chairs, and continued dedicated work through the IWG. They drew attention to **WCPFC-TCC17-2021-OP05** and **WCPFC-TCC17-2021-OP04**; the latter is an employment analysis of Indonesian citizens in the distant water fleet tuna fisheries of the WCPO and represents a survey of the problem in response to a CCM request from TCC16. WWF sought to remind CCMs why they are discussing this issue, noting the numerous benefits to adopting labour standards for crew:

- (i) WCPFC would be taking the lead in protecting the human dignity and human rights of crew. No human should be subject to forced labour or violation of basic human rights and, by adopting binding labour standards for crew, WCPFC would affirmatively support the wellbeing of those workers providing the world with valuable food resources.
- (ii) These standards could be harmonised with the standards already adopted by the FFA, which include requirements for vessels to provide minimum standards for fishing crews. Because the vast majority of tuna caught with purse seine vessels occurs within the waters of FFA member CCMs, most purse seine vessels already must comply with labour standards for crew. The same is not true of longline vessels. Thus, not only would the adoption of labour standards for crew harmonise standards inside and outside FFA waters, it also harmonises standards across all vessels and gear types.
- (iii) A binding CMM for labour standards could be evaluated by TCC. As such, the binding standards would communicate a commitment to the public and, most importantly, the fishing crews across the region, that this discussion does not simply represent empty promises to treat fishers with dignity.
- (iv) A binding CMM for labour standards would help ensure the tuna from the WCPFC convention area are not stigmatised. Various certification schemes and regulatory trade restrictions for fish products are beginning to account for labour conditions for crew. To the extent that the WCPFC does not have established standards and that reports of forced labour persist across the Pacific tuna fisheries, the tuna industry, and possibly even the Pacific region, faces the prospect of being boycotted by consumers and major buyers of tuna.

WWF stated that this is a very important issue and it must proceed with urgency not only out of a basic concern for human rights, but also as a matter of the future economic prosperity of the Pacific tuna fisheries and the communities that depend on them.

245. TCC17 recommended that intersessional work continue on improving crew labour standards and an update be provided to WCPFC18.

246. The Chair noted that two additional delegation papers were submitted to TCC17 for information: **TCC17-2021-DP04**, on Australia's tracking device trial to retrieve abandoned, lost or otherwise discarded fishing gear) and **TCC17-2021-DP06** (by Australia, France, New Zealand and the United States) on cooperative monitoring, control and surveillance activity in the WCPFC Convention Area (Operation Nasse 2021).

AGENDA 11— CLEARANCE OF TCC17 RECOMMENDATIONS

247. The TCC17 recommendations were cleared (**TCC17-2021-outcomes**). The Chair confirmed that the Summary Report would be cleared intersessionally.

AGENDA 12 — CLOSE OF MEETING

248. CCMs thanked the Chair for his hard work, dedication, and guidance in leading the conversations at TCC17. They also thanked the Secretariat for the support it provided, and delegates for their constructive spirit of engagement. One CCM also noted that the lengthy sessions at TCC17 indicated the need either for additional days or a shorter agenda in the case of future online meetings.

249. The Executive Director, on behalf of the Secretariat, expressed his gratitude to the TCC Chair and Vice-Chair for their work both during and over many weeks leading up to the meeting. He also commended TCC for achieving its task over the six-day meeting. He noted that a successful outcome was not assured at the start of the last day, and stated that the Chair's excellent leadership was largely responsible for the successful conclusion of the meeting. The Executive Director also thanked his team at the Secretariat, noting that some staff have been absent from Pohnpei for some time as a result of COVID-19, but worked together effectively to support the Committee.

250. The Chair expressed his enormous thanks to the Secretariat's team, and to all CCMs for their contributions. The Chair closed the 17th session of the Technical and Compliance Committee at 3:53 pm.

ATTACHMENTS

Attachment A	Opening Statement: WCPFC Chair
Attachment B	Opening Statement: Executive Director
Attachment C	List of Attendees
Attachment D	TCC17 Agenda – as adopted (TCC17-2021-02)
Attachment E	TCC17 recommended revisions to VMS Standard Operating Procedures (SOPs) (TCC17-2021-15B_rev2)
Attachment F	TCC17 Draft VMS template recommended to WCPFC18 as a new annex to CMM 2014-02
Attachment G	TCC17 recommended TCC workplan 2022 - 2024 (TCC17-2021-18_rev4)
Attachment H	TCC17 endorsed draft guidelines for voluntary submissions of processor (cannery) data to the Commission (TCC17-2021-22_rev1)
Attachment I	List of Abbreviations

{placeholder for Attachment A and B}

Meetings

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TECHNICAL AND COMPLIANCE COMMITTEE
Seventeenth Regular Session
Electronic Meeting 22 – 28 September 2021

AGENDA

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 *Overview report of the WCPFC MCS and Compliance Programmes, will be taken as read*

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

AGENDA ITEM 5 COMPLIANCE MONITORING SCHEME

- 5.1 Provisional Compliance Monitoring Report and Executive Summary
- 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, WCPFC17 Summary Report paragraph 362)
- 5.3 Enhancing the CMS (CMM 2019-06 para 46, TCC Workplan 2019-2021)
 - (a) Update on Streamlining of Annual Reporting, specifically the trial of Annual Catch and Effort (ACE Tables) (WCPFC17 Summary Report paragraph 312) (*paper will be taken as read*)
 - (b) Update on improving the online Compliance Case File System (WCPFC17 Summary Report paragraph 313 - 315) (*paper will be taken as read*)
 - (c) Continuation of Compliance Monitoring Scheme Intersessional Working Group to progress the CMS Future Work tasks (WCPFC17 Summary Report paragraph 377 - 379)
 - (d) Expiry of CMM 2019-06 (CMM 2019-06 para 47)

AGENDA ITEM 6 TECHNICAL AND COMPLIANCE MATTERS ARISING FROM COVID-19 RELATED INTERSESSIONAL DECISIONS

6.1 Review available information on the implementation of Intersessional Decisions taken in response to COVID-19 in 2020/21 (WCPFC17 Summary Report paragraph 120) and provide recommendation and advice

AGENDA ITEM 7 TECHNICAL MATTERS REQUIRING TCC ADVICE
will include update reports from the relevant IWG/TCC WGs that will be taken as read

7.1 Support efforts by CCMs and the Secretariat to continue technical work intersessionally 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)

(a) Expiry of VMS SSPs 5.4 - 5.5

7.2 Review Indonesia and Philippines delegation papers and provide advice to inform a Commission discussion on the application of paragraph 51 of CMM 2018-01 (WCPFC17 Summary Report paragraph 200)

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 Anticipated forecast of Secretariat work commitments for TCC
- 9.2 Update of TCC Workplan (WCPFC17 Summary Report paragraph 320)
- 9.3 Update on WCPFC IT/VMS Security Audit
- 9.4 Next meeting

AGENDA ITEM 10 OTHER MATTERS FOR TCC ADVICE ARISING FROM THE TCC17 ONLINE DISCUSSION FORUM

This agenda item is intended to provide a limited opportunity to consider outcomes on other topics from the TCC17 online discussion forum.

AGENDA 11 CLEARANCE OF TCC17 RECOMMENDATIONS

AGENDA 12 CLOSE OF MEETING

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PREFACE - Revisions to VMS SOPs

Introduction

To facilitate review, Table 1 below provides an overview of changes the Secretariat and VMS SWG are proposing be made to the Feb 13 2019 version of the VMS Standard Operating Procedures (SOPs) - see <https://www.wcpfc.int/doc/commission-vms-standard-operating-procedures>. Where changes in the SOPs were editorial, the revised SOP text remains in black, and a brief note may also be included in the table below and/or in a comment in the margin. Where there are additions or changes in the SOPs that are more substantive, brief notes about the change are included in the table below. The new or changed SOP text is coloured red.

Table 1. Notes on proposed changes to the VMS SOPs

Section 2 Overview	<p>Non-substantive edits and tidying of formatting in the introductory section.</p> <p>Add new Section 2.4 Update of these SOPs: As there are a number of statements throughout that mean an update will be required sooner rather than later. The reference to section 6.9 of the VMS SSPs is to provide clarity about the process for amending and reviewing the SOPs.</p>
Section 3 - VMS Software applications	<p>3.1 Trackwell - Non-substantive edits to improve the clarity of the description of the Trackwell system and its key features for Secretariat and CCM VMS Operators. Section 3.3 Monitoring view was merged into this section.</p> <p>3.2 Software to Automate Integration of Manual reports into the Commission VMS - the Secretariat provides updates (here and at 4.5) on work that is currently in progress.</p> <p>Add new Section 3.4 VMS Reporting Status Tool (VRST) providing details on recent updates that provide enhanced capacity (for the Secretariat and flag CCMs) to monitor vessel-level VMS reporting status and identify potential non-reporting issues.</p>
Section 4 Operational Procedures	<p>Add new overview to provide the list of subsections under Section 4.</p>
4.1 Trackwell - VMS Client User Access	<p>Add “Trackwell” to the heading for clarity.</p> <p>Replace text related to password requirements, with a note from the Secretariat providing updates on work that is currently in progress.</p>
4.2 Vessel Tracking Data to be submitted by CCMs (VTAF)	<p>Replacement of “type approved by the CCM” with “on the WCPFC Approved ALC/MTU List”.</p> <p>Add that VTAF for vessels on FFA Good Standing List will be held on file by the Secretariat.</p> <p>Replace references to “FFA Vessel Register” with “FFA Good Standing List”</p>
4.3 MTU/ALC Activation procedure for WCPFC VMS	<p>Update the list of WCPFC VMS gateways and clarify activation process for each MTU type / gateway</p> <p>Add a new sub-title “Vessel activation procedure for specific gateways”</p>

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	<p>Add new VMS activation procedures:</p> <ul style="list-style-type: none"> * Inmarsat BGAN * Iridium * Iridium (mini Leo) * Iridium SBD * ORBCOMM/Skywave – updates based on recent successful efforts by the Secretariat and CCMs to get these units / gateways reporting to the Commission VMS
4.4 VMS Reporting Status Tool (VRST)	New section that explains the current functionality of the VRST, and how it is intended to provide updates for CCMs on the VMS Reporting Status of their vessels, including FFA Good Standing Status, CCM updates on whether the vessel is in port or outside the Convention Area, progress of MTU activations by the Secretariat and confirming VMS reporting.
4.5 Manual Reporting	Adds information on new option for CCMs to provide updates on reporting status (in port, out of the Convention Area) via the VRST. Provides details on status of ongoing work by the Secretariat to provide capacity to automate integration of manual reports into the Commission VMS
4.6 Routine Reports from the Secretariat on VMS reporting anomalies and WCPFC VMS	Modification of first paragraph to refer to Section 4.4 on VRST
4.7 Secretariat processes to identify and follow-up on VMS reporting issues	New section that explains the Secretariat procedure to identify and follow-up on VMS reporting issues
4.8 Proposals for Inclusion of Additional ALC makes and models on the Approved MLC/ALC List	Expanded to more clearly explain the Secretariat procedure to process requests for MTU approval (in accordance with the VMS SSPs). This includes the addition of a new MTU testing checklist, at Annex B, for the Secretariat’s use in assessing MTUs and for providing CCMs additional information prior to Commission decisions to approve new MTUs.
4.9 Removal of ALC/MTU from the Approved ALC/MTU List	New section that explains the Secretariat procedure and provides a cross-reference to the new checklist procedure for the Secretariat’s use in assessing MTUs and for providing CCMs additional information prior to Commission decisions to remove MTUs from the Approved List.
4.10 Commission VMS Helpdesk Support	Minor updates made.

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Commission VMS Standard Operating Procedures (SOPs)

1. Version notes

Version	WCPFC decision reference	Description of updates	Effective date
1.0	WCPFC6	<i>Approved by the Commission of the SOP, as per requirement of VMS SSPs section 6.9</i>	<i>Feb 19 2010</i>
2.0	WCPFC15	<i>Updates made to include versioning and to streamline and improve the focus of the SOPs and better reflect current Secretariat practices including reference to the present VMS service provider/s</i>	<i>Feb 13 2019</i>
3.0	DRAFT – for consideration by TCC17 / WCPFC18	<i>Updates made to provide details on recent and ongoing Secretariat software upgrades to improve capacity to monitor manual reports and monitor / address MTU non-reporting. Also clarifies procedures for activating MTUs and specific gateways, and current procedures for MTU testing (including new MTU testing checklist) prior to Commission decisions on approval or de-listing.</i>	<i>Proposed Feb 08 2022</i>

2. Overview

The WCPFC operates a Vessel Monitoring System (Commission VMS) to assist in the management and conservation of highly migratory fish stocks in the Western and Central Pacific Ocean.

In December 2008, a Service Level Agreement (SLA) was formalised with FFA for the provision of the WCPFC VMS services. The contracted system that provides VMS information to the FFA VMS and the

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WCPFC VMS systems is referred to as the “Pacific VMS”. The WCPFC VMS came into operation on April 1, 2009.

The approved structure of the WCPFC VMS system allows vessels to report to the WCPFC through two ways: i) directly to the WCPFC VMS, or ii) to the WCPFC through the FFA VMS. In respect of the latter, it is recognized that there may be additional requirements for VMS reporting which arise from FFA requirements and national VMS requirements that are relevant.

The WCPFC has more than 3,000 WCPFC-registered vessels that report to the WCPFC VMS through the Pacific VMS. In addition, the WCPFC VMS receives, through the SLA with FFA, high seas VMS information relating to FFA-registered vessels.

The Commission VMS requires the use of Mobile Transceiver Units (MTUs)/Automatic Location Communicators (ALCs) that are on the Commission’s approved list of MTU/ALC¹. This list is based on the Secretariat’s assessments of ALCs against minimum standards for the Commission VMS. These standards are set out in Annex 1 of CMM 2014-02 (or its successor measure) and WCPFC SSPs. The Secretariat assess whether the ALC make and model has the ability to successfully report to the Commission VMS.

2.1 Purpose of these Standard Operating Procedures

These standard operating procedures (SOPs) have been developed to provide uniform guidance for Commission personnel in the management and operation of the Commission VMS.

2.2 Specific Commission Decisions and Guidelines governing the Commission VMS and access to VMS data

- a) Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the Commission (2007 data RaP) – December 2007;
- b) Service Level Agreement (SLA) with FFA for the provision of the WCPFC VMS services – December 2008 (WCPFC VMS came into operation on April 1, 2009);
- c) Rules and Procedures for the Protection, Access to, and Dissemination of High Seas Non-Public Domain Data and Information Compiled by the Commission for the Purpose of Monitoring, Control or Surveillance (MCS) Activities and the Access to and Dissemination of High Seas VMS Data for Scientific Purposes. (2009 MCS data RaP) – December 2009;
- d) WCPFC Standards Specifications and procedures (SSPs) for the fishing vessel monitoring system (VMS) of the Western and Central Pacific Fisheries Commission (WCPFC) – December 2018 (or its update);
- e) WCPFC Agreed Statement describing Purpose and Principles of the WCPFC VMS – December 2011;
- f) WCPFC9 decision regarding application of Commission VMS to national waters of Members (WCPFC9 Summary Report paragraph 238) – December 2012;
- g) Conservation and Management Measure for the Commission VMS – CMM 2014-02 (or its replacement CMM) – December 2014;
- h) WCPFC VMS Reporting Requirement Guidelines – May 2018 (or its update); and
- i) The last update of the list of approved MTU/ALCs can be accessed from the website: <https://www.wcpfc.int/vessel-monitoring-system>

2.3 General Information Security Policy and Administrative Procedures for the Secretariat

¹ The terms “ALC”, “MTU”, “ALC/MTU”, and “MTU/ALC” are used interchangeably in this document.

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The Secretariat's WCPFC Information Security Policies and Guidelines, as well as Administrative Procedures apply to the administration and access to the Commission VMS.

2.4 Update of these SOPs

VMS SSPs 6.9 states: “A set of Standard Operating Procedures, elaborated by the Secretariat, and subject to approval by the Commission on the recommendation of the TCC, will be developed to deal with all operational anomalies of the VMS, such as interruption of position reports, downloading of DNIDs and their equivalent and responding to reports providing incoherent data (e.g. vessel on land, excessive speed, etc.).” In 2021, the Secretariat is in the process of enhancing the VMS procedures, and online user experience and helpdesk. For this reason, this document will be reviewed no later than TCC18 in 2022. Note that the 2021 updates in these SOPs are consistent with the current VMS reporting framework outlined in the Convention and CMM 2014-02. The updates reflect technological updates, processes and enhancements to address current VMS data gaps or procedural issues.

3. VMS Software Applications

3.1 Trackwell

The Trackwell VMS user interface is implemented as a suite of web modules selectable from the main menu.

The main modules are:

- a) Monitoring - Secretariat and CCM VMS operators main view;
- b) Vessel – the vessel registry database synchronized with the Record of Fishing Vessels (RFV)
- c) Events and Actions – used to define the events to be monitored and the actions to be taken when an event occurs;
- d) Reports – provide a list of pre-programmed reports for Secretariat and CCM VMS operators eg. A count of position reports per day by area per month or a date range;
- e) Live Map – An interactive map display showing vessels’ position and zones in near real-time; and
- f) **Map history - this module contains tools to display historical trails of one or more vessels in a graphical map interface. The user can then define a date and time range to see the trail history of the selected vessels.**

The Monitoring View is the operator’s main view. All important events and alerts handled by the system are listed in this view as issues. An operator can select an “Issue” to work on or record actions taken in relation to the selected issue until it is closed.

3.2 Software to Automate Integration of Manual Reports into the Commission VMS

Vessels are expected to report their positions automatically. The Commission VMS does not presently have a capability to automatically upload manual positions (eg in the case of MTU/ALC failure). **The Secretariat is developing, with TrackWell, a facility for CCMs’ vessels to enable them to submit manual position reports to the Commission VMS via email. Updates on this work were provided to TCC17².**

3.3 VMS Reporting Status Tool (VRST)

Since 2020, through the development of the VMS Reporting Status Tool (VRST), the Secretariat provides a fully automated report for each CCM to review, in more detail, the reporting status for all their vessels.

² See further details in section 4.5 below.

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The reporting status provides a daily snapshot of whether³ each vessel on the RFV is meeting its Commission VMS requirements. These requirements are met by direct reporting to the Commission VMS or through reporting via the FFA VMS (based on FFA Good Standing List). For any vessel not reporting, the daily snapshot should assist to indicate whether WCPFC has completed the necessary steps to activate its MTU to report to the Commission VMS, and if so, the VRST provides a generic current vessel status (e.g., “OK” or “STOP”) for each of their vessels and a daily VMS-reporting status (how many position reports are transmitted by each vessel each day for the past 31 days)⁴. The data can be exported to a file in CSV format for each report.

The VRST was enhanced in 2021 giving flag CCMs the ability to update VRST data to inform the status for their non-reporting vessels.

4. Operational Procedures

This section contains ten (10) subsections:

1. Trackwell - VMS Client Tool;
2. Vessel Tracking Data to be submitted by CCMs (VTAF);
3. MTU/ALC Activation Procedure for WCPFC VMS;
4. VMS Reporting Status Tool (VRST);
5. Manual Reporting;
6. Routine Reports from the Secretariat on VMS reporting anomalies and WCPFC VMS;
7. Secretariat processes to identify and follow-up on VMS reporting issues;
8. Proposals for Inclusion of Additional ALC makes and models on the Approved MLC/ALC List;
9. Removal of ALC/MTU from the Approved ALC/MTU List; and
10. Commission VMS Helpdesk.

4.1 Trackwell - VMS Client User Access

The VMS Manager can provide user access to the Commission VMS to an individual user on request from an authorised CCM official.

The Commission VMS is configured so that each user has a unique login ID and password which can be changed at the discretion of the user.

The system is being integrated with the WCPFC website user accounts which will allow Party Administrators to give access to the Commission VMS. Users will have a single user account and password across all WCPFC systems in a manner consistent with the WCPFC Information Security Policy and associated rules.

4.2 Vessel Tracking Data to be submitted by CCMs (VTAF)

The flag CCM is to submit all necessary data to complete its data file in the Commission’s VMS database, in respect of all vessels authorized to operate in the WCPFC Convention area. **In accordance with the VMS SSPs**, this data will include the name of the vessel, unique vessel identification number (UVI) [* if and when adopted by the Commission], radio call sign, length, gross registered tonnage, power of engine expressed in kilowatts/horsepower, types of fishing gear(s) used as well as the make, model, unique network

³ Based on available data and information.

⁴ That VRST’s display of CCMs’ most recent month’s vessel-level VMS-reporting status does not impose any additional monitoring obligations on flag CCMs or the Secretariat.

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identifier (user ID) and equipment identifier (manufacturer's serial number) of the ALC that vessel will be using to fulfil its Commission VMS reporting requirements.

To facilitate the submission of necessary vessel tracking data for each vessel required to report to the WCPFC VMS, the Secretariat has provided a guideline Vessel Tracking Agreement Form (VTAF) to enable activation and automatic tracking of the vessel through WCPFC VMS. VTAFs of vessels already reporting to FFA VMS will not be activated and may not need to be provided but if submitted, can be filed in case the vessel needs to have the ALC activated to report to WCPFC VMS system (should the vessel no longer report to the FFA VMS system).

A copy of the guideline VTAF form is appended at **Annex A**.

When updated or new VTAF data is received from a CCM, the following initial steps are to be taken by the Secretariat:

1. acknowledge receipt of the VTAF by e-mail to the CCM official who sent it.
2. check that the VTAF data is completed correctly. Any incomplete VTAF data will be referred back to the CCM official who sent it.
3. check that the MTU/ALC described in the VTAF is **on the WCPFC Approved ALC/MTU List**. If not, advise the CCM official accordingly.
4. if the MTU is **on the WCPFC Approved ALC/MTU List**, then check the FFA Good Standing List to determine if the vessel is listed. If it is listed, **the MTU will be held on file by the Secretariat** and no further action required. The vessel will be monitored when it enters waters of the WCPFC Convention Area covered by the WCPFC VMS.
5. If the vessel is not listed on the FFA Good Standing List then its MTU/ALC must be activated to report directly to the Commission VMS (see **Section 4.3** below).

4.3 MTU/ALC Activation procedure for WCPFC VMS

Vessels not listed on the FFA Good Standing List will be activated to report directly to WCPFC VMS once a VTAF or information required under Paragraph 2.9 of the Commission VMS SSPs is provided in full.

The following procedures are to be followed by the Secretariat for such vessels:

1. Secretariat to enter VTAF data as a new record in MTU Update request (see Figure 1).

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MTU Update Request - New Item

EDIT PAGE

Save Cancel Paste Copy Attach File Spelling

Commit Clipboard Actions Spelling

Save Cancel

Submitted By *

Received Date *

Vessel *

MTU Details

Approved MTU Type *

Equipment ID *

Manufacturer's serial number for this MTU

Network ID

Unique ID Number by which MTU is tracked on the satellite network

Save Cancel

Figure 1

2. Secretariat to follow activation procedure that is specific to the gateway for the MTU/ALC (see below). The following details must be provided for all activation requests:
 1. Vessel Name
 2. Reg No
 3. IRCS
 4. Vessel Type
 5. Flag
 6. Approved MTU Type
 7. Equipment ID
 8. Network ID
3. If activation was successful, Secretariat to advise CCM, **via email** that the vessel has been activated to report⁵. The Secretariat to complete internal procedure so that MTU update request form is completed to show “MTU Update Request Completed OK”. This provides advice to Trackwell VMS system that the vessel MTU/ALC details have been confirmed and are activated to report to WCPFC VMS. **The MTU Network ID is the unique ID of the MTU that links the MTU to the vessel based on VTAF submission.**
4. If activation was not successful, the Secretariat to request the CCM official to check the vessel’s MTU/ALC, rectify any anomalies with the MTU/ALC **or VTAF data** and inform the WCPFC Secretariat of when the vessel is ready for activation.

⁵ The success of their vessels’ MTU/ALC activations will also be evident in the VRST to CCMs.

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5. On receipt of the advice by the CCM that the MTU/ALC is ready for a second activation attempt, the Secretariat to activate the vessel on the system again.
6. If the MTU/ALC activation fails on the second attempt, the Secretariat to notify the CCM and draw to the CCM's attention that vessel position reports shall be provided by the vessel on a manual basis, as required by the Commission VMS SSPs.

Vessel activation procedure for specific gateways:

WCPFC VMS has gateways for the following services:

- Argos
- Faria **Watchdog**
- Halios – CLS MTUs using the Iridium service
- **Inmarsat BGAN – for iFleetONE MTUs**
- Inmarsat C
- **Iridium – for insight X2 EMTU (Nautic Alert)**
- **Iridium (mini LEO) - for BB3 & BB5 MTUs (SASCO)**
- **Iridium SBD – for iTrac II (MetOcean Telematics) and RomTrax Wifi (Rom Communications)**
- SkyMate
- **Skywave/ORBCOMM – currently operational for Chinese Taipei and Australian vessels using IDP-690.**

ARGOS

Argos MTUs installed post WCPFC14 decision are no longer accepted for activation. Therefore, if a CCM contact requests activation of an Argos MTU, the Secretariat to draw to the CCM's attention to the WCPFC14 decision and that vessel position reports shall be provided by the vessel on a manual basis, as required by the Commission VMS SSPs, until a suitable MTU/ALC may be installed and activated.

FARIA WATCHDOG:

Faria MTUs and the vessel's details are to be sent to SpeedCast (support.mss.apac@speedcast.com) with a request to provide Faria 4-digit unique MTU Id made on activation. **The outcome will be advised by the Secretariat to the CCM contact⁶.**

HALIOS

List of vessels with Halios MTU/ALCs to be activated should be sent by the Secretariat to CLS-OCEANIA (hspencer@groupcls.com). **CLS-OCEANIA will then advise the Secretariat whether activation is successful or not. MTU reporting status may also be verified through the CLS portal application - <https://mydata.cls.fr/iwp/Main.do>.**

INMARSAT C

For Inmarsat C MTUs, activation is done at the Secretariat using a web application developed by SpeedCast (see Figure 2, below).

⁶ This activation confirmation process between the Secretariat and CCM will be followed for all approved MTU/ALC types shown in this section; the MTU/ALC status will also be evident to the CCM contact via the VRST.

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Western & Central Pacific Fisheries Commission

Please select DNID Options

Command Type

Ocean Region

Data Network ID

IMN Number

Member Number

UTC Time (24hr)

Reports per 24 hours

Sub Address

Acknowledgement

Telnet

TELNET:

SpeedCast
Wherever You Are
© Speedcast Australia 2010

Figure 2

If activation was not successful then the Secretariat to advise CCM Official of why the activation was unsuccessful, which may include:

- Unknown mobile number
- Mobile logged out
- Mobile is not in the Ocean Region
- DNID sent to vessel, but vessel did not send acknowledgement to Commission VMS;
- Program sent to vessel but vessel did not send acknowledgement to Commission VMS; or
- Start Command sent to vessel but vessel did not send acknowledgement to Commission VMS.

INMARSAT BGAN

Activation request for iFleetONE MTUs are sent to Addvalue (weehong.ng@addvalue.com.sg). Addvalue will then advise the Secretariat if activation is successful or not.

IRIDIUM

Activation request for insight X2 EMTU is to be sent to Nautic Alert via email: nfvelado@nauticalalert.com. Nautic Alert will then advise the Secretariat if activation is successful or not.

IRIDIUM (mini LEO)

Activation request for Sasco BB3 & BB5 MTUs are to be sent to SASCO email: chuck@sasco-inc.com. SASCO will then advise the Secretariat if activation is successful or not.

IRIDIUM SBD

This is a gateway service for iTrac II and RomTrax Wifi MTUs.

Activation of iTrac II MTU are to be sent by the Secretariat to MetOcean Telematics (service@metocean.com). MetOcean Telematics will then advise the Secretariat if activation is successful or not.

Activation RomTrax Wifi are to be sent by the Secretariat to Rom Communications (michael@romcomm.net). Rom Communications will then advise the Secretariat if activation is successful or not.

SKYMATE

For skymate MTUs, the vessel's details are to be sent by the Secretariat to Skymate (williamricaurte@navcast.com). Skymate will then advise the Secretariat if activation is successful or not.

SKYWAVE / ORBCOMM

For Skywave/ORBCOMM MTUs, the flag CCM's mobile communications service provider (MCSP) for the MTUs establishes a reporting channel / account for the vessels that are required to report to the Commission VMS.

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The MCSP establishes a link with the VMS service provider of WCPFC (currently Trackwell) through an application programming interface (API) which allows Trackwell to access the VMS data.

The flag CCM submits to the WCPFC Secretariat the Vessel Tracking Agreement Form (VTAF) for each vessel carrying these MTUs. The Secretariat processes the VTAF information and registers the MTU on the WCPFC MTU Register.

The Secretariat completes its MTU update request form to show “MTU Update Request Completed OK”. The completion of this form advises Trackwell VMS system that the vessel’s MTU details have been confirmed and are activated to report to WCPFC VMS.

Orbcomm MTUs communicate with the Commission’s VMS through Orbcomm service providers. TrackWell currently receives data from Orbcomm MTUs in use on two CCM’s vessels. If other CCMs authorize their vessels to use Orbcomm MTUs, consultation with WCPFC and TrackWell is necessary to establish communication channel arrangements between the CCM’s Orbcomm service provider and WCPFC’s VMS service provider (TrackWell), before the vessels can be activated to report to the WCPFC VMS.

4.4 VMS Reporting Status Tool (VRST)

Access to the VRST is granted to WCPFC website user accounts by assigning one of the following two roles:

1. VMS Viewer - provides read-only access to the VRST.
2. VMS Editor – provides VMS Viewer access plus it allows the user to update the reporting status of vessels not reporting.

The roles can be assigned by a CCM Party Administrator, or upon CCM request, the Secretariat can assist in managing user accounts on behalf of a CCM. More information on managing roles can be found in the Party Administrator Guide on the WCPFC knowledgebase - <https://wcpfc.freshdesk.com/>

The VRST provides the authorized CCM contact a daily snapshot of whether each CCM vessel on the Record of Fishing Vessels is meeting its Commission VMS requirements. The VRST is updated each day at 1am UTC. There are currently four parts to the VRST (see Figure 3 below):

1. Information

The “Information” tab of the VRST provides explanatory information about the VRST.

2. All Vessels

The "All Vessels" tab of the VRST is in response to the WCPFC12 task and provides the latest WCPFC VMS reporting status for every vessel on the Record of Fishing Vessels (RFV).

3. CCM Vessels

The "CCM Vessels" tab of the VRST lists only RFV vessels flagged to the CCM, viewable only by that CCM’s authorized contact.

The CCM Vessels tab provides CCMs with a daily snapshot of whether each of their vessels on the RFV is meeting its Commission VMS requirements. If a vessel is not on the FFA Good Standing

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List, the VRST provides an indication of whether WCPFC has completed the necessary steps to activate the vessels MTU to report to the Commission VMS, and if so the VRST provides a generic current vessel status (e.g., “OK” or “STOP”) for each of their vessels and a daily VMS-reporting status (how many position reports are transmitted by each vessel each day for the past 31 days⁷).

For vessels that are not on FFA Good Standing List, the VRST will display the following status to the vessels based on reporting and CCMs advice.

- ‘ACTR’ – VTAF info received and in the process of activation by the Secretariat.
- ‘In Port’ – based on advice from CMMs that the vessel is in port and MTU is powered down.
- ‘OK’ – the vessel’s MTU is reporting correctly to WCPFC VMS. No action required.
- ‘Outside the WCPFC Convention Area’ – based on advice from flag CCM, the vessel is operating outside of the Convention area and is not reporting to WCPFC VMS.
- ‘Within flag CCM EEZ’ – based on advice from flag CCM, the vessel is within the flag CCM’s EEZ and is not reporting to WCPFC VMS.
- ‘STOP’ – The vessel has stopped reporting. Secretariat staff to work with Flag CCM to resolve the non-reporting issue.

4. Non-Reporting Vessels

The “Non-Reporting Vessels” tab of the VRST is a subset of the CCM Vessels tab list providing a list of vessels from which the expected VMS data is not being received.

For each vessel that is not reporting to the WCPFC VMS, authorized CCM users are able to update the status to ‘In Port’ or ‘Outside the Convention Area’ or ‘Within flag CCM EEZ’ and the date the status took effect. When VMS data is received by the WCPFC VMS, the status will be automatically reset to ‘OK’.

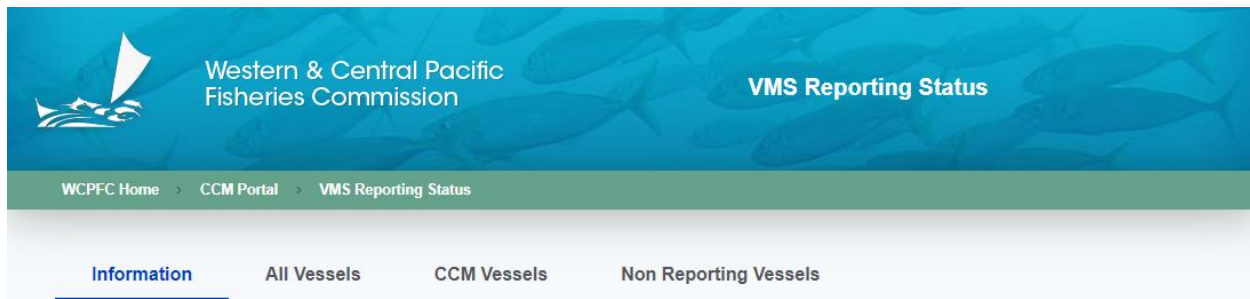


Figure 3

4.5 Manual Reporting

Since 1 March 2013, the Commission has agreed to regular extensions of amendments to the SSPs related to the reporting timeframes for manual reporting in the event of ALC malfunction. A standard reporting format for these manual reports has been previously agreed as is required by the WCPFC Standards Specifications and procedures (SSPs) for the fishing vessel monitoring system (VMS) of the Western and Central Pacific Fisheries Commission (WCPFC) – December 2016 (or its update).

⁷ See footnote 4 above

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CCM vessels that fail to report to the Commission VMS must commence manual reporting not later than the time specified in the SSPs unless the CCM contact has provided an appropriate and accurate update of the MTU status (either via the VRST directly, or by email to the Secretariat VMS staff).

Manual reports should be sent to email: VMSManualReports@wcpfc.int. The first manual report received from a vessel will be recorded in the WCPFC Intranet – VMS Manual Report (see Figure 4 below). This record will remain open until the vessel resumes normal VMS reporting.

VMS Manual Reporting - New Item

EDIT

Save Cancel Paste Copy Attach File Spelling

Commit Clipboard Actions Spelling

Vessel * #4, [29779]
Vessel reporting positions manually, or having its VMS switched off

VMS Status *
 Malfunction
 Not Fitted
 Switched Off

Reporting Start Date *
The date when manual reporting must commence, or the date when VMS was switched off

VMS Resume Deadline Date *
The deadline by which VMS reporting must be resumed

VMS Resume Actual Date
The actual date when VMS reporting resumed

Notes
Any notes regarding this Vessel's manual reporting

Save Cancel

Figure 4

All manual position reports should then be entered in the VMS Manual Reporting database (Figure 5).

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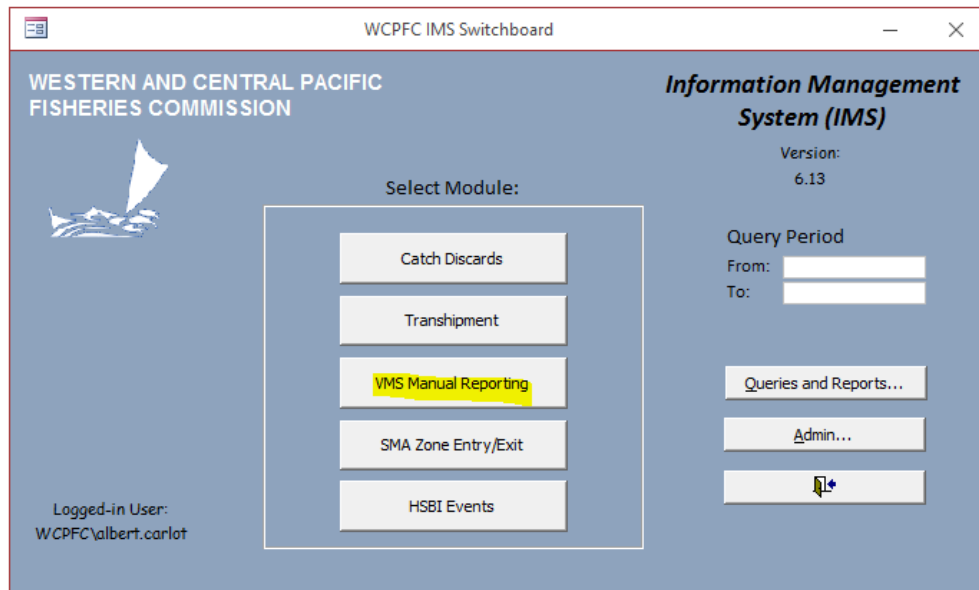


Figure 5

The vessel may recommence fishing on the high seas only when the MTU/ALC has been confirmed as operational by the WCPFC Secretariat following the flag CCM informing the Secretariat that the vessel's automatic reporting complies with the regulations established in the Commission VMS Standards, Specifications and Procedures (SSPs).

Pending approval by the Commission, the process in development to automate integration of VMS manual reports into the Commission VMS is based on the relatively common North Atlantic Format (NAF). In this framework, VMS manual report messages would be submitted to the Commission's VMS via email. Correctly formatted data received would then automatically be integrated into the Commission VMS.

4.6 Routine Reports from the Secretariat on VMS reporting anomalies and WCPFC VMS

As was explained in Section 4.4, the VRST tool, which is accessible by authorized CCM users, provides CCMs a daily snapshot of whether each of their vessels on the RFV is meeting Commission VMS requirements.

The following reports are provided to TCC annually:

- Annual Report on the Commission VMS;
- Review of integrity of the Secretariat's VMS data
- Annual Report on the administration of the data rules and procedures.

Ad hoc reports may be generated on request and following necessary approvals in accordance with the data rules and administrative procedures.

4.7 Secretariat processes to identify and follow-up on VMS reporting issues

The Secretariat will routinely check on the VMS reporting status of vessels when there is a change to their listing on FFA Good Standing List and take appropriate action:

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1. If a vessel that has its MTU activated to report directly to WCPFC VMS is subsequently listed on the FFA Good Standing List, WCPFC Secretariat VMS staff will take necessary steps to deactivate the MTU and update WCPFC records to show that the vessel is expected to be reporting to WCPFC VMS through the FFA VMS.
2. If a vessel that was on the FFA Good Standing List is de-listed, VMS staff will take necessary steps to activate the most recent VTAF received for direct reporting.
3. Flag CCMs may receive relevant updates through the VRST about whether their vessel is on the FFA Good Standing List and if a MTU is in the process of activation by the Secretariat (refer to Section 4.4).

For vessels not on the FFA Good Standing List, the Secretariat routinely checks the following issues:

1. That a vessel is not showing as 'STOP' in VRST, when:
 - a high seas transshipment notification is received by the Secretariat,
 - a notification is received that a vessel has been inspected through the High Seas Boarding and Inspection Scheme,
 - a charter notification is received by the Secretariat
 - a notification in accordance with para. 3, Attachment 2 of CMM 2020-01 is received by the Secretariat, and
 - Upon request by an authorized CCM contact.
2. For all vessels that have a vessel status 'STOP' in the VRST, a workflow process will document actions taken by the VMS staff to resolve non reporting (refer to Figure 6 below).
3. Flag CCMs may receive relevant updates through the VRST about whether their vessel is on the FFA Good Standing List, if a MTU is in the process of activation by the Secretariat, if a vessel is In Port or outside the Convention Area, and if the vessel is reporting normally or has stopped reporting to the Commission VMS. (refer to Section 4.4).

The following procedures are to be followed by the Secretariat when a VMS non-reporting is identified:

1. Create a record in RFV MTU workflow that the vessel has stopped reporting and proceed with the process getting the MTU to resume reporting.
2. Check with the flag CCM to confirm that the MTU is switched on and reporting to the CCM's VMS. If so:
 - a. Confirm with the flag CCM that the VTAF info is accurate;
 - b. For Inmarsat C MTUs, a re-download of DNID and polling might be required;
 - c. For other MTU types, the Secretariat will contact the MCSP to verify the MTU's status, and VMS staff to follow-up with Trackwell or MCSP where appropriate, to ensure the data is being received by the WCPFC VMS.
3. If the flag CCM indicates that the MTU has been replaced, remind the CCM contact of their responsibility to provide VTAF info for the new MTU, and proceed with normal activation process (refer to Section 4.3 above).

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4. Failure of the MTU to properly report requires the flag CCM require the vessel to provide manual reports as per manual reporting requirements (refer Section 4.5 above).

RFV MTU Workflow - New Item

EDIT

Save Cancel Paste Copy Attach File Spelling

Commit Clipboard Actions Spelling

Vessel * #4

Source

Choose a reason why the follow up is needed

Notes

Describe the latest step in what has been done to resolve vessel reporting issues

Status Follow Up

Follow Up Date

Assigned To Enter a name or email address...

Save Cancel

Figure 6

4.8 Proposals for Inclusion of Additional ALC makes and models on the Approved MTU/ALC List

Commission VMS SSPs require that the Secretariat will assess proposals for inclusion of additional ALC makes and models on this list from both CCMs and equipment manufacturers. VMS SSPs 2.7 states “The Secretariat shall include the ALC/MTU make or model being proposed on this list, if no CCM objects in writing within 30 days of the Secretariat circulating notice of its intent to all CCMs, and, if in the Secretariat’s assessment, the ALC/MTU make or model meets the minimum standards for the Commission VMS as set out in Annex 1 of CMM 2014-02 (or its successor measure), the WCPFC SSPs, as relevant, by determining that the ALC/MTU make and model has the ability to successfully report to the Commission VMS, and by using the methodology established by the FFA with expenses for type approval processing.”

The Secretariat is to assess proposals for the inclusion of additional MTU/ALC units and their communication / satellite service provider / gateway, against the new MTU/ALC type approval checklist (appended in **Annex B**). The following procedures are to be followed by the Secretariat when a proposal from MTU manufacturers, CCMs and service providers is received seeking the inclusion of additional ALC makes and models on the Approved MTU/ALC List:

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1. Application received with sufficient⁸ supporting technical documentation.
2. Secretariat checks application information and verifies it against minimum standards in Annex 1 of the CMM 2014-02 (or its successor).
3. Submit request for testing to TrackWell. TrackWell will liaise with the ALC/MTU applicant to conduct physical⁹ testing to ensure the gateway created is able to receive error-free position reports as per Annex 1 of CMM 2014-02 (or its successor).
4. Trackwell will provide complete test report to the Secretariat for final assessment.
5. As part of the assessment, the Secretariat VMS staff shall detail how each step on the checklist was or was not satisfied for the ALC/MTU proposed for listing.

Where the Secretariat concludes in its assessment that a proposed ALC/MTU make or model does meet these requirements, the Secretariat will follow the existing approval process and timelines outlined above (from VMS SSPs 2.7). Additionally, the Secretariat shall provide CCMs details on how each step on the checklist was satisfied for the ALC/MTU, along with any other documentation provided by the flag CCM or vendor, to better inform CCMs' consideration.

Where the Secretariat concludes in its assessment that a proposed ALC/MTU make or model does not meet these requirements, or if a CCM objects in writing to the Secretariat's proposal to approve a new ALC/MTU make or model, the Secretariat shall make recommendations in the annual report regarding the proposed ALC/MTU make or model for the TCC's consideration. The Secretariat shall provide CCMs with details on how each step on the checklist was satisfied for each unit, along with any other documentation provided by the flag CCM or vendor, to better inform CCMs' consideration.

4.9 Removal of ALC/MTU from the Approved ALC/MTU List

The Secretariat will recommend to TCC as needed, the removal of units currently on the list of approved ALC/MTU makes and models that no longer meet the minimum standards set out in Annex 1 of CMM 2014-02 (or successor measure), or that do not have the ability to successfully report to the Commission VMS. As part of the assessment, the Secretariat VMS staff shall detail how each step on the checklist in **Annex 2** was or was not satisfied for each unit proposed for removal from the Approved ALC/MTU List.

4.10 Commission VMS Helpdesk Support

The Secretariat is committed to developing online self-service support options via the WCPFC support knowledgebase (<https://wcpfc.freshdesk.com/>) and VMS help topics are in the process of being developed.


Email support for the Commission VMS can be sent to VMS.helpdesk@wcpfc.int

⁸ For example, full technical specifications of all MTU/ALC hardware that will be installed on vessels, citations of any previous domestic or RFMO type approvals of the proposed MTU/ALC, data/results from previous domestic or other testing of the equipment, or images depicting the hardware components.

⁹ Tests of successful position reporting to the Commission VMS by the relevant MTU hardware that is physically located within the Convention Area.

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Annex A

<p><i>On completion.</i> Please return this Agreement form to email: VMShelpdesk@wcpfc.int</p>			
Vessel Tracking Agreement Form¹			
VESSEL DETAILS <i>(as contained in WCPFC Record of Fishing Vessels (RFV))</i>			
Vessel Name:	WCPFC VID:		
Vessel Type:	International Radio Callsign (IRCS):		
	Country Registration Number:		
Country of Registration:	Home Port:		
VESSEL CONTACT DETAILS			
Name of Contact person:			
Contact Address:	Phone number:		
	Cell Phone/Sat-phone #:		
	Email address:		
MOBILE TRANSCEIVER UNIT (MTU)/AUTOMATIC LOCATION COMMUNICATOR (ALC) DETAILS			
Manufacturer:	Model:		
Software version N ^o :	Equipment ID <i>(Manufacturer's serial number for this MTU)</i>		
Network ID: <i>Unique ID Number (user ID) by which MTU is tracked on the satellite network</i>	Name of Mobile Communication Service Provider: <i>(select one)</i> <div style="display: flex; justify-content: space-around;"> ARGOS HALIOS </div> <div style="display: flex; justify-content: space-around;"> INMARSAT STDC FARIA WATCHDOG </div> OTHER (specify): _____		
INSTRUCTIONS TO SECRETARIAT <i>(select one)</i>			
1. New vessel/MTU to be activated: <input type="checkbox"/> 2. Replacement MTU: <input type="checkbox"/> 3. Spare MTU: <input type="checkbox"/> 4. Other <input type="checkbox"/> <i>(please specify):</i>			
MTU / ALC TRACKING AUTHORISATION			
I _____, the owner of the MTU/ALC described above hereby <i>(Print Name)</i> authorise the WCPFC Secretariat to electronically monitor the unit, and disseminate data from it, in accordance with WCPFC policy. Signature: _____ Date: _____			

¹ Version issued WCPFC Secretariat 7 March 2017. This form is intended to facilitate the submission by flag CCMs of data as per the requirements of VMS SSPs requirement Section 2.8

DRAFT

Annex B

ALC/MTU testing checklist				
Item	Description	Requirements	Evidence Provided (YES or NO)	Secretariat Assessment
Documents to be provided on application				
1	Submit application	Letter of application. Supporting technical reference documentation. Provide proof of Type Approval received for the ALC/MTU.		
Assessment against Annex 1 of CMM 2014-02				
2	The ALC/MTU shall automatically and independently of any intervention on the vessel communicate.	ALC/MTU static unique identifier. the current geographical position. UTC date and time.		
3	Data shall be obtained from a satellite-based positioning system.	Indicate satellite service provider.		
4	ALC/MTU fitted to fishing vessel must be capable of transmitting data.	hourly intervals.		
5	The data shall be received by the Commission VMS under normal operating conditions.	within 90 minutes of being generated by the ALC/MTU.		
6	ALC/MTU fitted to fishing vessel must be protected.	Tamper proof.		
7	Storage of information within the ALC/MTU under normal conditions.	safe, secure and integrated.		
8	It must not be reasonably possible for anyone other than the monitoring authority to alter any of authority's data stored in the ALC/MTU.	Secure DNIIDs and reporting parameters.		
9	Any features built into the ALC/MTU or terminal software to assist with servicing shall not allow unauthorised access to any areas of the ALC/MTU.	ALC/MTU software access should be password protected.		
10	The ALC/MTU shall be installed on the vessel in accordance with their manufacturer's specification and applicable standards.	The ALC/MTU shall be installed on the vessel in accordance with their manufacturer's specification and applicable WCPFC requirements.		
11	Under normal satellite navigation operating conditions, positions derived from the data forwarded must be accurate to within 100 square metres Distance Root Mean Square (DRMS).	98% of the positions must be within this range.		
12	The ALC/MTU and/or forwarding service provide must be capable to support the ability for data to be sent to multiple independent destinations.	capable for direct simultaneous reporting.		
13	The satellite navigation decoder and transmitter shall be fully integrated and housed in the same tamper-proof physical enclosure.	GPS and transmitter module be fully integrated and housed in the same tamper-proof physical enclosure.		
TrackWell testing				
14	Gateway / Communications channel.	Gateway / Channel setup and capable of receiving positions reports in either PUSH or PULL method.		
15	Position transmission.	Positions received without errors.		
16	Latency.	Positions received with 90 minutes of being generated by the ALC/MTU.		
17	Test report.	test completion report provided to the Secretariat		
The Secretariat has assessed the Application and deemed that the <<insert ALC/MTU type name>> has PASSED / FAILED the requirements to be included in the WCPFC Approved List of ALC / MTU				

TCC17 Draft VMS template recommended to WCPFC18 as a new annex to CMM 2014-02

Annex2: Template for reporting implementation of this CMM. Each CCM shall include the following information in Part 2 of its annual report:

CMM paragraph	Brief description	Annual Reporting list/question
CMM 2014-02 04	Vessels shall continue to report to Commission VMS after moving into Northern Quadrant	AR Pt 2 (prior year implementation) PR-045
CMM 2014-02 9a	Fishing vessels comply with the Commission standards for WCPFC VMS including being fitted with ALC/MTU that meet Commission requirements ¹	AR Pt 2 (prior year implementation) PR-046 (Proposed New): "Have flag CCMs adopted national measures or management plans to implement CMM 2014-02 9a? Please specify such mechanism, including the measures requiring vessels to install ALC units that are on the Commission ALC/MTU Approval List, and actions when vessels that are "fishing in the Convention Area beyond their area under national jurisdiction" unexpectedly stop reporting to the Commission VMS."
CMM 2014-02 9a VMS SSPs 2.8	Provision of current ² ALC/MTU 'VTAF' data	AR Pt 2 (prior year implementation) PR-047

¹ Monitoring CCMs' compliance with this item can be streamlined if 1) CCMs monitor and update their vessel's status (e.g., "In Port", "Out of Convention Area", "Manual Reporting", "new VTAF data submitted to Secretariat", etc.) using the new interactive utility in the VRST at least every 31 days, and 2) the Secretariat updates all vessels' VTAF submission status on a daily basis as outlined in the draft revised VMS SOPs. In that case, CCMs may simply refer to their VRST review/update process in response to relevant AR Pt 2 questions.

² Monitoring CCMs' compliance with this requirement can now be automated via the VRST if 1) CCMs monitor and update their vessel's status (e.g., "In Port", "Out of Convention Area", "Manual Reporting", "new VTAF data submitted to Secretariat", etc.) using the interactive utility in the VRST at least every 31 days, and 2) the Secretariat updates all vessels' VTAF submission status on a daily basis as outlined in the draft revised VMS SOPs.

CMM paragraph	Brief description	Annual Reporting list/question
CMM 2014-02 9a VMS SSPs 5.4 - 5.5	VMS Manual Reporting procedures - applies until 1 March 2021	AR Pt 2 (prior year implementation) PR-048
CMM 2014-02 9a VMS SSPs 7.2.4	Protocol for inspecting CCMs to inspect ALCs/MTU of other CCMs vessels at sea, includes reporting requirements for inspecting CCMs	AR Pt 2 (prior year implementation) PR-049
CMM 2014-02 9a VMS SSPs 7.2.5	Report to Secretariat any ALC/MTU, and associated details, that appear to not be in compliance with applicable CMMs related to VMS reporting	AR Pt 2 (prior year implementation) PR-050
CMM 2014-02 9a VMS SSPs 7.2.2	CCMs to conduct periodic audits of ALC/MTUs of its vessels and report results to the Commission (AR Pt 2)	Reporting checklist in AR Pt 2 (2020 Specific) (Proposed NEW): "What checks and procedures do flag CCMs presently use to inspect ALC/MTUs of its vessels that are authorised to "fish in the Convention Area beyond their area under national jurisdiction"?" "On what basis (e.g., under certain circumstances as they may occur, based on the vessel's fisheries compliance behaviour, randomly, etc.) do flag CCMs schedule audits of ALC/MTUs?"



TECHNICAL AND COMPLIANCE COMMITTEE

Seventeenth Regular Session

Electronic Meeting 22 – 28 September 2021

Recommended TCC Workplan 2022-2024



TCC WORK PLAN 2022 - 2024

1. TCC Priority core business tasks (standing Agenda Items)

- a. Monitor and review compliance with conservation and management measures and other obligations stemming from the Convention.
- b. Assessment of IUU fishing vessel nominations and review of fishing vessels currently on the IUU list
- c. Review of Cooperating Non-Member applications.
- d. Monitor obligations relating to Small Island Developing States and territories.
- e. Review the implementation of cooperative measures for monitoring, control, surveillance and enforcement adopted by the Commission and make such recommendations to the Commission as may be necessary.
- f. Review Annual report(s) of the WCPFC Secretariat, which should address relevant technical and compliance issues, which may include HSBI, ROP, VMS, RFV, Data Rules, transshipment, port State measures, and note the Executive Director's report on these matters, the Secretariats anticipated forecast of work commitments for TCC, and other issues as appropriate.
- g. Provide technical and compliance-related advice to support the development of harvest strategies, including consideration of the implications of harvest control rules.
- h. Review the ongoing work of the Intersessional Working Groups (IWG) noted in Section 3.
- i. Review information about technical and compliance matters arising under existing CMMs.
- j. Make technical and compliance related comments on proposed CMMs.

2. TCC Priority project specific tasks

Priority	2022	2023	2024	Updates/Progress:
Article 14(1)(a) Priority tasks with respect to the provision of information, technical advice and recommendations				
a) Support building the capacity of SIDS, which may include: <i>i. implement observer programs, including training and data management</i> <i>ii. develop and implement MCS information management system (IMS) at a national level</i> <i>iii. improve bycatch reporting</i> <i>iv. set up a system or process for reports on transshipment activities and MTU inspections</i> <i>v. implement minimum standards for Port State measures</i>				Annual TCC Task. Website to track Implementation of Article 30 of the Convention is available at: https://www.wcpfc.int/implementation-article-30-convention
b) Review information about scientific data provision [TCC task]				Annual TCC task. Report reviewed annually.
c) Analyze framework for the management and control of chartered vessels to promote compliance with CMMs, clarify flag and chartering CCM's control of chartered vessels, and clarify attribution of catch and effort [TCC task]	Provide advice on any necessary modifications to CMM 2019-08			CMM 2019-08, Conservation and Management Measure for Charter Notification Scheme, shall expire on 28 February 2022 unless renewed by the Commission (CMM 2019-08, para. 8)
d) Develop information and advice to promote compliance with the south Pacific albacore CMM (2015-02 and successor measures) and improve its effectiveness, including providing technical and compliance advice for the development and implementation of the south Pacific albacore roadmap [TCC task]	Provide advice on relevant analyses to inform the work of the SPA IWG	Provide advice on key components of a new south Pacific albacore CMM		The most recent meeting of the South Pacific Albacore Roadmap Working Group was held in June 2021. All papers are available on the meeting page here .

Priority	2022	2023	2024	Updates/Progress:
<i>e) Development and implementation of Commission measures for crew safety [TCC task]</i>	Provide advice on intersessional work to improve crew safety, including advice on the development of a draft conservation and management measure			<p>At WCPFC17, “The Commission agreed to intersessional work to be led by Co-Leads Indonesia and an FFA Member through various means to promote discussion among members and enable the sharing of information, with initial discussion points to be developed in consultation with the Commission Chair and the Secretariat.” (WCPFC17 Summary Report, para. 322).</p> <p>The Co-Leads submitted a draft CMM, which is being developed intersessionally, for initial review by TCC17 – TCC17-2021-DP05.</p>
Article 14(1)(b) Priority tasks with respect to the monitoring and review of compliance				
<i>f) Review progress of the work included in the multi-year workplan of tasks to enhance the Compliance Monitoring Scheme</i>				Work is being undertaken by the CMS IWG. All documents relevant to the progress of the CMS IWG are available at: https://www.wcpfc.int/cms-iwg_2020
<i>i.</i>	<i>Develop audit points to clarify the assessment of existing Commission obligations under the CMS [TCC task]</i>	Consider work undertaken by the CMS IWG in the development of audit points	Incorporate audit points into review of the dCMR (trial). Provide advice on adoption of audit points	Work is being led by Ms. Rhea Moss-Christian (RMI). Considering how to progress this work in 2021 and beyond. All associated documents are available on the CMS IWG webpage at: https://www.wcpfc.int/cms-iwg_2020

Priority		2022	2023	2024	Updates/Progress:
ii.	<p><i>Explore investment and technology solutions to facilitate improvements to the compliance case file system [CCMs, Secretariat task] \$</i></p>	<p>Secretariat to complete delivery of WCPFC17 tasks enhance CCFS to make it easier to use.</p> <p>CCMs to trial CCFS messaging tool to track observer requests</p> <p>Implement further refinements to CCFS (for CMM 17-04 Marine Pollution, enhance Article 25(2) and bycatch interactions</p> <p>Implement refinements to aggregate summary tables (based on TCC17 recommendations)</p> <p>(Budget: \$??)</p>			<p>TCC17-2021-12 - Secretariat paper on Update on enhancements to the WCPFC online CCFS provides additional details on proposed activities for 2022</p>

Priority		2022	2023	2024	Updates/Progress:
iii.	<i>Develop a risk-based assessment framework to inform compliance assessments and ensure obligations are meeting the objectives of the Commission [TCC task]</i>	Consider the effectiveness of the 2022 list of obligations (covering 2021 activities) developed through a trial of RBAF, any improvements on the RBAF and the approach for 2023	Provide recommendations regarding the adoption of a risk-based assessment approach, taking into account the development of audit points		Work is being led by Ms. Heather Ward (New Zealand). Draft outline of a possible approach to a risk-based assessment framework was circulated for comment in July 2021. Comments were incorporated and a further Discussion Document and Risk Rating Template were circulated for discussion at TCC17 in September 2021 (TCC17-2021-13B). All associated documents are available on the CMS IWG webpage at: https://www.wcpfc.int/cms-iwg_2020
iv.	<i>Develop corrective actions to encourage and incentivize CCM's compliance with the Commission's obligations, where non-compliance is identified [TCC task]</i>	Nominate lead; begin work through the CMS IWG on the development of corrective actions	Provide advice on corrective actions developed by the CMS IWG	Incorporate corrective actions into review of the dCMR (trial). Provide advice on adoption of corrective actions	
v.	<i>Develop guidelines for participation of observers in closed meetings of the Commission and its subsidiary bodies which consider the Compliance Monitoring Report [TCC task]</i>	Nominate lead; begin work on the development of an approach to allow participation of observers in review of the dCMR	Admission of observers to dCMR (trial). Provide advice on approach to allow participation of observers	Further review and modify approach as necessary.	
<i>g) 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 task]</i>					Annual task. Recommendations to be included in the Provisional and Final CMR adopted by the Commission each year.

Priority	2022	2023	2024	Updates/Progress:
<p><i>h) Respond to capacity assistance needs identified through the CMS process, including through annual consideration of implementation plans[TCC task, Secretariat task]</i></p>				<p>Annual task. Secretariat report reviewed annually by TCC.</p>
<p><i>i) Continued development of the Commission’s Information Management System (IMS) to support implementation of the Compliance Monitoring Scheme with the aim of making it more efficient and effective by streamlining processes. [TCC task, Secretariat task] \$</i></p>	<p>Delivery of a new CCFS system that meets minimum requirements of the current CCFS in Jan 2022</p> <p>Implement any changes to CMR online system considering new CMM on CMS (as adopted at WCPFC18)</p> <p>Support to the risk-based assessment framework trial</p> <p>Enhance Secretariat analytical capability and associated integrated-IMS tools to support the CMS</p>	<p>AR Pt 2 and CMR upgrade (IT-related system consolidation)</p> <p>Enhance Secretariat analytical capability and associated integrated-IMS tools to support the CMS</p> <p>(Budget: \$??)</p>		<p>TCC17-2021-17 - Secretariat paper on anticipated forecast of Secretariat work commitments for TCC (in progress) provides additional details on priority activities for 2022/23</p>

Priority	2022	2023	2024	Updates/Progress:
	(Budget: \$??)			
<p><i>j) Review and provide advice improvements to the ROP data fields, including those in ROP pre-notifications, to allow for more useful consideration in the compliance case file system and compliance review process [TCC task with assistance from Secretariat]</i></p>	<p>Review and provide advice on improvements to the ROP minimum standard data fields for whale sharks and cetaceans – to allow for a distinction between an interaction and a possible infraction in the compliance case file system</p>	<p>Consider improvements to the Observer Trip Monitoring Summary data fields, which trigger pre-notifications, to better align with the Commission’s priorities in terms of compliance</p> <p>Review and provide advice on improvements to the ROP minimum standard data fields for sea turtles and seabirds to allow for use of ROP data in the compliance case file system, taking into account overall workloads of observers</p>		

Priority	2022	2023	2024	Updates/Progress:
Article 14(1)(c) Priority tasks with respects to implementation of cooperative MCS & E				
<i>k) Further develop port-based initiatives as part of the suite of MCS tools and a summary of port state measures undertaken by members [TCC task]</i>		Provide advice on any necessary modifications to CMM 2017-02		CMM 2017-02, Conservation and Management Measure on minimum standards for Port State Measures, requires that, “ <i>The Commission shall review this measure within 2years of its entry in to force, which shall include but not be limited to an evaluation of its effectiveness, and any financial and administrative burdens associated with its implementation.</i> ” (CMM 2017-02, para. 28)
<i>l) Development, improvement and implementation of the Commission’s measures for observer safety and related issues [TCC task]</i>				
<i>m) Enhance how CCM’s and Secretariat’s practices integrate to facilitate ongoing monitoring and compliance with CMM 2014-02 (VMS) [TCC task with assistance from Secretariat] \$</i>	Provide advice on future work to enable direct/simultaneous VMS reporting by vessels/ALCs reporting to the WCPFC VMS.	Provide recommendations on ‘VMS best practices’ to minimise data gaps from VMS failures		Future work tasks were recommended by the VMS SWG in their report to TCC17 – TCC17-2021-15A . All documents relevant to the progress of the VMS SWG are available at: https://www.wcpfc.int/2020_vms-swg
<i>n) Develop improved mechanisms for the flow of observer information from ROP Providers to CCMs needing such information for their investigations [TCC task]</i>	Review and provide advice on CCFS improvements to track observer report requests and responses			Work is being undertaken by the TCC Observer IWG led by the USA). Most recent recommendations of the IWG are available in the WCPFC17 Summary Report (paragraphs 314-318)

Priority	2022	2023	2024	Updates/Progress:
<p><i>o) Continued development of the Commission's Information Management System (IMS) to support MCS activities, including exploration of IMS data submission and extraction tools. [TCC task, Secretariat task] \$</i></p>	<p>RFV upgrade (IT-related system consolidation) – including consideration of the integration of a FLUX protocol to support that work</p> <p>Develop automated extraction and provision IT tools to support the parameters of common data requests to support MCS activities.</p> <p>Enhance Secretariat analytical capability and associated integrated-IMS tools to support MCS activities</p> <p>(Budget: \$??)</p>	<p>Enhance Secretariat analytical capability and associated integrated-IMS tools to support MCS activities</p>		<p>TCC17-2021-17 - Secretariat paper on anticipated forecast of Secretariat work commitments for TCC (in progress) will provide additional details on priority activities for 2022</p>

Priority	2022	2023	2024	Updates/Progress:	
<i>p) Continued development of training resources and learning aids for the IMS [Secretariat task] \$?</i>				The ' WCPFC Helpdesk ', created late 2020, provides brief reference information for members. These are very short guides with new topics progressively being added as resources permit.	
<i>q) Review and consider updates to improve the effectiveness of CMMs related to transshipment at sea and compliance with their provisions</i>					
<i>i.</i>	<i>Review transshipment measure (CMM 2009-06) [TCC task]</i>	Consider and provide advice on TS-IWG draft recommendations to the Commission stemming from the Completed Transshipment Information Analysis and on progress related to other priorities in the Terms of Reference.	Consider and provide advice on TS-IWG draft recommendations to the Commission related to strengthening the transshipment measure.		Work is being undertaken by the TS IWG (led by USA & Vanuatu). Scope of Work for the Transshipment Information Analysis in Support of the Review of CMM 2009-06 agreed in March 2021. All documents relevant to the progress of the TS IWG are available at: https://www.wcpfc.int/iwg-transshipment
<i>ii.</i>	<i>Further development of protocols, observer data fields/forms including electronic data fields and databases, as needed, to better monitor transshipments at sea, [TCC task, Secretariat task] \$</i>				

Priority	2022	2023	2024	Updates/Progress:
<p><i>r) Development and implementation of Commission measures for Electronic Reporting & Electronic Monitoring [TCC task]</i></p>	<p>Consider and provide advice on outputs from the ER and EM Working Group, including those related to existing obligations, data gaps and the prioritization of ER and EM and draft minimum standards for electronic monitoring</p>	<p>Consider and provide advice on outputs from the ER and EM Working Group, including a draft E-Monitoring CMM</p>		<p>Work is being undertaken by the ER & EM IWG (led by Australia). All documents relevant to the progress of the ER&EM IWG are available at: https://www.wcpfc.int/ERandEM-IWG</p>

Commission & TCC Intersessional working groups

ROP IWG: Review ROP (Current Chair: vacant; no current tasking)

FAD Management Options IWG: Review and develop FAD measures (Current Chair: Jamel James – FSM; work ongoing)

CDS IWG: Develop and implement a Catch Documentation Scheme for WCPFC species (Current Chair: vacant; no current tasking).

EM and ER IWG: Continue the development of standards, specifications and procedures for-technologies (Current Chair: Kerry Smith – Australia; work ongoing).

CMS IWG: Work to progress the CMS future work included in Section IX of CMM 2019-06 (Current Chair: Emily Crigler – USA; work ongoing)

TCC Observer WG: Develop improved process for CCMs to obtain copies of observer reports for their vessels in a timely manner, explore ways to facilitate access to observer reports from both ROP Providers and the Secretariat, and recommend possible improvements to the ROP CMM, Agreed Minimum Standards and Guidelines of the ROP, and other Commission decisions (Current Chair: Tom Graham – USA; work ongoing).

TS IWG: Review CMM 2009-06 through analysis of transshipment data, and identify provisions that should be updated to address current practices (Current Co-Chairs: Felix Ngwango – Vanuatu & Alex Kahl – USA; work ongoing).

VMS SWG: to address the VMS Gap and improve the number of vessels reporting to the Commission VMS (Current Co-Chairs: Terry Boone – USA & Viv Fernandes – Australia; work ongoing).

SPA Roadmap IWG: work to develop the Roadmap for Effective Conservation and Management of South Pacific Albacore (Current Chair: Neomai Ravitu – Fiji; work ongoing)

TCC17 endorsed Guidelines for Voluntary Submissions of Purse seine Processor (cannery) data to the Commission



Draft Guidelines for the Voluntary Submission of Purse seine Processor data by CCMs to the Commission

1. Purpose

Purse seine processor (cannery) data have been identified as a potentially important source of data to adequately verify the estimates of purse seine tuna species catch determined from observer data. While there is a requirement for 100% coverage of observers on purse seine vessels in the tropical WCPO purse seine fishery, species composition sampling is only currently possible to undertake on less than 0.2% of the catch to avoid disruptions to the fishing operation. The WCPFC Scientific Service Provider (SSP) would use these data as an invaluable means of verification of the estimates of purse seine tuna species composition obtained from the observer data in the future.

These guidelines acknowledge that processor (cannery) data have been submitted to the WCPFC by International Seafood Sustainability Foundation (ISSF) participating companies since 2013 but that higher coverage of these data is required to be of use to the work of the Commission, specifically WCPFC Project 60.

2. Data requirements

To assist the scientific work of the Commission, specifically in verifying estimates of purse seine tuna species catch estimates, CCMs are requested to voluntarily submit purse seine processor (cannery) data compiled by companies operating in their country.

The processor (cannery) data represent the measured weights of commercial categories of tuna species and size classes, data which are linked to a specific purse seine trip. Table A1 below provides a list of the required fields, which are aligned to the standard used for submissions by the ISSF-affiliated companies.

3. Provision guidelines

The provision of processor (cannery) data by CCMs is to be done entirely at their own discretion, is not compulsory or binding in any form nor is it a requirement of the Commission.

It is acknowledged that CCMs understand the usefulness of processor (cannery) data to the scientific work of the Commission but will be required to liaise with their processor (cannery) companies regarding the release and compilation of these data for submission to the Commission, which may require establishing Memoranda of Understanding (MOUs) or similar agreements with the processor companies. In this respect, the WCPFC Secretariat, the WCPFC SSP and/or an agreed WCPFC Contractor will assist, to the extent possible, in establishing agreements required to maintain the security of these data.

CCMs should provide processor (cannery) data to the Commission and/or the WCPFC SSP, ideally on a quarterly basis.

The Commission cannot be held responsible should CCMs provide processor (cannery) data to any unapproved parties.

Any processor (cannery) data voluntarily provided by CCMs under this process should be clearly identified as being submitted under these guidelines.

4. Classification

All processor (cannery) data submitted by CCMs are consistent with “records of vessel unloading” and “raw data from catch documentation” which are considered non-public domain, as specified under the *Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the Commission*.

The risk classification of processor (cannery) data submitted by CCMs is acknowledged to be medium-high and may need to be specifically included in Table 1 of the *Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the Commission*.

5. Dissemination

Processor (cannery) data are anticipated to be used by the WCPFC SSP, although could be considered for release under agreed Commission work according to confidentiality rules as specified in the *Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the Commission*, and according to any MOUs established with the sources of the processor (cannery) data (see Section 3 Provision guidelines).

6. Reporting

By the adoption of these Guidelines the Commission requests that the Secretariat provide, or arrange for the WCPFC SSP to provide, an annual report providing information on the provision and dissemination of processor (cannery) data submitted under these guidelines.

Table A1. List of minimum required fields for voluntary processor (cannery data) submissions of catch from purse seine vessels

Field no.	Data Field	Mandatory	Highly desirable
1	Country	Y	
2	Processor (cannery) company identifier (a distinct identifier which may be the name of the processor company, or an anonymous identifier, if deemed confidential)	Y	
Carrier vessel information			
3	- Carrier vessel name	Y	
4	- Carrier vessel flag	Y	
5	- Carrier vessel IMO	Y	
6	- Carrier vessel Call sign	Y	
Fishing vessel information			
7	- Fishing vessel name	Y	
8	- Fishing vessel flag	Y	
9	- Fishing vessel WCPFC Identification / IMO number	Y	
10	- Fishing vessel Call sign	Y	
11	- Fishing vessel gear type (PS)	Y	
12	Start of Unloading at processing plant		Y
13	End of Unloading at processing plant		Y
14	RFMO Area where catch taken (e.g. WCPFC Area)	Y	
15	Start date of fishing trip (departure from port of fishing vessel)	Y	
16	End date of fishing trip (return to port of fishing vessel)	Y	
17	Port of offloading or transshipment to Carrier vessel		Y
18	Coordinates of transshipment at sea (if relevant)		Y
19	Start date of transshipment from fishing vessel to carrier	Y	
20	End date of transshipment from fishing vessel to carrier	Y	
[Actual measured/weighed quantities (in kilograms, or metric tons to 3 decimal places) of catch received at processing plants in the commercial size categories outlined in Table A2]			
21	Species/size category weight unit (P = lbs/pounds or K = kilograms) – see Table A2	Y	
	Species	Size category No.	Weight of catch received for each species/size category [kgs or metric tons to 3 decimal places] See Table A2
22	SKIPJACK TUNA	1	
23		2	
24		3	
25		4	
26	YELLOWFIN TUNA	1	
27		2	
28		3	
29		4	
30		5	
31	BIGEYE TUNA	1	
32		2	
33		3	
34		4	
35		5	
36	REJECTED TUNA, by SIZE CLASS and SPECIES, if possible		Y

Table A2. Typical Cannery Data Size Categories

Size category Number	Commercial categories	Equivalent categories in KGs	Equivalent used on PS logbooks for YFT and BET
1	< 3lbs	(< 1.4 kgs)	<p style="text-align: center;">SMALL < 20 lbs (~9 kgs)</p>
2	3.0 - 4.0 lbs	(1.4- 1.8 kgs)	
3	4.0 -7.5 lbs	(1.8 – 3.4 kgs)	
4	7.5 - 20 lbs	(3.4 – 9.1 kgs)	
5	20 lbs up	(9 or 10 kgs up)	<p style="text-align: center;">LARGE > 20 lbs (~9 kgs)</p>

Footnote: the above are recommended size categories, other cannery size categories may be used

LIST OF ABBREVIATIONS

ALC	–	Automatic Location Communicator
ANCORS	–	Australian National Centre for Ocean Resources and Security
CCM	–	Members, Cooperating Non-members and participating Territories
CCFS	–	Compliance Case File System
CDS	–	catch documentation scheme
CMM	–	Conservation and Management Measure
CMR	–	Compliance Monitoring Report
CMS	–	Compliance Monitoring Scheme
CNM	–	Cooperating Non-Member
CNMI	–	Commonwealth of the Northern Mariana Islands
(the) Convention		The Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean
CPUE	–	catch per unit effort
EEZ	–	exclusive economic zone
EM	–	electronic monitoring
ER	–	electronic reporting
ERandEM	–	electronic reporting and electronic monitoring
ERA	–	ecological risk assessment
EHSP-SMA	–	Eastern High Seas Pocket-Special Management Area
EU	–	European Union
F	–	fishing mortality rate
FAC	–	Finance and Administration Committee
FAD	–	fish aggregation device
FAO	–	Food and Agriculture Organization of the United Nations
FFA	–	Pacific Islands Forum Fisheries Agency
F _{MSY}	–	fishing mortality that will support the maximum sustainable yield
FMA	–	fishery management area
FNA	–	fins naturally attached
FSI	–	Flag State Investigation
FSM	–	Federated States of Micronesia
HSBI	–	high seas boarding and inspection
IATTC	–	Inter-American Tropical Tuna Commission
ICCAT	–	International Commission for the Conservation of Atlantic Tunas
IELP	–	International Environmental Law Project
IGOs	–	intergovernmental organizations
IMO	–	International Maritime Organization
IMS	–	information management system
IOTC	–	Indian Ocean Tuna Commission
IPNLF	–	International Pole and Line Foundation
ISC	–	International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean
ISSF	–	International Seafood Sustainability Foundation
IT	–	information technology
IUU	–	illegal, unreported and unregulated

IWG	–	intersessional working group
JTF	–	Japan Trust Fund
LRP	–	limit reference point
M	–	mortality
MCS	–	Monitoring, control and surveillance
MIMRA	–	Marshall Islands Marine Resources Authority
MOC	–	management options consultation
MOU	–	memorandum of understanding
MP	–	management procedure
MSC	–	Marine Stewardship Council
MSE	–	management strategy evaluation
MSY	–	maximum sustainable yield
mt	–	metric ton
MTU	–	mobile transceiver unit
NC	–	Northern Committee
NGO	–	non-governmental Organization
NP	–	North Pacific
OM	–	operating model
PBFWG	–	Pacific bluefin tuna working group (ISC)
pCMR	–	provisional Compliance Monitoring Report
PEW	–	The Pew Charitable Trusts
PI	–	performance indicator
PITIA	–	Pacific Islands Tuna Industry Association
PNA	–	Parties to the Nauru Agreement
PNG	–	Papua New Guinea
PRM	–	post-release mortality
PSMA	–	Port state Measures Agreement
RFV	–	Record of Fishing Vessels
ROP	–	Regional Observer Programme
RFMO	–	regional fisheries management organization
RMI	–	Republic of the Marshall Islands
SC	–	Scientific Committee of the WCPFC
SIDS	–	small island developing states
SIP	–	strategic investment plan
SPC	–	Secretariat of the Pacific Community
SPC-OFPP	–	The Pacific Community Oceanic Fisheries Programme
SRA	–	spatial risk assessment
SRF	–	Special Requirements Fund
SRR	–	stock-recruitment relationship
SSI	–	species of special interest
SSP	–	standards, specifications and procedures
SST	–	sea surface temperature
SWG	–	small working group
T	–	metric ton
TCC	–	Technical and Compliance Committee
TNC	–	The Nature Conservancy
TRP	–	target reference point
UN	–	United Nations
USA	–	United States of America
USD	–	US dollars
VDS	–	vessel day scheme

VID	–	vessel identification (number)
VMS	–	vessel monitoring system
WCPFC	–	Western and Central Pacific Fisheries Commission
WCPFC Convention Area	–	Area of competence of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean, as defined in Article 3 of the Convention
WCPFC Statistical Area	–	The WCPFC Statistical Area is defined in para. 8 of “Scientific data to be provided to the Commission” (as adopted at WCPFC13)
WCNPO	–	western and central North Pacific Ocean
WCPO	–	western and central Pacific Ocean
WG	–	working group
WPEA	–	West Pacific and East Asian Seas
WPO	–	Western Pacific Ocean
WPFMC	–	Western Pacific Regional Fishery Management Council
WTPO	–	World Tuna Purse Seine Organisation
WWF	–	World Wide Fund for Nature