

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

Circular No.: 2023/64
Date: 16 August 2023
No. pages: 97

Compliance Monitoring Scheme Intersessional Working Group's Outstanding Audit Points

Dear Colleagues,

As indicated in the Circular 2023/37 dated 4 May 2023, Australia (Mr. Viv Fernandes, viv.fernandes@afma.gov.au) kindly volunteered for the lead on the intersessional work to complete the outstanding audit points and it was so decided as there were no other suggestions or comments.

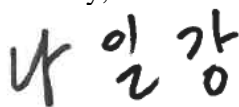
Since then, the work lead has developed in consultation with the Secretariat draft audit points for 120 CMM obligations that will be assessed during the TCC19 meeting this year but have no agreed audit points. They are attached to this letter, and you will notice that the draft generally follows the structure and wording of the audit points adopted in 2022.

Please submit your comments on the draft audit points, if any, by close of business on Friday 1 September 2023 (Pohnpei time) to the work lead at viv.fernandes@afma.gov.au (cc : CMS IWG Chair ikna@korea.kr, Compliance Manager Lara.Manarangi-Trott@wcpfc.int). Please provide comments or edits in track changes (to assist with this a Word document is posted on the dedicated reference page for the CMS IWG at https://www.wcpfc.int/cms-iwg_2020)

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lead/Secretariat will be compiled and circulated before TCC19 for your consideration. As was the case last year, depending on the guidance of the TCC Chair, the work lead will convene small group discussions during the TCC 19 meeting but earlier submission of comments is encouraged. Further information on the process to finalize the draft audit points will also be provided together with the compilation of CCM comments.

Any comments or questions on the aforementioned approach/process would be welcome as well.

Thank you.
Sincerely,



Ilkang Na
TCC Vice Chair & Chair of the CMS IWG

Outstanding Audit Points – CMS Intersessional Working Group

WCPFC19 adopted 60 audit points (APs) for the list of obligations to be assessed as part of the 2022 reporting year. The outstanding task is to prepare and agree to APs for all remaining obligations. However, there are 200+ remaining obligations with no agreed AP. Due to time constraints (both intersessionally and at TCC), an attempt has been made to prioritise and refine this list so it is more manageable and supports upcoming CMR processes. This has resulted in 120 draft APs for consideration and/or comment.

The below table of 120 obligations and draft APs has been populated by filtering obligations on the WCPFC CMM obligations page (<https://cmm.wcpfc.int/obligations>) as follows:

- a) including only obligations that relate to current Annual Report Part 2 reporting (with no agreed AP);
- b) including only Implementation (IM), Quantitative Limit (QL) and Reporting (RP) obligations. Reporting Deadline (DL) obligations are excluded in line with the 2022 approach to audit points (and agreed approach that the Secretariat confirm whether a particular deadline is met); and
- c) some additional obligations have been included where further clarity was required following last year's work (e.g. where two APs were adopted for the same obligation).

The document is long. However, this is largely because the exact CMM paragraph text has been included for each obligation. This CMM paragraph reference has been included to ensure that participants are expressly considering the underlying obligation in each CMM when developing an associated AP. As noted during 2022 discussions, the draft APs must align to the underlying obligation. Where there is disagreement with the underlying obligation, then separate discussions (SC/TCC/WCPFC) are required relating to the potential amendment or interpretation of a CMM.

A few additional comments to help guide review of this document:

- The document format has been kept largely consistent with the past Audit Point documents reviewed by the CMS IWG, TCC18 and WCPFC19. This includes providing any existing WCPFC Secretariat criteria for assessing a particular obligation.
- Some CMM paragraphs are include more than once where multiple categories apply to the same paragraph (e.g. where both IM and RP category apply for the same paragraph).
- There are some highlighted instances where an AP may not be required (for a range of reasons). Views are sought as to preferred approach.
- Any edits to text previously presented to the SWG, TCC or WCPFC have been made in underline for ease of reference and transparency.
- The final column ('Decision Points/Comment') seeks to prompt participants as to required input.
- The table includes 3 different colours (orange, green and red):

Obligations/APs in orange were presented to participants for consideration in 2022, however not agreed. Any amendments to the draft AP presented in 2022 have been made in underline for clarity and transparency.

Obligations/APs in green have not been considered by participants before.

Obligations/APs in red have been deferred to SC, TCC and/or WCPFC for consideration (note – there is only one of these).

Outstanding Audit Points¹

Additional Obligations				
1.	Vessel Markings and Specs 2004-03 02 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<p>1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that CCMs implement the fishing vessel marking and technical specification requirements (CMM 2004-03) MARKING AND IDENTIFICATION OF FISHING VESSELS</p> <p>2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p>	<p>CCM submitted a statement in ARPt2 that:</p> <p>a. confirms CCM’s implementation through adoption of a national binding measure that requires CCM flagged vessel operators to mark their vessels in accordance with the marking and technical specification requirements of paragraphs 2.1 and 2.2 CMM 2004-03.</p> <p>b. describes how CCM is monitoring and ensuring that its flagged vessels are marked in accordance with the marking and technical specification requirements of paragraphs 2.1 and 2.2 CMM 2004-03, and how the CCM responds to potential infringements or instances of non-compliance with the relevant requirement.</p>	<p>Paragraph 2 includes a range of fishing vessel marking and technical specification requirements outlined in subparagraphs:</p> <ul style="list-style-type: none"> - 2.1 General requirements - 2.2 Markings and other technical specifications 	<p>Consider draft AP</p>
2.	Vessel Markings and Specs 2004-03 03 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Confirm whether obligation was implemented.	CCM submitted a statement in ARPt2 that:	3. Record of WCPFC Identification Number (WIN)	Seek views as to whether AP needed

Commented [FV1]: This obligation already has an adopted AP as a Reporting obligation. Therefore, AP for this (Implementation) may not be needed – i.e. because of past accepted treatment/assessment as a reporting obligation

¹ Draft Audit Points marked with an asterisk(*) reflect intersessional comments by CMS-IWG in Nov 2022, and discussions in SWG at WCPFC19.

	<p>Provide additional information / details that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the fishing vessel marking and technical specification requirements (CMM 2004-03). CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements.</p>	<p>a. confirms CCM’s implementation through adoption of a national binding measure that requires CCMs to maintain its flagged vessels’ WIN into the RFV. b. describes how CCM is monitoring and ensuring that it is maintaining its flagged vessels’ WIN into the RFV.</p>	<p>3.1 The members of the Commission shall enter the WIN into the Record of Fishing Vessels required to be maintained under article 24, paragraph 4 of the Convention.</p> <p>*Art 24(4), Convention: Each member of the Commission shall, for the purposes of effective implementation of this Convention, maintain a record of fishing vessels entitled to fly its flag and authorized to be used for fishing in the Convention Area beyond its area of national jurisdiction, and shall ensure that all such fishing vessels are entered in that record</p>	
<p>3.</p>	<p>High Seas Boarding and Inspection 2006-08 07 Category: Implementation (IM)</p>			
	<p>WCPFC Sec Criteria</p>	<p>Draft Audit Point for consideration</p>	<p>CMM Paragraph</p>	<p>Decision Points/Comments</p>
	<p>For flag CCMs with vessels authorized to operate on the high seas: CCM submitted a statement in AR Pt 2 that: a. confirms CCM’s implementation through adoption of a national binding measure that requires CCM flagged vessels operating on the high seas to accept boarding and inspection by authorized inspectors b. describes how CCM is monitoring and ensuring that in the event of an HSBI event, CCM flagged vessels are accepting authorized inspectors to carry out their activities, and how CCM responds to potential infringement or instances of non-compliance with this requirement. For Members with vessels on the Register</p>	<p><i>For flag CCMs with vessels authorized to operate on the high seas:</i> CCM submitted a statement in AR Pt 2 that: a. confirms CCM’s implementation through adoption of a national binding measure that requires CCM flagged vessels operating on the high seas to accept boarding and inspection by authorized inspectors b. describes how CCM is monitoring and ensuring that in the event of an HSBI event, CCM flagged vessels are accepting authorized inspectors to carry out their activities, and how CCM responds to potential infringement or instances of non-compliance with this requirement. <i>For Members Contracting Parties with vessels on the Register of Inspection Vessels:</i></p>	<p>7. Each Member of the Commission shall ensure that vessels flying its flag accept boarding and inspection by authorized inspectors in accordance with these procedures. Such authorized inspectors shall comply with these procedures in the conduct of any such activities.</p>	<p>Consider draft AP</p>

Commented [FV2]: The reporting guidance in AR P2 covering 2022 activities considers para 6 of CMM 2006-08, and refers to Members (not Contracting Parties)

<p>of Inspection Vessels: Member submitted a statement in AR Pt2 report that: a. confirms implementation through adoption of a national binding measure that implements the requirement to ensure that their authorized inspectors comply with the boarding and inspection procedures in CMM 2006-08 during the conduct of HSBI operations b. describes how Member is monitoring and ensuring that in the event of an HSBI event, authorized inspectors are carrying out their activities in accordance with the procedures in the CMM, and how the Member responds to potential infringements or instances of non-compliance with this requirement.</p>	<p><u>Member Contracting Party (CP)</u> submitted a statement in AR Pt2 report that: a. confirms <u>Member's CP's</u> implementation through adoption of a national binding measure that requires its authorized inspectors to comply with the boarding and inspection procedures in CMM 2006-08 during the conduct of HSBI operations b. describes how <u>Member CP</u> is monitoring and ensuring that in the event of an HSBI event, authorized inspectors are carrying out their activities in accordance with the procedures in the CMM, and how the <u>Member CP</u> responds to potential infringements or instances of non-compliance with this requirement.</p>		
<p>4. High Seas Boarding and Inspection 2006-08 30 and 32 Category: Report (RP)</p>			
<p>Agreed Audit Point</p>	<p>Revised Audit Point for consideration</p>	<p>CMM Paragraph</p>	<p>Decision Points/Comments</p>
<p>The Secretariat confirms receipt from the Contracting Party (CP), and the CCM of the relevant fishing vessel, that a full report of a high seas boarding and inspection event was submitted in the applicable timeframe. Where a serious violation was observed by the CP, the Secretariat confirms receipt of notification from the CP.</p>	<p>The Secretariat confirms receipt from the <u>Contracting Party (CP) Member</u>, and the CCM of the relevant fishing vessel, that a full report of a high seas boarding and inspection event was submitted in the applicable timeframe. Where a serious violation was observed by the <u>CP Member</u>, the Secretariat confirms receipt of notification from the <u>CP Member</u>.</p>	<p>30. Authorized inspectors shall prepare a full report on each boarding and inspection they carry out pursuant to these procedures in accordance with a format that may be specified by the Commission. The authorities of the inspection vessel from which the boarding and inspection was carried out shall transmit a copy of the boarding and inspection report to the authorities of the fishing vessel being inspected, as well as the Commission, within 3 (three) full working days of the completion of the boarding and inspection. Where it is not possible for the authorities of the inspection vessel to provide such report to the authorities of the fishing</p>	<p>Revision to ensure consistency with para 6 of CMM 2006-08 Consider revised AP</p>

			<p>vessel within this timeframe, the authorities of the inspection vessel shall inform the authorities of the fishing vessel and shall specify the time period within which the report will be provided.</p> <p>32. In the case of any boarding and inspection of a fishing vessel during which the authorized inspectors observe an activity or condition that would constitute a serious violation, as defined in paragraph 37, the authorities of the inspection vessels shall immediately notify the authorities of the fishing vessel, directly as well as through the Commission</p>	
5.	<p>High Seas Boarding and Inspection 2006-08 30 and 32 Category: Implementation (IM)</p>			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<p>Requirement to provide Full Report on HSBI and as appropriate notify if a serious violation was observed</p> <p>Theme: Inspection activity related requirement Sub Theme: HSBI</p>		<p>30. Authorized inspectors shall prepare a full report on each boarding and inspection they carry out pursuant to these procedures in accordance with a format that may be specified by the Commission. The authorities of the inspection vessel from which the boarding and inspection was carried out shall transmit a copy of the boarding and inspection report to the authorities of the fishing vessel being inspected, as well as the Commission, within 3 (three) full working days of the completion of the boarding and inspection. Where it is not possible for the authorities of the inspection vessel to provide such report to the authorities of the fishing vessel within this timeframe, the authorities of the inspection vessel shall inform the authorities of the fishing vessel and shall specify the time period within which the report will be provided.</p>	<p>Audit Point for Report (RP) agreed.</p> <p>Seek views as to whether AP needed</p>

Commented [FV3]: These obligations (paras 30 and 32, CMM 2006-08) already have an adopted AP as a Reporting obligation. Therefore, AP for this (Implementation) may not be needed – i.e. because of past accepted treatment/assessment as a reporting obligation

			32. In the case of any boarding and inspection of a fishing vessel during which the authorized inspectors observe an activity or condition that would constitute a serious violation, as defined in paragraph 37, the authorities of the inspection vessels shall immediately notify the authorities of the fishing vessel, directly as well as through the Commission	
6.	High Seas Boarding and Inspection 2006-08 33 and 36 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<i>(previously Report (R))</i> Applicable Flag CCMs are to confirm whether obligation was implemented. Provide additional information / details that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that authorities of fishing vessel of requirement to respond no later than 3 full working days to a HSBI observed serious violation notification as per (CMM 2006-08) CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements	CCM submitted a statement in AR Pt2 that: a. confirms CCM's implementation through adoption of a national binding measure that requires CCM's authorities of fishing vessels to respond no later than 3 full working days to a HSBI observed serious violation notification b. describes how CCM is monitoring and ensuring that CCM's authorities of its fishing vessels respond no later than 3 full working days to a HSBI observed serious violation notification, and how the CCM responds to potential infringements or instances of non-compliance with this requirement.	<u>Serious Violations</u> 33. Upon receipt of a notification under paragraph 32, the authorities of the fishing vessels shall without delay: a. assume their obligation to investigate and, if the evidence warrants, take enforcement action against the fishing vessel in question and so notify the authorities of the inspection vessel, as well as the Commission; or b. authorize the authorities of the inspection vessel to complete investigation of the possible violation and so notify the Commission.	Note – 3 working days timeframe is consistent with para 30 requirement for provision of inspection report. Consider draft AP.
7.	High Seas Boarding and Inspection 2006-08 40 Category: Report (RP)			
	Agreed Audit Point	Revised Audit Point for consideration	CMM Paragraph	Decision Points/Comments

Commented [FV4]: Amended to keep consistent with language in CMM 2006-08.

	Secretariat confirms receipt of a report from a Contracting Party on its high seas boarding and inspection activities and where possible violations were observed, the information is clear and accurate and has been shared with the relevant parties.	Secretariat confirms receipt of a report from a Contracting Party Member on its high seas boarding and inspection activities and where possible violations were observed, the information is clear and accurate and has been shared with the relevant parties.	40. Contracting Parties that authorize inspection vessels to operate under these procedures shall report annually to the Commission on the boarding and inspections carried out by its authorized inspection vessels, as well as upon possible violations observed.	Revision for consistency with para 6 of CMM 2006-08 Consider revised AP
8.	High Seas Boarding and Inspection 2006-08 40 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Annual reporting by members on the HSBI carried out by its authorized inspection vessels Theme: Inspection activity related requirement Sub Theme: Annual report on implementation		40. Contracting Parties that authorize inspection vessels to operate under these procedures shall report annually to the Commission on the boarding and inspections carried out by its authorized inspection vessels, as well as upon possible violations observed.	Audit Point for Report (RP) agreed. Seek views as to whether AP needed
9.	High Seas Boarding and Inspection 2006-08 41 Category: Report (RP)			
	Agreed Audit Point		CMM Paragraph	Decision Points/Comments
	The Secretariat confirms that CCM provided information on actions CCM has taken in response to HSBI of CCM fishing vessels that resulted in observation of alleged violations, and that information on CCM proceedings and sanctions is included, as applicable. OR Secretariat confirms that CCM submitted updated HSBI-related information on any relevant cases in the Online Compliance Case File System and that the CCM also submitted information in its ARPt2 on any		41. Members of the Commission shall include in their annual statement of compliance within their Annual Report to the Commission under Article 25(8) of the Convention action that they have taken in response to boarding and inspections of their fishing vessels that resulted in observation of alleged violations, including any proceedings instituted and sanctions applied.	NOTE: this adopted Audit Point requires reconsideration due to an administrative error whereby two versions were adopted by the Commission. Consider which version of the AP should be recommended for adoption

Commented [FV5]: This obligation (para 40, CMM 2006-08) already has an adopted AP as a Reporting obligation. Therefore, AP for this (Implementation) may not be needed – i.e. because of past accepted treatment/assessment as a reporting obligation

	actions taken in response to alleged violations observed during HSBI events, including information on proceedings and sanctions, where applicable.			
10.	High Seas Boarding and Inspection 2006-08 41 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Annual reporting by members on their actions in response to HSBI of their fishing vessels that resulted in observation of alleged violations. Theme: Activity related requirement Sub Theme: Response to alleged violations		41. Members of the Commission shall include in their annual statement of compliance within their Annual Report to the Commission under Article 25(8) of the Convention action that they have taken in response to boarding and inspections of their fishing vessels that resulted in observation of alleged violations, including any proceedings instituted and sanctions applied.	Audit Point for Report (RP) agreed. Seek views as to whether AP needed
11.	High Seas Driftnets 2008-04 02 Category: Implementation (IM)			
	WCPFC Secretariat Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Confirm whether obligation was implemented Provide additional information / details that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement to take measures to prohibit large-scale driftnets in the high seas CMM 2008-04 CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in	CCM submitted a statement in AR Pt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that prohibits CCM fishing vessels operating on the high seas in the Convention Area from using large-scale driftnets b. describes how it is monitoring its fishing vessels operating on the high seas in the Convention Area to ensure they are not using driftnets and how the CCM responds to potential infringements or instances of non-compliance with this requirement.	2. CCMs shall take all measures necessary to prohibit their fishing vessels from using large-scale driftnets while on the high seas in the Convention Area	Consider draft AP

Commented [FV6]: This obligation (para 41, CMM 2006-08) already has an adopted AP as a Reporting obligation. Therefore, AP for this (Implementation) may not be needed – i.e. because of past accepted treatment/assessment as a reporting obligation

response to any potential infringements			
12.	High Seas FAD Closures and Catch Retention 2009-02 03-07 Category: Implementation (IM)		
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph
			Decision Points/Comments
	<p>FAD Closure Rules - high seas Theme: Additional measures for tropical tunas Sub Theme: Purse seine fishery FAD set management</p> <p>1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that CCMs implement the High Seas FAD Closure rules.</p> <p>2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p>	<p>CCM submitted a statement in AR Pt2 that:</p> <p>a. confirms CCM’s implementation through adoption of a national binding measure that implements the high seas FAD closure rules outlined in paragraphs 3 to 7, CMM 2009-02.</p> <p>b. describes how it is monitoring and ensuring its fishing vessels are complying with the high seas FAD closure rules outlined in paragraphs 3 to 7, CMM 2009-02, and how the CCM responds to potential infringements or instances of non-compliance with this requirement.</p>	<p>3. The definition of a FAD in footnote 1 to CMM 2008-01 shall be interpreted as including: “any object or group of objects, of any size, that has or has not been deployed, that is living or non-living, including but not limited to buoys, floats, netting, webbing, plastics, bamboo, logs and whale sharks floating on or near the surface of the water that fish may associate with”</p> <p>4. During the FAD closure period specified in CMM 2008-01, no purse seine vessel shall conduct any part of a set within one nautical mile of a FAD. That is, at no time may the vessel or any of its fishing gear or tenders be located within one nautical mile of a FAD while a set is being conducted.</p> <p>5. The operator of a vessel shall not allow the vessel to be used to aggregate fish, or to move aggregated fish including using underwater lights and chumming.</p> <p>6. A FAD and/or associated electronic equipment shall not be retrieved by a vessel during the period of a FAD closure unless:</p> <p>a. the FAD and/or associated electronic equipment are retrieved and kept on board the vessel until landed or until the end of the closure; and</p> <p>b. the vessel does not conduct any set either for a period of seven (7) days after retrieval or within a fifty (50) mile radius of the point of retrieval of any FAD.</p>
			<p>Consider draft AP</p>

			7. In addition to paragraph 6, vessels shall not be used to operate in cooperation with each other in order to catch aggregated fish. No vessel shall conduct any set during the prohibition period within one nautical mile of a point where a FAD has been retrieved by another vessel within 24hrs immediately preceding the set.	
13.	High Seas FAD Closures and Catch Retention 2009-02 08-13 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Rules for Purse seine catch retention, including reporting - high seas Theme Additional measures for tropical tunas Sub Theme Purse seine catch retention 1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the High Seas Rules for Purse Seine Catch Retention, including reporting requirements. 2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements	CCM submitted a statement in AR Pt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that implements the High Seas Rules for Purse Seine Catch Retention, including reporting requirements, outlined in paragraphs 8 to 13, CMM 2009-02. b. describes how it is monitoring and ensuring its fishing vessels are complying with the high seas FAD closure rules outlined in paragraphs 3 to 7, CMM 2009-02, and how the CCM responds to potential infringements or instances of non-compliance with this requirement.	Rules for Catch Retention 8. Where the operator of a vessel determines that fish should not be retained on board for reasons related to the size, marketability, or species composition, the fish shall only be released before the net is fully pursed and one half of the net has been retrieved. 9. Where the operator of a vessel determines that fish should not be retained on board because they are “unfit for human consumption”, the following definitions shall be applied: a. “unfit for human consumption” includes, but is not limited to fish that; i. is meshed or crushed in the purse seine net; or ii. is damaged due to shark or whale depredation; or iii. has died and spoiled in the net where a gear failure has prevented both the normal retrieval of the net and catch and efforts to release the fish alive; and b. “unfit for human consumption” does not	Consider draft AP

		<p>include fish that;</p> <ul style="list-style-type: none"> i. is considered undesirable in terms of size, marketability, or species composition; or ii. is spoiled or contaminated as the result of an act or omission of the crew of the fishing vessel. <p>10. Where the operator of a vessel determines that fish should not be retained on board because it was caught during the final set of a trip when there is insufficient well space to accommodate all fish caught in that set, the fish may only be discarded if a. the vessel master and crew attempt to release the fish alive as soon as possible; b. no further fishing is undertaken after the discard until the fish on board the vessel has been landed or transhipped.</p> <p>11. Fish shall not be discarded from the vessel until after an observer has estimated the species composition of the fish to be discarded.</p> <p>12. The operator of the vessel shall submit [to the Executive Director a report that includes the following information within forty-eight 48 hours after any discard</p> <ul style="list-style-type: none"> a. Name, flag and WCPFC Identification Number of the vessel; b. Name and nationality of master; c. Licence number; d. Name of observer on board; e. Date, time and location (latitude/longitude) that discarding occurred; f. Date, time, location (latitude/longitude) and type (drifting FAD, anchored FAD, free school etc) of the shot; g. Reason that fish were discarded (including statement of retrieval status if fish were discarded in accordance with paragraph 6); h. Estimated tonnage and species composition 	
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			<p>of discarded fish;</p> <p>i. Estimated tonnage and species composition of retained fish from that set;</p> <p>j. If fish were discarded in accordance with paragraph 10, a statement that no further fishing will be undertaken until the catch on board has been unloaded; and</p> <p>k. Any other information deemed relevant by the vessel master.</p> <p>13. The operator of the vessel shall also provide a hard copy of the information described in para 12 to the WCPFC Observer on board.</p>	
14.	<p>Swordfish</p> <p>2009-03 03</p> <p>Category: Quantitative Limits (QL)</p>			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<p>CCMs shall not shift their fishing effort for SWO to the area north of 20°S</p> <p>Theme: Quantitative limits for tuna and billfish</p> <p>Sub Theme: Swordfish vessel & catch limits</p>		<p>3. CCMs shall not shift their fishing effort for swordfish to the area north of 20°S, as a result of this measure</p>	<p>Audit Point for Implementation (IM) agreed.</p> <p>Seek views as to whether AP needed</p>
15.	<p>Data Buoys</p> <p>2009-05 01,03,05</p> <p>Category: Implementation (IM)</p>			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<p>Para 01, 03, 05:</p> <p>Applicable Flag CCMs are to confirm whether obligation was implemented. Provide additional information / details that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement to prohibit their fishing</p>	<p>CCM submitted a statement in AR Pt 2 that: a. confirms CCM’s implementation through adoption of a national binding measure that prohibits CCM flagged vessels from interacting with, or fishing within 1nm of, any data buoy, taking on board a data buoy without proper authorization, or in the event of entanglement with a data buoy, requires the CCM fishing vessel to remove</p>	<p>1. CCMs shall prohibit their fishing vessels from fishing within one nautical mile of or interacting with a data buoy in the high seas of the Convention Area, which includes, but is not limited to, encircling the buoy with fishing gear; tying up to or attaching the vessel, or any fishing gear, part or portion of the vessel, to a data buoy or its mooring; or cutting a data buoy anchor line.</p>	<p>Consider draft AP</p>

Commented [FV7]: This obligation (para 3, CMM 2009-03) already has an adopted AP as an Implementation obligation. Therefore, AP for this (Quantitative Limits) may not be needed – i.e. because of past accepted treatment/assessment as an Implementation obligation

	<p>vessels from fishing within 1nm of a data buoy in the high seas, or from interacting with a data buoy in the high seas; prohibit their fishing vessels from taking on board a data buoy unless specifically authorized or requested to do so by the Member or owner responsible for that buoy; and implement the requirement for reporting any incidents of entanglement with a data buoy and to remove the entangled fishing gear with as little damage to the data buoy as possible, CCMs shall notify the Secretariat of all such reports.</p> <p>CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p>	<p>entangled fishing gear such that minimal damage occurs to the data buoy.</p> <p>b. describes how CCM is monitoring and ensuring that its flagged vessels are not interacting with or fishing within 1nm of any data buoy, taking on board a data buoy without proper authorization, or in the event of entanglement with a data buoy, are removing the entangled fishing gear with minimal damage to the data buoy, and how the CCM is responds to potential infringement or instances of non-compliance with these requirements.</p>	<p>3. CCMs shall prohibit their fishing vessels from taking on board a data buoy unless specifically authorized or requested to do so by the Member or owner responsible for that buoy.</p> <p>5. CCMs shall require their fishing vessels that become entangled with a data buoy to remove the entangled fishing gear with as little damage to the data buoy as possible. CCMs are encouraged to require their fishing vessels to report to them all entanglements and provide the date, location and nature of the entanglement, along with any identifying information contained on the data buoy. CCMs shall notify the Secretariat of all such reports.</p>	
16.	<p>Transshipment</p> <p>2009-06 13</p> <p>Category: Implementation (IM)</p>			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<p>1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that CCMs shall ensure that vessels they are responsible for carry observers from the WCPFC ROP to observe transshipments at sea as per (CMM 2009-06)</p> <p>Note a WCPFC14 accepted TCC13 recommendation that the Commission requires CCMs to report coverage</p>	<p>CCM submitted a statement in AR Pt 2 that:</p> <p>a. confirms CCM’s implementation through adoption of a national binding measure of the requirement for vessels the CCM is responsible for to carry observers from the WCPFC ROP to observe transshipments at sea.</p> <p>b. includes information on level of observer coverage achieved according to relevant vessel category (paragraphs 13a, 13b, or 13c of CMM 2009-06).</p> <p>c. describes how CCM is monitoring and ensuring that vessels it is responsible for</p>	<p><u>Section 1 General Rules</u></p> <p>13. Each CCM shall ensure that vessels they are responsible for carry observers from the WCPFC Regional Observer Programme (ROP) to observe transshipments at sea as follows:</p> <p>a. for transshipments to receiving vessels less than or equal to 33 meters in length, and not involving purse seine caught fish or frozen longline caught fish, 100% observer coverage starting on the effective date of this Measure, with the observer(s) deployed on either the offloading vessel or receiving vessel;</p>	<p>Consider draft AP.</p>

<p>achieved for their carrier vessels conducting transshipment at sea, in line with the vessel specifications outlined in paragraph 13 of CMM 2009-06, in their AR Pt 2(TCC13 Summary Report para 200)</p> <p>** Note that to date TCC has not given weight to this criteria, perhaps to a lack of clarity on what was expected**</p> <p>2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements.</p> <p>3. The currently available information to the Secretariat is the high seas transshipment reports, where checks can be made of observers reported to be on the carrier vessel.</p> <p>** Final CMR (2019) said "WCPFC16 and TCC15 noted that in addition to a statement of implementation of CMM 2009- 06, paragraph 13, where a CCM reported in its high seas transshipment declarations that there was an ROP observer on board a CCM offloading vessel or the receiving vessel, the CCM would be assessed as "Compliant"***</p>	<p><u>are carrying observers from the WCPFC ROP to observe transshipments at sea; how the CCM is monitoring and ensuring it is meeting its observer coverage requirements, and how CCM responds to potential infringements or instances of non-compliance with this requirement</u></p> <p><u>The Secretariat confirms that the CCM reported in its high seas transshipment declarations that there was an ROP observer on board the CCM's offloading vessel or the receiving vessel.</u></p> <p><u>CCM reported in its high seas transshipment declarations that there was an ROP observer on board a CCM offloading vessel or the receiving vessel (WCPFC16 decision)</u></p>	<p>b. for transshipments other than those covered by subparagraph (a) and involving only troll-caught or pole-and-line-caught fish, 100% observer coverage starting 1 January 2013, with the observer(s) deployed on the receiving vessel.</p> <p>c. for transshipments other than those covered by subparagraphs (a) and (b), 100% observer coverage starting on the effective date of this Measure, with the observer(s) deployed on the receiving vessel.</p>	
<p>17. Cetaceans 2011-03 01 Category: Quantitative Limits (QL)</p>			
<p>WCPFC Sec Criteria</p>	<p>Draft Audit Point for consideration</p>	<p>CMM Paragraph</p>	<p>Decision Points/Comments</p>
<p>Prohibit purse seine setting on cetaceans, if animal is sighted prior to commencement of the set Theme: Mitigating impacts of fishing on species of special interest</p>		<p>1. CCMs shall prohibit their flagged vessels from setting a purse seine net on a school of tuna associated with a cetacean in the high seas and exclusive economic zones of the Convention Area, if the animal is sighted prior to</p>	<p>Audit Point for Implementation (IM) agreed. <u>Seek views on</u></p>

Commented [FV8]: Proposed revision to keep aligned to verification language included in an existing agreed AP for an Implementation obligation (CMM 2018-04 07a).

	WCPFC Secretariat Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
18.	<p>Sub Theme: Cetacean protection in purse seine fishery</p> <p>Cetaceans</p> <p>2011-03 02-03</p> <p>Category: Implementation (IM)</p>		commencement of the set.	<p>whether AP needed</p> <p>Commented [FV9]: This obligation (para 1, CMM 2011-03) already has an adopted AP as an Implementation obligation. Therefore, AP for this (QL) may not be needed – i.e. because of past accepted treatment/assessment as an Implementation obligation</p>
	<p>*2011-03 *02 and 03</p> <p>1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the two requirements in the event of unintentional encircling of cetaceans in the purse seine net, including taking of reasonable steps to ensure safe release and incident reporting requirements as per (CMM 2011-03) PROTECTION OF CETACEANS</p> <p>2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p>	<p>CCM submitted a statement in AR Pt 2 that:</p> <p>a. confirms CCM’s implementation through adoption of a national binding measure that requires vessel masters of CCM flagged PS vessels to take reasonable steps to ensure safe release (in accordance with WCPFC guidelines), including stopping the net roll and not resuming fishing operation until the animal has been released and is no longer at risk of capture.</p> <p>b. describes how CCM is monitoring and ensuring that in the event a cetacean is unintentionally encircled in the purse seine net, the vessel masters of CCM flagged PS vessels take reasonable steps to ensure safe release, including stopping the net roll and not resuming fishing operation until the animal has been released and is no longer at risk of capture, and how CCM responds to potential infringements or instances of non-compliance with this requirement.</p>	<p>3. In taking steps to ensure the safe release of the cetacean as required under paragraph 2(a), CCMs shall require the master of the vessel to follow any guidelines adopted by the Commission for the purpose of this measure.</p>	<p>Audit Point for CMM 2011-03 02 Implementation (IM) agreed. This appears to overlap with the draft AP for para 3.</p> <p>Consider draft AP and seek views on whether it should replace 2011-03 02(IM) AP to reduce duplication</p> <p>Commented [FV10]: Currently there is an agreed AP for para 2 as follows:</p> <p><i>CCM submitted a statement in AR Pt2 that:</i></p> <p><i>a. confirms CCM’s implementation through adoption of a national binding measure that requires the vessel master of CCM flagged PS vessels to follow safe release guidelines in the event a cetacean is unintentionally encircled in the PS net</i></p> <p><i>b. describes how CCM is monitoring its flagged PS vessels to ensure safe release guidelines are followed and how potential infringements or instances of non-compliance with this requirement are handled.</i></p>
19.	<p>Observer Coverage</p> <p>2012-03 02</p> <p>Category: Quantitative Limits (QL)</p>			
	<p>WCPFC Sec Criteria</p>	<p>Draft Audit Point for consideration</p>	<p>CMM Paragraph</p>	<p>Decision Points/Comments</p>
	<p>CCMs shall achieve 5% coverage of the effort of each fishery fishing for fresh fish beyond the national jurisdiction in area N</p>	<p>The CCM reported in AR Pt2 its observer coverage of effort of each fishery fishing for fresh fish beyond national jurisdiction in</p>	<p>2. For such fishing vessels, CCMs shall achieve 5% coverage of the effort of each fishery fishing for fresh fish by the end of December 2014.</p>	<p>Consider draft AP</p> <p>Commented [FV11]: Note, that the Sec Criteria relates to an Implementation obligation). Proposed draft AP is for QL.</p>

	<p>20N Theme: Observer activity related requirement Sub Theme: Observer coverage category 1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement 5% coverage of the effort of each fishery fishing for fresh fish beyond the national jurisdiction in area N 20N 2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p>	<p>area N 20 N and the Secretariat can verify the CCM’s reported observer coverage level and confirm that the CCM has achieved at least 5% coverage for each fishery.</p>		
<p>20.</p>	<p>HS Catch and Effort Reporting 2013-05 01 Category: Implementation (IM)</p>			
	<p>WCPFC Sec Criteria</p> <p>Confirm whether obligation was implemented. Provide additional information / details that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement to ensure the master of each vessel completes an accurate written or electronic log of every day that it spends at sea on the high seas of the Convention Area as specified</p> <p>CCMs should also provide information showing that it has a system to monitor</p>	<p>Draft Audit Point for consideration</p> <p>CCM submitted a statement in ARPt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that requires CCM vessel masters to complete an accurate written or electronic log of every day it spends at sea on the high seas of the Convention Area b. describes how CCM is monitoring and ensuring that its vessel masters complete an accurate written or electronic log of every day it spends at sea on the high seas of the Convention Area, and how CCM responds to potential infringements or instances of non-compliance with this requirement.</p>	<p>CMM Paragraph</p> <p>1. Each CCM shall ensure that the master of each vessel flying its flag in the Convention Area shall complete an accurate written or electronic log of every day that it spends at sea on the high seas of the Convention Area as follows: a. for days with fishing operations, the log must be completed by recording the effort and catch at the end of each fishing operation (i.e. end of a purse-seine set, end of a longline -haul, or at the end of the day in the case of all other fishing methods); or b. for days with no fishing operations but where any other ‘fishing effort1’ occurred, then the relevant activities (e.g. “SEARCHING”,</p>	<p>Decision Points/Comment</p> <p>Consider draft AP</p> <p>Seek views as to preparing draft APs for revised measure.</p>

Commented [FV12]: Note – revised measure (regarding e-reporting) comes into force 1 Jan 2024. Therefore, this version of the CMM will still apply for next year’s CMR. Suggest agreeing to APs for this CMM now, and then revise in early 2024 based on revisions to the measure.

	and ensure compliance with this obligation and has taken action in response to any potential infringements		DEPLOY/RETRIEVE FAD”) must be entered in the log at end of the day; or c. for days with no fishing operations and no other fishing effort ¹ , the main activity of the day must be entered in the log at the end of the day. ¹ according to Article 1(d) of the Convention	
21.	HS Catch and Effort Reporting 2013-05 02 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Confirm whether obligation was implemented. Provide additional information / details that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that info recorded by the master of each vessel each day with fishing operations shall, at a minimum include the information as specified. CCMs should also provide info showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements	CCM submitted a statement in ARPt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that requires CCM vessel masters to record the minimum specified information in para 2(a-c) of CMM 2013-05. b. describes how CCM is monitoring and ensuring that its vessel masters record the minimum specified information, and how CCM responds to potential infringements or instances of noncompliance with this requirement.	2. Information recorded for each day with fishing operations shall, at a minimum, include the following: a. The information specified in sections 1.3 to 1.6 of ANNEX 1 of the Scientific Data to be Provided to the Commission; b. Catch information about other species not listed in those sections, but required to be reported by CCMs under other Commission decisions such as, inter alia, key shark species according to FAO species codes. c. Interaction information about other species not listed in those sections, but required to be reported by CCMs under other Commission decisions such as, inter alia, key cetaceans, seabirds and sea turtles.	Consider draft AP
22.	HS Catch and Effort Reporting 2013-05 03 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Confirm whether obligation was implemented. Provide additional information / details that confirms the adoption by a flag CCM,	CCM submitted a statement in ARPt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that requires CCM vessel masters to	3. Each CCM shall require the master of each vessel flying its flag in the Convention Area provides an accurate and unaltered original or copy of the required information to its national	Consider draft AP

	in accordance with its own national policies and procedures, of binding measures that implement the requirement that the master of each vessel fishing in the Convention Area provides an accurate and unaltered original or copy of the required information to its national authority CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements	provide an accurate and unaltered original or copy of the required information required under CMM 2013-05 to CCM national authority within 15 days of the end of a trip or transshipment, or within a specified period as determined by the CCM b. describes how CCM is monitoring and ensuring that CCM vessel masters provide an accurate and unaltered original or copy of the information required under CMM 2013-05 information to CCM national authority within 15 days of the end of a trip or transshipment, or within a specified period as determined by the CCM, and how CCM responds to potential infringement or instances of non-compliance with this requirement.	authority within 15 days of the end of a trip or transshipment, or within the period specified by any existing national requirement for the provision of such information.	
23.	HS Catch and Effort Reporting 2013-05 04 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Confirm whether obligation was implemented. Provide additional information / details that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that the master of each vessel fishing in the Convention Area provides an accurate and unaltered original or copy of the required information pertaining to the current trip on board the vessel at all times during the course of a trip. CCMs should also provide information	CCM submitted a statement in ARPt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that requires CCM vessel masters to provide an accurate and unaltered original or copy of the information required under CMM 2013-05 information pertaining to the current trip on board the vessel at all times during the course of a trip b. describes how CCM is monitoring and ensuring that CCM vessel masters provide an accurate and unaltered original or copy of the required information pertaining to the current trip on board the vessel at all times during the course of a trip, and how	4. Each CCM shall require the master of each vessel flying its flag in the Convention Area to keep an accurate and unaltered original or copy of the required information pertaining to the current trip on board the vessel at all times during the course of a trip.	Consider draft AP

	showing it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements	the CCM responds to potential infringements or instances of non-compliance with this requirement.		
24.	*Rev - CMM Criteria 2013-06 01 Category: Implementation (IM) <i>needs further discussion</i>			
	WCPFC Secretariat Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Confirm whether obligation was implemented Provide additional information / details that confirms the adoption by a CCM, in accordance with its own national policies and procedures, of binding measures on their implementation of the requirement to cooperate, either directly or through the Commission, to enhance the ability of developing States, particularly the least developed among them and SIDS and Territories, to develop their own fisheries for HMFS	CCM submitted a statement in ARPt2 that: a. confirms its implementation through adoption of a national binding measure that requires CCM to cooperate, either directly or through the Commission, to enhance the ability of developing States, particularly the least developed among them and SIDS and territories in the Convention Area, to develop their own fisheries for highly migratory fish stocks, including but not limited to the high seas within the Convention Area. b. describes how CCM is monitoring and ensuring that it is cooperating, either directly or through the Commission, to enhance the ability of developing States, particularly the least developed among them and SIDS and territories in the Convention Area, to develop their own fisheries for highly migratory fish stocks, including but not limited to the high seas within the Convention Area, and how CCM responds to potential infringements or instances of non-compliance with this requirement.	<u>General:</u> 1. CCMs shall develop, interpret and apply conservation and management measures in the context of and in a manner consistent with the 1982 Convention and Articles 24, 25 and 26 of the Agreement. To this end, CCMs shall cooperate, either directly or through the Commission, to enhance the ability of developing States, particularly the least developed among them and SIDS and territories in the Convention Area, to develop their own fisheries for highly migratory fish stocks, including but not limited to the high seas within the Convention Area.	Consider revised draft AP below for Reporting obligation based on CCM feedback in 2022.
	Proposed Revision: Should be assessed as a report (R) ; principle to “cooperate”	[The Secretariat confirms receipt of a report outlining efforts by the reporting		Consider draft AP

	will not be embedded in a national binding measure, sufficient to report on Efforts.	CCM to cooperate, either directly or through the Commission, to enhance the ability of developing States, particularly the least developed among them and SIDS and territories in the Convention Area, to develop their own fisheries for highly migratory fish stocks, including but not limited to the high seas within the Convention Area.]		
25.	*Rev - CMM Criteria 2013-06 03 Category: Report (RP)			
	WCPFC Secretariat Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	N/A	The Secretariat confirms that the CCM submitted a “2013-06 checklist” against CCM’s proposed new obligation(s) along with the proposed new obligation(s) and the checklist was completed through consultation with SIDS/T, either through FFA, PNA, or other appropriate mechanism that included a representative group of SIDS/T CCMs.	<u>Impact of new proposals on SIDS and territories:</u> 3. In considering any new proposal the Commission shall apply the following questions to determine the nature and extent of the impact of the proposal on SIDS and territories in the Convention Area: a. Who is required to implement the proposal? b. Which CCMs would this proposal impact and in what way(s) and what proportion? c. Are there linkages with other proposals or instruments in other regional fisheries management organizations or international organizations that reduce the burden of implementation? d. Does the proposal affect development opportunities for SIDS? e. Does the proposal affect SIDS domestic access to resources and development aspirations? f. What resources, including financial and human capacity, are needed by SIDS to implement the proposal? g. What mitigation measures are included in the	Comment from a CCM in 2022 that there is no duty to consult in this CMM although acknowledge that consultation is the best approach. In 2022, CCMs in general agreement that there is a need to define the process within the Commission on how to address this obligation. Consider draft AP

Commented [FV13]: Note, CCM feedback from 2022 is for this obligation to be assessed as a reporting obligation rather than implementation.

			proposal? h. What assistance mechanisms and associated timeframe, including training and financial support, are included in the proposal to avoid a disproportionate burden on SIDS?	
26.	Special Requirements of Developing States 2013-07 01-03 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	General provisions of CMM on Special Requirements of Small Island Developing States and Territories Theme: Overarching requirements Sub Theme: Special requirements of developing States		1. Notwithstanding other special requirements of SIDS and territories not identified herein, CCMs shall fully recognise the special requirements of SIDS and territories in the Convention Area in the implementation of the Convention this measure and other measures. 2. CCMs shall develop, interpret and apply conservation and management measures in the context of and in a manner consistent with the 1982 Convention and Articles 24, 25 and 26 of the Agreement. To this end, CCMs shall cooperate, either directly or through the Commission, to enhance the ability of developing States, particularly the least developed among them and SIDS and territories in the Convention Area, to develop their own domestic fisheries for highly migratory fish stocks, including but not limited to the high seas within the Convention Area. 3. The Commission shall ensure that any conservation and management measure does not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto SIDS and territories.	Audit Point for CMM 2013-07 19 Report (RP) agreed. Seek views on whether AP needed for these paragraphs as Implementation obligations.
27.	Special Requirements of Developing States			

2013-07 04-05 Category: Implementation (IM)			
WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
<p>General Provisions of CMM On Special Requirements of Small Island Developing States And Territories</p> <p>Theme: Overarching requirements Sub Theme: Special requirements of developing States</p>		<p>4. CCMs shall cooperate directly or through the Commission, to support the capacity development of nationals of SIDS and territories within the Convention Area in any fisheries or related discipline, including the sponsorship of academic study and training programmes.</p> <p>5. CCMs shall provide, directly or through the Commission, support and assistance to develop the capacity of nationals of SIDS and territories, including through:</p> <ul style="list-style-type: none"> a. individualized training, including internships; b. institutional support to regional or sub-regional training programs for observers, including through providing financial and technical support to enhance existing programs; c. technical training and assistance in data collection, scientific research, stock assessment, bycatch mitigation, fisheries science and management, fisheries administration and bioeconomic analysis, including through in-country training, workshops, academic exchanges and secondments; and d. training related to monitoring, control and surveillance activities, including through in-country training, workshops, secondments and other personnel exchanges. 	<p>Audit Point for CMM 2013-07 19 Report (RP) agreed.</p> <p>Seek views on whether AP needed for these paragraphs as Implementation obligations.</p>
<p>28. Special Requirements of Developing States</p> <p>2013-07 06-07 Category: Implementation (IM)</p>			
WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
Requirements to assist with technology		6. CCMs shall cooperate, consistent with	Audit Point for CMM

	<p>transfers to SIDS and Territories</p> <p>Theme: Overarching requirements Sub Theme: Special requirements of developing States</p>		<p>national laws and regulations, directly or through the Commission, and in accordance with their capabilities to actively promote the development and transfer of fisheries science and technology on fair and reasonable terms and conditions to SIDS and territories in the Convention Area.</p> <p>7. CCMs shall promote, consistent with national laws and regulations, the development of fisheries scientific and technological capacity of SIDS and territories, with regard to the exploration, exploitation, conservation and management of highly migratory fish stocks, and the protection and preservation of the marine environment, with the aim of accelerating the social and economic development of SIDS and territories</p>	<p>2013-07 19 Report (RP) agreed.</p> <p>Seek views on whether AP needed for these paragraphs as Implementation obligations.</p>
29.	<p>Special Requirements of Developing States</p> <p>2013-07 08-09</p> <p>Category: Implementation (IM)</p>			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<p>Requirements to assist SIDS and Territories in the areas of fisheries conservation and management</p> <p>Theme: Overarching requirements Sub Theme: Special requirements of developing States</p>		<p>8. CCMs shall, consistent with national laws and regulations, directly or through the Commission, assist SIDS and territories in their implementation of Commission obligations including but not limited to the implementation of:</p> <ul style="list-style-type: none"> a. Obligations in the Convention; b. Conservation and management measures; c. Other decisions of the Commission. <p>9. CCMs shall, directly or through the Commission, assist SIDS and territories in the Convention Area in improving the conservation and management of highly migratory fish stocks through the collection, reporting, verification,</p>	<p>Audit Point for CMM 2013-07 19 Report (RP) agreed.</p> <p>Seek views on whether AP needed for these paragraphs as Implementation obligations.</p>

			exchange and analysis of fisheries data and related information	
30.	Special Requirements of Developing States 2013-07 10-11 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Requirements to assist SIDS and Territories in the areas of Monitoring, Control and surveillance Theme: Overarching requirements Sub Theme: Special requirements of developing States		10. CCMs shall cooperate, consistent with national laws and regulations, directly or through the Commission, to enhance the participation of SIDS and territories in monitoring, control and surveillance through appropriate regional, sub-regional and bilateral arrangements, including training and capacity-building at the local level, development and funding of national and sub-regional observer programmes and access to technology and equipment. 11. To enhance the participation of SIDS and territories in at sea monitoring, control, surveillance and enforcement activities, CCMs shall, as appropriate and through bilateral arrangements with SIDS and territories in the Convention Area, allow for the coordination of inspection vessels, aircraft, equipment and technology.	Audit Point for CMM 2013-07 19 Report (RP) agreed. Seek views on whether AP needed for these paragraphs as Implementation obligations.
31.	Special Requirements of Developing States 2013-07 12-18 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Requirements to support for the Domestic Fisheries Sector and Tuna-fisheries related businesses and market access		12. CCMs shall cooperate, consistent with national laws and regulations, with the SIDS and territories through the provision of technical and economic support to assist SIDS and	Audit Point for CMM 2013-07 19 Report (RP) agreed.

<p>Theme: Overarching requirements Sub Theme: Special requirements of developing States</p>	<p>territories in the region to achieve the objective of maximising benefits from the development of their fisheries resources.</p> <p>13. CCMs shall endeavour to ensure that the domestic fishing and related industries of the SIDS and territories in the Convention Area, accounts for at least fifty (50) percent of the total catch and value of highly migratory fish stocks harvested in the Convention Area. To this end, CCMs are encouraged to support investment and collaborative arrangements with SIDS and territories.</p> <p>14. CCMs shall ensure, consistent with national laws and regulations, that actions are not taken to constrain coastal processing and use of transshipment facilities and associated vessels of SIDS and territories, or undermine legitimate investment in SIDS and territories in the Convention Area.</p> <p>15. CCMs shall cooperate with SIDS and territories in the Convention Area and endeavor to:</p> <ul style="list-style-type: none"> a. take actions, consistent with national laws and regulations, with a view toward maintaining and increasing opportunities for employment of nationals of SIDS and territories in the Convention Area; b. promote, consistent with national laws and regulations, the processing, landing, or transshipment of catches within designated ports of SIDS and territories in the Convention Area; c. encourage, consistent with national laws and regulations, the purchase of equipment and supplies, including fuel supplies, from suppliers located in SIDS and territories in the Convention Area; and 	<p>Seek views on whether AP needed for these paragraphs as Implementation obligations.</p>
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			<p>d. encourage, where appropriate, the use of slipping and repair facilities located in SIDS and territories in the Convention Area.</p> <p>16. CCMs shall cooperate directly with SIDS and territories in the Convention Area to promote awareness of import conditions.</p> <p>17. CCMs shall endeavour to take appropriate action to eliminate barriers to trade in fish and fisheries products that are not consistent with international laws and regulations, taking into account the importance of the trade in fish and fisheries products, particularly for SIDS and territories.</p> <p>18. CCMs shall endeavor to cooperate to identify and promote activities, as appropriate, for the development of the domestic tuna fisheries sector and tuna fisheries related businesses in the SIDS and territories.</p>	
32.	<p>VMS 2014-02 04 Category: Implementation (IM)</p>			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<p>Applicable Flag CCMs are to confirm whether obligation was implemented. Provide additional information / details that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that vessels should keep MTUs / ALCs activated and continue to report to the Commission VMS after moving into the northern quadrant (north of 20N and west of 175E) CCMs should also provide information showing that it has a system to monitor</p>	<p>CCM submitted a statement in ARPt2 that:</p> <p>a. confirms CCM's implementation through adoption of a national binding measure that requires its flagged fishing vessels to keep their ALC's activated and continue to report to the Commission if they move into the area north of 20N and west of 175E.</p> <p>b. describes how CCM is monitoring and ensuring that its flagged fishing vessels are keeping their ALC's activated and continuing to report to the Commission if they move into the area north of 20N and west of 175E, and how the CCM responds to potential infringements or instances of</p>	<p>4. Any fishing vessels fishing for highly migratory fish stocks on the high seas within the areas of the Convention Area described in para 2 above that move into the area north of 20°N and west of 175°E shall keep their ALCs activated and continue to report to the Commission in accordance with this Conservation and Management Measure.</p>	<p>Note – template for ARP2 reporting contained in Annex 2, CMM 2014-02</p> <p>Consider draft AP</p>

	and ensure compliance with this obligation and has taken action in response to any potential infringements	non-compliance with the relevant requirement.		
33.	VMS 2014-02 9a Category: Implementation (IM)			
	2022 Draft Audit Point (not agreed)	Proposed draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<p>1. CCM submitted a statement in AR Pt 2 that:</p> <p>a. confirms CCM’s implementation through adoption of national binding measures or management plans that require its flagged vessels to comply with the Commission standards (contained in CMM 2014-02 and the VMS SSPs) for WCPFC VMS including being fitted with ALCs/MTUs that meet Commission requirements.</p> <p>b. describes how the CCM is monitoring its flagged vessels to ensure the requirements are met and how potential infringements or instances of non-compliance with this requirement are handled.</p> <p>2. The Secretariat confirms that CCMs:</p> <p>a. have binding measures or management plans requiring vessels to install ALC units that are on the Commission ALC/MTU Approved List;</p> <p>b. have binding measures or management plans outlining its processes for taking action when vessels that are ‘fishing in the Convention Area beyond their area under national jurisdiction’ stop reporting to the Commission VMS; and</p>	<p>CCM submitted a statement in ARPt2 that:</p> <p>a. confirms CCM’s implementation through adoption of a national binding measure that requires its flagged fishing vessels to comply with the Commission standards (contained in CMM 2014-02 and the VMS SSPs) for WCPFC VMS including being fitted with ALCs/MTUs that meet Commission requirements.</p> <p>b. describes how CCM is monitoring and ensuring that its flagged fishing vessels meet the Commission’s VMS standards and requirements and how the CCM responds to potential infringements or instances of non-compliance with the relevant requirement.</p>	<p>9. Obligation of CCMs</p> <p>(a) Each flag CCM shall ensure that fishing vessels on the high seas in the Convention Area comply with the requirements established by the Commission for the purposes of the Commission VMS and are equipped with ALCs that shall communicate such data as determined by the Commission.</p>	<p>Note – template for ARP2 reporting contained in Annex CMM 2014-02</p> <p>Seek views on draft AP.</p>

Commented [FV15]: Proposed new AP. This has been amended from what was discussed in 2022 (see first column) to keep consistent with current approach and methodology for Implementation APs.

Commented [FV14]: TCC18 and WCPFC19 discussed the AP for para 9a CMM 2014-02. A reporting template for this reporting was adopted in 2021 (linked to work from the VMS SWG) – this is contained in Annex 2, CMM 2014-02. However, no specific AP adopted as yet.

The draft AP text was considered at WCPFC19, however no agreement. In addition, one CCM at WCPFC19 suggested additional text regarding Secretariat verification, however there was no agreement for this to be included.

Some suggestions to keep assessment of this AP consistent with other APs, and aligned to the underlying obligation. ‘Proposed draft Audit Point for consideration’ attempts to do this.

	c. have MTUs/ALCs that are successfully activated and reporting to the Commission VMS. For any unsuccessful activation, the Secretariat shall confirm whether this is an issue requiring flag CCM or Secretariat action.			
34.	VMS 2014-02 9a VMS SSPs 2.1.3 and 7.2.2 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	CCMs to conduct periodic audits of ALC/MTUs of its vessels and report results to the Commission (AR Pt 2) Theme: Operational requirements for fishing vessels Sub Theme: Annual report on implementation Supersedes: CMM 2011-02 9a VMS SSPs 7.2.2 7.2.2 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?”	CCM submitted a statement in AR Pt 2 that: a. confirms CCM’s implementation through adoption of national binding measure that requires its flagged vessels, authorised to fish in the Convention Area beyond national jurisdiction, that have ALCs that cannot be polled remotely to have less than hourly reporting, or carry and operate a separate two-way communication device. b. confirms CCM’s implementation through adoption of national binding measure that requires the CCM to conduct ALC inspections of its flagged vessels authorised to fish in the Convention Area beyond national jurisdiction. c. describes how the CCM is monitoring its flagged vessels authorised to fish beyond national justification to ensure such vessels’ ALCs meet the Commission requirements and how the CCM responds to instances of non-compliance with the relevant requirements.	2.1.3 Vessels with ALCs that comply with the full range of the minimum standards set out in Annex I, but that cannot be remotely polled must either have a regular reporting rate of one hour or less, or will carry and operate, in addition to the ALC, a means of two-way communication by voice (e.g., radio, satellite telephone) or data (e.g., telex, facsimile, email) permitting real time contact with the WCPFC Secretariat, as necessary, with the assistance of the flag CCM, in the English language. 7.2.2 [CCMs] To conduct and report results of ALC inspections in accordance to procedures established for that purpose, results to include data specified in Section 2 above.	Note: ARP2 reporting template contained in Annex 2 CMM 2014-02 Audit Point for Report (RP) agreed. Propose this draft AP for implementation obligation. Seek views as to whether this AP needed (for IM obligation) or if prefer to leave solely as Reporting obligation (i.e. CCMs providing report of past year’s MTU audit inspections). On potential benefit of keeping this IM obligation is that it covers some SSP requirements relating to MTU audits (e.g.

	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
35.	VMS 2014-02 9a VMS SSPs 2.8 Category: Implementation (IM)			SSP 7.2.5 discussed below)
	Provision of ALC/MTU 'VTAF' data Theme: Operational requirements for fishing vessels Sub Theme: VMS Supersedes: CMM 2011-02 9a VMS SSPs 2.8 2.8 AR Pt 2 (prior year implementation) PRO47		2.8 The Secretariat will administer a Commission VMS database. For each fishing vessel required to report to the Commission VMS the flag CCM will submit all necessary data to complete its data file in the Commission's VMS database. This data will include the name of the vessel, unique vessel identification number (UVI)2, 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 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.	Audit Point for Report (RP) agreed. Seek views as to whether this AP needed
36.	VMS 2014-02 9a VMS SSPs 5.4 - 5.5 Category: Implementation (IM)			
	VMS Manual Reporting procedures - applies until 1 March 2024 and remains in force unless the Commission decides otherwise Theme: Operational requirements for fishing vessels Sub Theme: VMS 1. AR Pt 2 should include a statement	CCM submitted a statement in AR Pt 2 that: a. confirms CCM's implementation through adoption of national binding measure that requires its flagged vessels to manually report in accordance with the VMS SSPs. b. describes how the CCM is monitoring and ensuring its flagged vessels comply with VMS manual reporting procedures in accordance with the VMS SSPs and how the	SSPs, Attachment 1 4. In the event of non-reception of two consecutive, programmed high seas VMS positions, and where the Secretariat has exhausted all reasonable steps[3] to re-establish normal automatic reception of VMS positions the Secretariat will notify the flag State CCM who shall then direct the vessel Master to begin manual reporting. During this period the vessel shall be required to report its position manually	Consider draft AP

Commented [FV16]: This obligation already has an adopted AP as a Reporting obligation. Therefore, AP for this (Implementation) may not be needed – i.e. because of past accepted treatment/assessment as Reporting obligation

	<p>that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that CCMs implemented the required VMS Manual reporting Procedures</p> <p>2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p> <p>5.4 – 5.5 AR Pt 2 (prior year implementation) PR-048</p>	<p>CCM responds to potential infringements or instances of non-compliance.</p>	<p>to the Secretariat every 6 hours. If automatic reporting to the Commission VMS has not been re-established within 30 days of the commencement of manual reporting the flag state CCM shall order the vessel to cease fishing, stow all fishing gear and return immediately to port. The vessel may recommence fishing on the high seas only when the ALC/MTU has been confirmed as operational by the Secretariat following the flag State CCM informing the Secretariat that the vessel's automatic reporting complies with the regulations established in this SSP.</p> <p>4bis. The standards outlined in Paragraph 4 above will apply for the period 1 March 2013 to 1 March 2024 and will remain in force thereafter unless the Commission directs otherwise. This will also be reviewed for MCS effectiveness by TCC.</p> <p>5. In exceptional circumstances[4], the flag State CCM may extend the period established in paragraph 4 for an additional consecutive 15 days during which time the vessel will continue to report its position manually every 4 hours to the Secretariat while on the high seas. When such permission is provided the flag State CCM shall provide a report to the Secretariat as to the nature of the exceptional circumstances and steps taken to re-establish automatic reporting. Such reports shall be included in the Secretariat's annual report on the operations of the Commission's VMS to the TCC as required under paragraph 7.3.9.</p>	
<p>37.</p>	<p>VMS 2014-02 9a VMS SSPs 7.2.4 Category: Report (RP)</p>			
	<p>WCPFC Sec Criteria</p>	<p>Draft Audit Point for consideration</p>	<p>CMM Paragraph</p>	<p>Decision</p>

			Points/Comments	
	<p>Protocol for inspecting States to inspect ALCs/MTU of other CCMs vessels at sea, includes reporting requirements for inspecting States</p> <p>Theme: Inspection activity related requirement</p> <p>Sub Theme: VMS</p> <p>[CCFS CCM Initiated Case Type - relevant VMS inspection outcomes where the flag CCM has been requested to investigate will be recorded by the Secretariat in this list]</p> <p>1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that CCMs implement the required protocols for inspecting ALCs/MTUs of other CCMs vessels at sea</p> <p>2. CCMs are to provide to the WCPFC Secretariat a list of all ALC inspections by flag and vessels type, including a summary of the results of each inspection</p>	<p>The Secretariat confirms that the CCM submitted a report to the WCPFC Secretariat of all ALC inspections by flag and vessels type, including a summary of the results of each inspection.</p>	<p>7.2.4 [CCMs] To provide to the WCPFC Secretariat a list of all ALC inspections by flag and vessels type, including a summary of the results of each inspection.</p>	<p>The current ARP2 guidance treats this as a reporting obligation, with no basis for evaluating (note, there are no minimum levels of reporting). Propose this be a reporting obligation (not Implementation), where CCM response can be held on file (unless any new inspections undertaken).</p> <p>Consider draft AP.</p>
38.	<p>VMS</p> <p>2014-02 9a VMS SSPs 7.2.5</p> <p>Category: Report (RP)</p>			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<p>Report to Secretariat any ALC/MTU, and associated details, that appear to not be in compliance with applicable CMMs related to VMS reporting</p> <p>Theme: Inspection activity related requirement</p> <p>Sub Theme:</p>	<p>The Secretariat confirms that the CCM submitted information on any ALC/MTU that appear to not be in compliance with the Commission VMS requirements (including CMM 2014-02, VMS SSPs) within 5 days of becoming aware of any such compliance issues.</p>	<p>7.2.5 [CCMs] To report, by e-mail, facsimile or data entry procedures established by the Commission to the Secretariat within a period of 5 days any registered ALC, including connections and antennas, associated vessels (by name and flag) and vessel masters that appear to not be in compliance with CMM-20014-02 (or its</p>	<p>Consider draft AP</p>

	1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that CCMs report to Secretariat within 5 days of detection of any ALC/MTU, and its associated details, that appear to not be in compliance with applicable CMMs related to VMS reporting		successor measure) and/or specifications and procedures agreed by the Commission as well as the details of the non-compliance. The Secretariat will issue an acknowledgement of reception of each report and, in the absence of this acknowledgement within 72 hours of transmission, the CCM is required to retransmit any unacknowledged report.	
39.	VMS 2014-02 9a VMS SSPs 7.2.5 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Report to Secretariat any ALC/MTU, and associated details, that appear to not be in compliance with applicable CMMs related to VMS reporting Theme: Inspection activity related requirement Sub Theme: VMS 1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that CCMs report to Secretariat within 5 days of detection of any ALC/MTU, and its associated details, that appear to not be in compliance with applicable CMMs related to VMS reporting	CCM submitted a statement in AR Pt 2 that: a. confirms CCM’s implementation through adoption of national binding measure that implement the requirement that CCMs report to Secretariat within 5 days of detection of any ALC/MTU, and its associated details, that appear to not be in compliance with Commission VMS requirements (including CMM 2014-02, VMS SSPs). b. describes how the CCM is monitoring and ensuring that it is implementing the requirement that CCMs report to Secretariat within 5 days of detection of any ALC/MTU, and its associated details, that appear to not be in compliance with Commission VMS requirements (including CMM 2014-02, VMS SSPs).	7.2.5 [CCMs] To report, by e-mail, facsimile or data entry procedures established by the Commission to the Secretariat within a period of 5 days any registered ALC, including connections and antennas, associated vessels (by name and flag) and vessel masters that appear to not be in compliance with CMM-20014-02 (or its successor measure) and/or specifications and procedures agreed by the Commission as well as the details of the non-compliance. The Secretariat will issue an acknowledgement of reception of each report and, in the absence of this acknowledgement within 72 hours of transmission, the CCM is required to retransmit any unacknowledged report.	Note – there is both a Reporting (above) and Implementation obligation for this paragraph (2014-02 9a VMS SSPs 7.2.5).
40.	Port State Measures 2017-02 05 Category: Implementation (IM)			

	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Applicable Flag CCMs are to confirm whether obligation was implemented. Provide additional information / details that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement for its flagged vessels CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements	CCM submitted a statement in ARPt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that requires its flagged vessels to cooperate with any CCM port that is implementing port State measures under the WCPF Convention and CMM, when in that CCM’s port b. describes how CCM is monitoring and ensuring that its flagged vessels cooperate with any CCM port that is implementing WCPFC port state measures when in that CCM’s port, and how the CCM responds to potential infringement or instances of non-compliance with this requirement.	<u>General rights and obligations</u> 5. Each flag CCM shall require its flagged vessels to cooperate with any port CCM that is implementing any port State measures under the WCPF Convention, and this CMM.	Consider draft AP
41.	Port State Measures 2017-02 08 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Applicable Port CCMs (those CCMs that have notified the WCPFC in accordance with para 6) are to confirm whether obligation was implemented. Provide additional information / details that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement for its flagged vessels CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements	CCM submitted a statement in AR Pt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that ensures fisheries inspections in its ports are conducted by CCM’s Government Authorized Inspectors b. describes how CCM is monitoring and ensuring that fisheries inspections in its ports are conducted by CCM’s Government Authorized Inspectors, and how CCM responds to instances of potential infringement or instances of non-compliance with this requirement.	<u>Authorised fisheries inspectors</u> 8. Port CCMs shall ensure that fisheries inspections are undertaken by Government authorized inspectors. Each inspector shall carry a document of identity issued by the port CCM.	Consider draft AP

42.	Port State Measures 2017-02 09 and 10 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<p>Applicable Port CCMs (those CCMs that have notified the WCPFC in accordance with para 6) are to confirm whether obligation was implemented.</p> <p>Provide additional information / details that confirms the adoption by certain Port CCMs, in accordance with its own national policies and procedures, of binding measures that implement the requirement</p>	<p>CCM submitted a statement in AR Pt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that requires port inspections of a) any foreign longline, purse seine and carrier vessel that enters their <i>designated port</i> and is not listed on the RFV, unless other than in cases where the vessel is authorized with another RFMO that the port CCM is a Party to, as practicable, and b) vessels that appear on the IUU list of an RFMO</p> <p>b. describes how CCM is monitoring and ensuring that port inspections are being carried out for a) any foreign longline, purse seine and carrier vessel that enters their <i>designated port</i> and is not listed on the RFV, other than in cases where the vessel is authorized with another RFMO that the port CCM is a Party to, as practicable, and b) vessels that appear on the IUU list of an RFMO, and how CCM responds to potential infringements or instances of non-compliance with this requirement.</p>	<p><u>Inspection requirements</u></p> <p>9. Port CCMs shall carry out inspections on at least the following vessels: a) on any foreign longline, purse seine and carrier vessel that enters their designated port and is not listed on the WCPFC Record of Fishing Vessels, other than in cases where the vessel is authorized with another RFMO that the port CCM is a Party to, as practicable; b) vessels that appear on the IUU list of an RFMO.</p> <p>10. A port CCM shall give particular consideration to inspecting those vessels suspected of undertaking IUU fishing activities, including if identified by non-CCMs or other RFMOs, particularly where evidence of IUU fishing or fishing related activities in support of IUU fishing has been provided.</p>	<p>Consider draft AP</p>
43.	Port State Measures 2017-02 15 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Applicable Flag CCMs are to confirm whether obligation was implemented.	CCM submitted a statement in AR Pt2 that: a. confirms CCM’s implementation through adoption of a national binding measure	<p><u>Inspection Procedures</u></p> <p>15. Where, following a port inspection, a flag</p>	<p>Consider draft AP</p>

	<p>Provide additional information / details that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement</p> <p>CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p>	<p>that requires investigation of any alleged IUU fishing by CCM flagged fishing vessels as identified in a port inspection report b. describes how CCM is monitoring and ensuring that investigation of alleged IUU fishing by its fishing vessels is taking place where required, and how the CCM responds to potential infringements and instances of non-compliance with this requirement.</p>	<p>CCM receives an inspection report, as referred to in paragraph 13, indicating that there are clear grounds to believe that its flagged vessel has engaged in IUU fishing or fishing related activities in support of IUU fishing, it shall immediately and fully investigate the matter in accordance with Article 25 of the Convention.</p>	
44.	<p>Port State Measures 2017-02 17 Category: Implementation (IM)</p>			
	<p>WCPFC Sec Criteria</p>	<p>Draft Audit Point for consideration</p>	<p>CMM Paragraph</p>	<p>Decision Points/Comments</p>
	<p>Applicable Port CCMs (those CCMs that have notified the WCPFC in accordance with para 6) are to confirm whether obligation was implemented.</p> <p>Provide additional information / details that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement</p> <p>CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p>	<p>CCM submitted a statement in AR Pt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that requires the CCM its ports to only provide authorized entry to vessels that have committed IUU fishing, or fishing related activities in support of IUU fishing, or is on a RFMO IUU list, for inspection and investigation purposes, and prohibit any activities by such vessels that support fishing operations, including landing, transshipment, and re-provisioning. b. describes how CCM is monitoring and ensuring that it is s-ports are only providing authorized entry to vessels that have committed IUU fishing, or fishing related activities in support of IUU fishing, or is on a RFMO IUU list, for inspection and investigation purposes, and prohibiting any activities by such vessels that support</p>	<p><u>Inspection Procedures</u> 17. In cases where there is sufficient evidence indicating that a vessel has committed IUU fishing, or fishing related activities in support of IUU fishing, or is on a RFMO IUU list, port CCMs shall only provide such a vessel authorisation to enter its designated port for inspection and investigation purposes. Activities that support fishing operations inter alia, landing, transshipment, and re-provisioning shall be prohibited.</p>	<p>Consider draft AP</p>

		fishing operations, including landing, transshipment, and re-provisioning, and how CCM responds to potential infringements or instances of non-compliance with this requirement.		
45.	Port State Measures 2017-02 26 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Requirement to encourage use of ports of SIDS to the extent practicable Theme: Inspection activity related requirement Sub Theme: Port State measures 1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that CCMs encourage its flagged vessels to use ports of SIDS where practicable. 2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements	CCM submitted a statement in AR Pt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that encourages the use of SIDS’ ports to the extent practicable. b. describes how CCM is monitoring and ensuring its encouragement of the use of SIDS’ ports.	26. CCMs shall, to the extent practicable, encourage the use of ports of SIDS in order to increase the opportunity to undertake inspections, and participation of SIDS in fisheries for WCPO tuna stocks.	Consider draft AP
46.	*Rev – Observer Safety 2017-03 03-06 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Applicable Flag CCMs are to confirm whether obligation was implemented. Provide additional information / details	CCM submitted a statement in AR Pt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that requires <u>its flagged CCM vessel</u>	3. In the event that a WCPFC ROP observer dies, is missing or presumed fallen overboard, the CCM to which the fishing vessel is flagged shall ensure that the fishing vessel:	Consider draft AP.

Commented [FV17]: Draft AP amended to capture all requirements under paras 3-6 of CMM 2017-03.

that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement for its flagged vessels.

CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements.

operators, in the event an observer dies, is missing, or presumed fallen overboard, to meet the requirements in paragraph 3a to 3h, or experiences serious illness or injury, to notify the Maritime Rescue Coordination Center, the CCM observer provider, and the Secretariat; and, if an observer dies, to ensure that the body is well-preserved for the purposes of an autopsy and investigation.

b. confirms CCM’s implementation through adoption of a national binding measure that requires its flagged vessel operators, in the event an observer experiences serious illness or injury, to meet the requirements in paragraph 5a to 5e.

c. describes how CCM is monitoring and ensuring that the its flagged-CCM vessel operators meet the requirements of paragraphs 3 to 5 notifies/d the Maritime Rescue Coordination Center, the CCM-observer provider, and the Secretariat in the event an observer dies, is missing, or presumed fallen overboard, or experiences serious illness or injury; notifies/d the Maritime Rescue Coordination Center, the CCM observer provider, and the Secretariat; and how the CCM responds to potential infringements or instances of non-compliance with this requirement.

- a. immediately ceases all fishing operations;
 - b. immediately commences search and rescue if the observer is missing or presumed fallen overboard, and searches for at least 72 hours, unless the observer is found sooner, or unless instructed by the flag CCM to continue searching²;
 - c. immediately notifies the flag CCM;
 - d. immediately alerts other vessels in the vicinity by using all available means of communication;
 - e. cooperates fully in any search and rescue operation
 - f. whether or not the search is successful, return the vessels for further investigation to the nearest port, as agreed by the flag CCM and the observer provider;
 - g. provides the report to the observer provider and appropriate authorities on the incident; and
 - h. cooperates fully in any and all official investigations, and preserves any potential evidence and the personal effects and quarters of the deceased or missing observer.
4. Paragraphs 3(a), (c) and (h) apply in the event that an observer dies. In addition, the flag CCM shall require that the fishing vessel ensure that the body is well-preserved for the purposes of an autopsy and investigation.
5. In the event that a WCPFC ROP observer suffers from a serious illness or injury that threatens his or her health or safety, the CCM to which the fishing vessel is flagged shall ensure that the fishing vessel:
- a. immediately ceases fishing operations;
 - b. immediately notifies the flag CCM
 - c. takes all reasonable actions to care for the observer and provide any medical treatment

			<p>available and possible on board the vessel;</p> <p>d. where directed by the observer provider, if not already directed by the flag CCM, facilitates the disembarkation and transport of the observer to a medical facility equipped to provide the required care, as soon as practicable; and</p> <p>e. cooperates fully in any and all official investigations into the cause of the illness or injury.</p> <p>6. For the purposes of paragraphs 3 through 5, the flag CCM shall ensure that the appropriate Maritime Rescue Coordination Centre, observer provider and Secretariat are immediately notified.</p> <p>² In the event of force majeure, flag CCMs may allow their vessels to cease search and rescue operations before 72 hours have elapsed.</p>	
	<p>Proposed Revision: Implementation (I) Delete “monitoring”</p>	<p>CCM submitted a statement in AR Pt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that requires CCM vessel operators, in the event an observer dies, is missing, or presumed fallen overboard, or experiences serious illness or injury, to notify the Maritime Rescue Coordination Center, the CCM observer provider, and the Secretariat describes how CCM is monitoring and ensuring that the CCM vessel operator notifies/d the Maritime Rescue Coordination Center, the CCM observer provider, and the Secretariat in the event an observer</p>		

Commented [FV18]: Unclear why past request to delete the ‘monitoring’ element of this implementation obligation. These requirements are indeed triggered subject to a specific event occurring (i.e. observer death, illness, injury or overboard), however CCMs would still need to monitor their flagged vessels’ compliance with meeting observer safety requirements.

Propose to keep AP as implementation obligation, and include the ‘monitoring’ element as per above draft.

		dies, is missing, or presumed fallen overboard, or experiences serious illness or injury, and how the CCM responds to potential infringements or instances of non-compliance with this requirement.		
47.	*Rev – Observer Safety 2017-03 07 and 08 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<p>Applicable Flag CCMs are to confirm whether obligation was implemented</p> <p>Provide additional information / details that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement</p> <p>CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements.</p>	<p>CCM submitted a statement in AR Pt 2 that:</p> <p>a. confirms CCM’s implementation through adoption of a national binding measure that requires its flagged vessels to do the following in the event that there are reasonable grounds to believe an observer has been assaulted, intimidated, threatened, or harassed, and the observer or observer provider indicates to the fishing vessel CCM that they wish for the observer to be removed from the vessel:</p> <p>i. Immediately take action to <u>preserve the ensure</u> safety of observer and mitigate and resolve situation on board</p> <p>ii. Notify the flag CCM authorities and the observer provider of the situation <u>as soon as possible</u>, including status and location of observer</p> <p>iii. Facilitate safe disembarkation of the observer in a manner and place agreed to by flag CCM and observer provider that facilitates access to any required medical treatment</p> <p>iv. Cooperates fully in any and all official investigations into the incident</p>	<p>7. In the event that there are reasonable grounds to believe a WCPFC ROP observer has been assaulted, intimidated, threatened, or harassed such that their health or safety is endangered and the observer or the observer provider indicates to the CCM to which the fishing vessel is flagged that they wish for the observer to be removed from the fishing vessel, the CCM to which the fishing vessel is flagged shall ensure that the fishing vessel:</p> <p>a. immediately takes action to preserve the safety of the observer and mitigate and resolve the situation on board;</p> <p>b. notifies the flag CCM and the observer provider of the situation, including the status and location of the observer, as soon as possible;</p> <p>c. facilitates the safe disembarkation of the observer in a manner and place, as agreed by the flag CCM and the observer provider, that facilitates access to any needed medical treatment; and</p> <p>d. cooperates fully in any and all official investigations into the incident.</p> <p>8. In the event that there are reasonable</p>	<p>Consider draft AP</p> <p>Commented [FV19]: Amended by draft AP to capture all requirements on para 7 and 8 in relation to the two scenarios – 1) where observer/provider seeks removal of observer; and 2) where observer/provider do not seek removal of observer.</p>

	<p><u>b. a. confirms CCM’s implementation through adoption of a national binding measure that requires its flagged vessels to do the following where there are reasonable grounds to believe an observer has been assaulted, intimidated, threatened, or harassed, but neither the observer nor observer provider indicates to the fishing vessel CCM that they wish for the observer to be removed from the vessel:</u></p> <p>v. Or if the observer nor the provider does not wish that the observer be removed from the fishing vessel,</p> <p>i. that the fishing vessel takes action as soon as possible to ensure the safety of the observer and resolve the situation,</p> <p>ii. notifies the flag CMM authorities and the observer provider as soon as possible immediately, and iii. cooperates fully in all official investigations into the incident</p> <p>c. describes how CCM is monitoring and ensuring that CCM flagged vessels adhere to the requirements of the CMM in the event that there are reasonable grounds to believe that an observer has been assaulted, intimidated, threatened, or harassed, and how the CCM responds to potential infringements or instances of non-compliance with this requirement.</p>	<p>grounds to believe that a WCPFC ROP observer has been assaulted, intimidated, threatened, or harassed but neither the observer nor the observer provider wishes that the observer be removed from the fishing vessel, the CCM to which the fishing vessel is flagged shall ensure that the fishing vessel:</p> <p>a. takes action to preserve the safety of the observer and mitigate and resolve the situation on board as soon as possible;</p> <p>b. notifies the flag CCM and the observer provider of the situation as soon as possible; and</p> <p>c. cooperates fully in all official investigations into the incident</p>	
<p>Proposed Revision: Implementation (IM) Delete “monitoring” <u>i.e. proposed revision is to delete the following:</u> <u>‘c. describes how CCM is monitoring and ensuring that CCM flagged vessels adhere to the requirements of the CMM in the</u></p>			

Commented [FV20]: Unclear as to justification for this proposed deletion of monitoring element. Propose to retain as per above draft AP.

	<u>event that there are reasonable grounds to believe that an observer has been assaulted, intimidated, threatened, or harassed, and how the CCM responds to potential infringements or instances of non-compliance with this requirement.</u>			
48.	*Rev – Observer Safety 2017-03 09 Category: Implementation (I)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Applicable Port CCMs are to confirm whether obligation was implemented? Provide additional information / details that confirms the adoption by a Port CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement	CCM submitted a statement in AR Pt2 that: a. confirms <u>port</u> CCM’s implementation through adoption of a national binding measure that ensures it is facilitating port entry for fishing vessels and facilitating safe disembarkation of a WCPFC ROP observer for reasons relating to the observer’s safety or well-being. b. describes how <u>port</u> CCM is monitoring and ensuring that vessels entering CCM ports for the purpose of safe disembarkation of a WCPFC ROP observer are being facilitated, and how CCM responds to potential infringements or instances of non-compliance with this requirement.	9. If any of the events in paragraphs 3 – 7 occur, port CCMs, shall facilitate entry of the fishing vessel to allow disembarkation of the WCPFC ROP observer and, to the extent possible, assist in any investigations if so requested by the flag CCM.	Note: Addition of ‘port’ before CCM was proposed in 2022. Consider draft AP.
49.	*Rev – Observer Safety 2017-03 10 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Applicable CCMs are to confirm whether obligation was implemented. Provide additional information / details that confirms the adoption by a CCM (as	CCM submitted a statement in AR Pt 2 that: a. confirms <u>flag</u> CCM’s implementation through adoption of a national binding measure that requires <u>a flag</u> CCM to conduct an investigation based on	10. In the event that, after disembarkation from a fishing vessel of a WCPFC ROP observer, an observer provider identifies—such as during the course of debriefing the observer—a possible violation involving assault or harassment of the	Consider draft AP Note, proposed revision below (to delete monitoring

	a flag State and/or as an observer provider), in accordance with its own national policies and procedures, of binding measures that implement the requirement	information provided by the observer provider of any possible violation involving assault or harassment of an observer while on board CCM fishing vessel, including requirement for a flag CCM to take appropriate action in response to investigation results, cooperate fully with observer provider, and notify the observer provider and the Secretariat of the investigation results and any actions taken. b. describes how CCM is monitoring and ensuring that CCM is carrying out investigations of observer assault or harassment, where identified by observer providers, and cooperating fully with observer providers, and how CCM responds to potential infringements or instances of noncompliance with this requirement.	observer while on board the fishing vessel, the observer provider shall notify, in writing, the flag CCM and the Secretariat, and the flag CCM shall: a. investigate the event based on the information provided by the observer provider and take any appropriate action in response to the results of the investigation; b. cooperate fully in any investigation conducted by the observer provider, including providing the report to the observer provider and appropriate authorities of the incident; and c. notify the observer provider and the Secretariat of the results of its investigation and any actions taken.	element) based on 2022 comments. However, unclear justification for this. Including the ‘monitoring’ element would be consistent with current approach for Implementation obligations.
	Proposed Revision: Implementation (IM) Delete “monitoring”	CCM submitted a statement in AR Pt 2 that: a. confirms CCM’s implementation through.... b. describes how CCM is monitoring and ensuring that CCM is carrying out investigations of observer assault or harassment, where identified by observer providers, and cooperating fully with observer providers, and how CCM responds to potential infringements or instances of noncompliance with this requirement.		
50.	*Rev – Observer Safety 2017-03 11 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments

Commented [FV21]: Query proposed deletion of monitoring element of this AP? Particularly the requirement for flag CCM investigation

<p>Applicable CCMs are to confirm whether obligation was implemented.</p> <p>Provide additional information / details that confirms the adoption by a CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement.</p>	<p><u>CCMs, that are providers of WCPFC ROP observers, submitted a statement in AR Pt 2 that:</u></p> <p>a. <u>confirms CCM’s implementation through adoption of a national binding measure that its national authority responsible for provision of ROP observers will notify the relevant flag CCM in the event that an observer dies, is missing, or presumed fallen overboard during the course of observer duties, will cooperate fully in any search and rescue operations, will cooperate fully in investigations, and where required, will facilitate the safe disembarkation of observers, and provide the flag CCM with a copy of the observer report upon request in accordance with the 2009 MCS Data Rules.</u></p> <p>b. <u>describes how CCM is monitoring and ensuring that its national authority responsible for the provision of ROP observers is fulfilling its obligations in the event that an observer dies, is missing, or presumed fallen overboard during the course of observer duties, and how CCM responds to potential infringements or instances of non-compliance with this requirement.</u></p>	<p>11. CCMs shall ensure that their national observer providers:</p> <p>a. immediately notify the flag CCM in the event that a WCPFC ROP observer dies, is missing or presumed fallen overboard in the course of observer duties;</p> <p>b. cooperate fully in any search and rescue operation;</p> <p>c. cooperate fully in any and all official investigations into any incident involving an WCPFC ROP observer;</p> <p>d. facilitate the disembarkation and replacement of a WCPFC ROP observer in a situation involving the serious illness or injury of that observer as soon as possible;</p> <p>e. facilitate the disembarkation of a WCPFC ROP observer in any situation involving the assault, intimidation, threats to, or harassment of that observer to such an extent that the observer wishes to be removed from the vessel, as soon as possible; and</p> <p>f. provide the flag CCM with a copy of the observer report on alleged violations involving that provider’s observer upon request, pursuant to the WCPFC Rules and Procedures for Protection, Access to, and Dissemination of Data Compiled by the Commission and 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 MCS Activities and the Access to and Dissemination of High Seas VMS Data for Scientific Purposes.</p>	<p>Consider draft AP</p>	<p>Commented [FV22]: Amended to capture para 11(f).</p>
<p>Proposed Revision: Implementation (IM) Delete “monitoring”</p>	<p><u>CCM provider of WCPFC ROP observers submitted a statement in AR Pt 2 that:</u></p> <p>a. <u>confirms CCM’s implementation through...</u></p>			<p>Commented [FV23]: Query this deletion of Monitoring requirement.</p>

		b. describes how CCM is monitoring and ensuring that its national authority responsible for the provision of ROP observers is fulfilling its obligations in the event that an observer dies, is missing, or presumed fallen overboard during the course of observer duties, and how CCM responds to potential infringements or instances of non-compliance with this requirement.		
51.	*Rev – Observer Safety 2017-03 12 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Applicable CCMs are to confirm whether obligation was implemented Provide additional information / details that confirms the adoption by a CCM (as an Inspecting Member for the WCPFC High Seas Boarding and Inspection Scheme and/or as a flag CCM in respect of their fishing vessels on the Record of Fishing Vessels), in accordance with its own national policies and procedures, of binding measures that implement the requirement	CCM submitted a statement in AR Pt 2 that: a. confirms CCM’s implementation through adoption of a national binding measure that ensures its flagged, authorized HSBI vessels and any other vessels flagged to CCM cooperate, to the extent possible, in any search and rescue operation involving an observer. b. describes how CCM is monitoring and ensuring that its flagged, authorized HSBI vessels and any other vessels flagged to CCM cooperate, to the extent possible, in any search and rescue operation involving an observer, and how CCM responds to potential infringements or instances of non-compliance with this requirement.	12. Notwithstanding paragraph 1 CCMs shall ensure that any authorized High Seas Boarding and Inspection vessels flying their flag cooperate, to the greatest extent possible, in any search and rescue operation involving an observer. CCMs shall also encourage any other vessels flying their flag to participate, to the greatest extent possible, in any search and rescue operations involving a WCPFC ROP observer.	Consider draft AP
	Proposed Revision: Implementation (IM) Delete “monitoring”	CCM submitted a statement in AR Pt 2 that: a. confirms CCM’s implementation through... b. describes how CCM is monitoring and ensuring that its flagged, authorized HSBI vessels and any other vessels flagged to		

		CCM cooperate, to the extent possible, in any search and rescue operation involving an observer, and how CCM responds to potential infringements or instances of non-compliance with this requirement.		
52.	Marine Pollution 2017-04 01 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Encouragement to ratify, accept, approve or accede to annexes of MARPOL and the London Protocol Theme: Mitigating impacts of fishing on species of special interest Sub Theme: Marine Pollution mitigation 1. AR Pt 2 should include a statement that confirms whether any steps were taken to implement the obligation. Further Information box to be used to provide additional information / details around the CCMs consideration of the encouragement in CMM 2017-04 to ratify, accept, approve or accede to annexes of MARPOL and the London Protocol, or if there are difficulties to advise the IMO of the circumstances so that consideration can be given to take appropriate action, including provision of technical assistance		Commission Members, Cooperating Non-Members and Participating Territories (CCMs) that are entitled to ratify, accept, approve or accede to the annexes of MARPOL and the London Protocol are encouraged to do so at the earliest possible opportunity if they have not already done so. CCMs that experience difficulties in becoming Parties to the MARPOL or London Protocol are encouraged to inform the International Maritime Organization of the circumstances thereof, so that consideration can be given to take appropriate action in this respect, including providing necessary technical assistance	Seek views as to whether AP needed because para 1 is a non-binding obligation. Also note, that the ARP2 still provides CCMs an opportunity to confirm what action it has taken in relation to this paragraph.
53.	Marine Pollution 2017-04 02 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	1. AR Pt 2 should include a statement	CCM submitted a statement in AR Pt2 that:	<u>Adopts</u> , in accordance with Article 5 (d-f) and 10	Consider draft AP.

	<p>that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement prohibit their fishing vessels operating within the WCPFC Convention Area from discharging any plastics (including plastic packaging, items containing plastic and polystyrene) but not including fishing gear.</p> <p>footnote 1: Fishing gear, for the purposes of this measure, that are released into the water with the intention of later retrieval such as FADs, traps and static nets, are not considered garbage as per (CMM 2017-04) MARINE POLLUTION</p> <p>2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p>	<p>a. confirms CCM’s implementation through adoption of a national binding measure that prohibits its fishing vessels from discharging any plastics (including plastic packaging, items containing plastic and polystyrene)</p> <p>b. describes how it is monitoring its fishing vessels to ensure they are not discharging plastics and how the CCM responds to potential infringements or instances of non-compliance with this requirement.</p>	<p><u>(1)(h) of the Convention that:</u></p> <p>2. CCMs shall prohibit their fishing vessels operating within the WCPFC Convention Area from discharging any plastics (including plastic packaging, items containing plastic and polystyrene) but not including fishing gear.</p>	
54.	<p>Marine Pollution 2017-04 03-07</p> <p>Category: Implementation (IM)</p>			
	<p>WCPFC Sec Criteria</p>	<p>Draft Audit Point for consideration</p>	<p>CMM Paragraph</p>	<p>Decision Points/Comments</p>
	<p>Encourage adoption of additional measures to reduce marine pollution, including retrieval of abandoned, lost or discarded fishing gear, and provision of adequate port facilities</p> <p>Theme: Mitigating impacts of fishing on species of special interest</p> <p>Sub Theme: Marine Pollution mitigation</p> <p>Applies to:- flag CCMs with flagged fishing vessels that FISHED on the RFV in RY</p> <p>Further Information box to be used to</p>	<p><i>[Note- below draft AP for para 5 only]</i></p> <p>CCM submitted a statement in AR Pt2 that:</p> <p>a. confirms CCM’s implementation to encourage its flagged vessels within the Convention Area to retrieve abandoned, lost or discarded fishing gear (ALDFG) and retain the material on board, separate from other waste for discharge to port reception facilities, and to report ALDFG.</p>	<p>3. CCMs are encouraged to prohibit their fishing vessels operating within the WCPFC Convention Area from discharging:</p> <p>a) oil or fuel products or oily residues into the sea;</p> <p>b) garbage, including fishing gear[1], food waste, domestic waste, incinerator ashes and cooking oil; and</p> <p>c) sewage, except as would be permitted under applicable international instruments.</p> <p>4. CCMs are encouraged to undertake research</p>	<p>Consider draft AP for paragraph 5.</p>

Commented [FV24]: Para 3, 4, 6, 7 are non binding obligations. Query views as to whether APs are required for these paras.

However, suggest proposed draft AP for Para 5 (“CCMs shall encourage...”).

	<p>provide a statement related to CCMs consideration of the encouragement in CMM 2017-04 MARINE POLLUTION to adopt additional measures to reduce marine pollution, including retrieval of abandoned, lost or discarded fishing gear, and provision of adequate port facilities.</p> <p>2. CCMs in preparing their statement might note that the following might be a helpful reference [CCFS Observer Initiated Case Type = POL] at https://ccfs.wcpfc.int. Where needed CCM should liaise with Secretariat to resolve any issues or make appropriate clarifications directly into CCFS</p>		<p>into marine pollution related to fisheries in the WCPFC Convention Area to further develop and refine measures to reduce marine pollution, and are encouraged to submit to SC and TCC any information derived from such efforts.</p> <p>5. CCMs shall encourage their fishing vessels within the WCPFC Convention Area to retrieve abandoned, lost or discarded fishing gear and retain the material on board, separate from other waste for discharge to port reception facilities. Where retrieval is not possible or does not occur, CCMs shall encourage their fishing vessels to report the latitude, longitude, type, size and age of abandoned, lost or discarded fishing gear.</p> <p>6. CCMs are requested to ensure adequate port reception facilities are provided to receive waste from fishing vessels. SIDS CCMs are requested to utilise, as appropriate, regional port reception facilities in accordance with international standards.</p> <p>7. CCMs are encouraged to ensure that fishing vessels flying their flag and operating within the WCPFC Convention Area inform their flag State of ports in countries that are Party to the annexes of MARPOL which do not have adequate port reception facilities for MARPOL wastes.</p>	
55.	<p>Marine Pollution 2017-04 08 Category: Implementation (IM)</p>			
	<p>WCPFC Sec Criteria</p>	<p>Draft Audit Point for consideration</p>	<p>CMM Paragraph</p>	<p>Decision Points/Comments</p>
	<p>Requirement to actively support SIDS and Territories through provision of adequate port facilities for receiving and appropriately disposing of waste from</p>	<p>CCM submitted a statement in AR Pt2 that: a. confirms CCM's implementation to cooperate directly or through the Commission to actively support SIDS and</p>	<p>8. CCMs shall cooperate, consistent with national laws and regulations, directly or through the Commission, and in accordance with their capabilities, to actively support SIDS</p>	<p>Consider draft AP</p>

	<p>fishing vessels. Theme: Mitigating impacts of fishing on species of special interest Sub Theme: Marine Pollution mitigation Applicable CCMs are to confirm whether any steps were taken to implement the obligation? Yes / No / not applicable Non-SIDS CCMs should provide information / details of types of assistance provided to SIDS related to provision of adequate port facilities for receiving and appropriately disposing of waste from fishing vessels, with an emphasis on the reporting year SIDS CCMs may provide details on assistance needs.</p>	<p>Territories through the provision of adequate port facilities for receiving and appropriately disposing of waste from fishing vessels. b. describes how the CCM is monitoring and ensuring that it cooperates directly or through the Commission to actively support SIDS and Territories through the provision of adequate port facilities for receiving and appropriately disposing of waste from fishing vessels.</p>	<p>and Territories through the provision of adequate port facilities for receiving and appropriately disposing of waste from fishing vessels</p>	
56.	<p>Marine Pollution 2017-04 09-11 Category: Implementation (IM)</p>			
	<p>WCPFC Sec Criteria</p>	<p>Draft Audit Point for consideration</p>	<p>CMM Paragraph</p>	<p>Decision Points/Comments</p>
	<p>Encourage development of reporting frameworks for fishing gear loss and facilitating their recovery, and training and awareness for crew and master of fishing vessels regarding impacts of marine pollution Theme: Mitigating impacts of fishing on species of special interest SubTheme: Marine Pollution mitigation Applicable CCMs are to confirm whether any steps were taken to implement the obligation? Yes / No / not applicable. Further Information box to be used to provide additional information / details around the CCMs consideration of the encouragement in CMM 2017-04 to</p>		<p>9. CCMs are encouraged to develop communication frameworks to enable the recording and sharing of information on fishing gear loss in order to reduce loss and facilitate recovery of fishing gear. 10. CCMs are further encouraged to develop frameworks or systems to assist fishing vessels to report the loss of gear to their flag State, relevant coastal States, and the Commission. 11. CCMs are encouraged to conduct training and awareness programs for the crew and master of fishing vessels flying their flag regarding the impacts of marine pollution and operational practices to eliminate marine</p>	<p>Seek views as to whether APs needed for these non-binding obligations.</p>

	develop reporting frameworks for fishing gear loss and facilitating their recovery, and training and awareness for crew and master of fishing vessels regarding impacts of marine pollution		pollution caused by fishing vessels.	
57.	Seabird 2018-03 01, 02, 06 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<p>Para 01: Note: applies to flag CCMs with flagged longline fishing vessels that "fished" on the RFV in RY south of 30S</p> <p>1. AR Pt 2 should include a statement the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the mitigation measure requirements for vessels fishing south 30 S (noting the inclusion of the option for hook-shielding devices was introduced in 2019)</p> <p>2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p> <p>3. CCMs should have included in AR Pt 2 the relevant part of the CMM 2018-03 para 8 required report describing which mitigation measures they required their vessels to use in area south of 30S during the reporting year, as well as the technical specifications for each of those mitigation measures. For subsequent years information should also be</p>	<p>Based on CCM identification of which mitigation measures are being applied to CCM vessels in the applicable relevant area, the CCM submitted a <i>statement</i> in AR Pt2 that (01, 02, 06):</p> <p>a. confirms CCM's implementation through adoption of a national binding measure <u>that requires its flagged longline vessels to:</u></p> <p><u>i. use at least two mitigation measures in paragraph 1(a) or hook shielding devices when fishing south of 30°S</u></p> <p><u>ii. use one of the mitigation measures in paragraph 2 when fishing in area 25°S-30°S</u></p> <p>b. confirms CCM's implementation through adoption of a national binding measure <u>that requires its flagged longline vessels fishing north of 23°N:</u></p> <p><u>i. 24m or more in overall length, to use at least two mitigation measures in paragraph 6, Table 1 CMM 2018-03, including at least one from Column A</u></p> <p><u>ii. less than 24m in overall length, to use at least one of the mitigation measures from Column A in Table 1, CMM 2018-03.</u></p> <p>b. describes how it is monitoring and ensuring its fishing vessels comply with seabird mitigation requirements in</p>	<p>Adopts, in accordance with Article 5(e) and 10 (1)(c) of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean the following measures to address seabird bycatch:</p> <p>South of 30° South</p> <p>1. CCMs shall require their longline vessels fishing south of 30°S, to use either</p> <p>a) at least two of these three measures:</p> <p>i). weighted branch lines;</p> <p>ii). night setting;</p> <p>iii). tori lines; or</p> <p>b) hook-shielding devices.</p> <p>Table 1 does not apply south of 30° South. See Annex 1 for specifications of these measures.</p> <p>25° South -30° South</p> <p>2. CCMs shall require their longline vessels fishing in the area 25°S-30°S to use one of the following mitigation measures:</p> <p>i) weighted branch lines;</p> <p>ii) tori lines; or</p> <p>iii) hook-shielding devices.</p> <p>Table 1 does not apply in the area 25°S-30°S. See Annex 1 for specifications of these measures.</p>	<p>Note: Draft AP amended to include all requirements of paragraphs 1,2 and 6 of CMM 2018-03.</p> <p>Note: There is an agreed AP [RP] for CMM 2018-03 02.</p> <p>Consider draft AP</p>

Commented [FV25]: Amended title to refer to paras 1,2 and 6 (rather than paras 1,2,3), as this is what past discussion related to (and para 6 does not yet have an AP agreed).

<p>provided about any changes to its required mitigation measures of technical specifications for those measures.</p> <p>Para 02:</p> <p>Note: applies to flag CCMs with flagged longline fishing vessels that "fished" on the RFV in RY between 25S and 30S. Note paragraph 2 does not apply in EEZs of French Polynesia, New Caledonia, Tonga, Cook Islands and Fiji due to the low risk to seabirds. (para 4 encourages these CCMs to increase observer coverage rates and collect data on seabird interactions, and implement seabird mitigation measures).</p> <p>1. AR Pt 2 should include a statement the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the mitigation measure requirements for vessels fishing in area 25S to 30S (noting the requirement for use of mitigation measures in area 25S to 30S was introduced on 1 Jan 2020)</p> <p>2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p> <p>3. CCMs should have included in AR Pt 2 the relevant part of the CMM 2018-03 para 8 required report describing which mitigation measures they required their vessels to use in in area 25S to 30S during the reporting year, as well as the technical specifications for each of those mitigation measures. For subsequent</p>	<p>paragraphs 1,2 and 6 of CMM 2018-03 and how the CCM responds to potential infringements or instances of non-compliance with the relevant requirement.</p>	<p>3. The extension of the scope of application of seabird mitigation measures from 30°S to 25°S shall not come into effect until 1 January 2020.</p> <p>6. CCMs shall require their large-scale longline vessels of 24 meters or more in overall length fishing north of 23°N, to use at least two of the mitigation measures in Table 1, including at least one from Column A. CCMs also shall require their small-scale longline vessels less than 24 meters in overall length fishing north of 23°N, to use at least one of the mitigation measures from Column A in Table 1</p>	
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	years information should also be provided about any changes to its required mitigation measures of technical specifications for those measures.			
58.	Sea Turtles 2018-04 04 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	CCMs to ensure fishermen use proper mitigation and handling techniques and foster the recovery of any turtles that are incidentally captured Theme: Mitigating impacts of fishing on species of special interest Sub Theme: Sea turtle mitigation Supersedes: CMM 2008-03 04 1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that CCMs ensure fishermen use proper mitigation and handling techniques and foster the recovery of any turtles that are incidentally captured as per (CMM 2018-04) 2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements	CCM submitted a statement in AR Pt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that ensures fishers on its flagged vessels use proper mitigation and handling techniques and foster the recovery of any turtles that are incidentally captured as per CMM 2018-04. b. describes how CCM is monitoring and ensuring that fishers on its flagged vessels are using proper mitigation and handling techniques and foster the recovery of any turtles that are incidentally captured as per CMM 2018-04, and how CCM responds to instances of potential infringement or instances of non-compliance with this requirement.	4. CCMs shall require fishermen on vessels targeting species covered by the Convention to bring aboard, if practicable, any captured hard-shell sea turtle that is comatose or inactive as soon as possible and foster its recovery, including giving it resuscitation, before returning it to the water. CCMs shall ensure that fishermen are aware of and use proper mitigation and handling techniques, as described in WCPFC guidelines.	Consider draft AP.
59.	Sea Turtles 2018-04 05 a-d Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments

<p>1. AR Pt 2 should include a statement the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures to implement sea turtle mitigation requirements for purse seine vessels as per (CMM 2018-04) CMM OF SEA TURTLES, specifically to</p> <p>i. To the extent practicable, avoid encirclement of sea turtles, and if a sea turtle is encircled or entangled, take practicable measures to safely release the turtle.</p> <p>ii. To the extent practicable, release all sea turtles observed entangled in fish aggregating devices (FADs) or other fishing gear.</p> <p>iii. If a sea turtle is entangled in the net, stop net roll as soon as the turtle comes out of the water; disentangle the turtle without injuring it before resuming the net roll; and to the extent practicable, assist the recovery of the turtle before returning it to the water.</p> <p>iv. Carry and employ dip nets, when appropriate, to handle turtles.</p> <p>2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p> <p>3. CCMs should have included in AR Pt 2 either as a response to this question or as CMM 2018-04 para 2 required report (2) information collected on interactions with sea turtles in fisheries managed under the Convention, (3) confirmation</p>	<p>CCM submitted a statement in AR Pt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that requires CCM flagged PS vessels to follow safe handling and release guidelines, avoid encirclement of sea turtles, and carry and employ dip nets, as well as report all interactions to appropriate CMM authorities</p> <p>b. describes how CMM is monitoring its PS fishing vessels and ensuring they are following safe handling and release guidelines to the appropriate CCM authorities, and how the CCM responds to potential infringements or instances of non-compliance with relevant requirement.</p> <p>c. Secretariat confirms that CCM has reported relevant sea turtle interactions in its required reporting under Scientific Data to be Provided to the Commission.</p>	<p><u>Adopts, in accordance with Articles 5 and 10 of the Convention, that:</u></p> <p>5. CCMs with purse seine vessels that fish for species covered by the Convention shall:</p> <p>a. Ensure that operators of such vessels, while fishing in the Convention Area:</p> <p>i. To the extent practicable, avoid encirclement of sea turtles, and if a sea turtle is encircled or entangled, take practicable measures to safely release the turtle.</p> <p>ii. To the extent practicable, release all sea turtles observed entangled in fish aggregating devices (FADs) or other fishing gear.</p> <p>iii. If a sea turtle is entangled in the net, stop net roll as soon as the turtle comes out of the water; disentangle the turtle without injuring it before resuming the net roll; and to the extent practicable, assist the recovery of the turtle before returning it to the water.</p> <p>iv. Carry and employ dip nets, when appropriate, to handle turtles.</p> <p>b. Require that operators of such vessels record all incidents involving sea turtles during fishing operations and report such incidents to the appropriate authorities of the CCM.</p> <p>c. Provide the results of the reporting under paragraph 5(b) to the Commission in their annual reporting of Scientific Data to be Provided to the Commission.</p> <p>d. Provide to the Commission the results of any research related to the development of modified FAD designs to reduce sea turtle entanglement and take measures to encourage the use of designs found to be successful at such reduction.</p>	<p>Audit Point for CMM 2018-04 05 a-d Report (RP) agreed.</p> <p>Consider draft AP.</p>
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Commented [FV26]: Note: Included this text to capture para 5(c) requirement.

	<p>that vessels are required to record all incidents involving sea turtles during fishing operations, and the results of such reporting is provided to the Commission in accordance with paragraph 5(e) and 7(d) of CMM 2018-04 through annual reporting of Scientific Data to be Provided to the Commission, and (4) all ROP observer data collected on interactions with sea turtles is provided to the Commission in accordance with CMM 2018-04 paragraph 3.</p> <p>4. check SPC DORADO report for reported instances of sea turtle interactions in purse seine fisheries</p>			
60.	<p>Sea Turtles 2018-04 07 a – b Category: Implementation (IM)</p>			
	<p>Agreed Audit Point</p>	<p>Revised Audit Point for consideration</p>	<p>CMM Paragraph</p>	<p>Decision Points/Comments</p>
	<p>CCM submitted a statement in AR Pt2 that:</p> <p>a. confirms CCM’s implementation through adoption of a national binding measure that requires operators of CCM flagged LL vessels to employ at least one of the three mitigation methods listed in paragraph 7a of the CMM</p> <p>b. describes how CCM is monitoring its flagged LL vessels to ensure that at least one of the mitigation measures in paragraph 7a of the CMM is being employed, and how potential infringements or instances of non-compliance with this requirement are handled.</p>	<p>CCM submitted a statement in AR Pt2 that:</p> <p>a. confirms CCM’s implementation through adoption of a national binding measure that requires operators of CCM flagged LL vessels to employ at least one of the three mitigation methods listed in paragraph 7a of the CMM</p> <p>b. describes how CCM is monitoring its flagged LL vessels to ensure that at least one of the mitigation measures in paragraph 7a of the CMM is being employed, and how potential infringements or instances of non-compliance with this requirement are handled.</p> <p>OR</p> <p>c. if the Secretariat confirms that paragraph 7a requirements do not apply because SC</p>	<p>7. CCMs with longline vessels that fish in a shallow-set manner* shall:</p> <p>a. Ensure that the operators of such vessels, while in the Convention Area, are required to employ or implement at least one of the following three methods to mitigate the capture of sea turtles:</p> <p>i. Use only large circle hooks, which are fishing hooks that are generally circular or oval in shape and originally designed and manufactured so that the point is turned perpendicularly back to the shank. These hooks shall have an offset not to exceed 10 degrees.</p> <p>ii. Use only finfish for bait.</p> <p>iii. Use any other measure, mitigation plan** or activity that has been reviewed by the Scientific Committee (SC) and the Technical and</p>	<p>Revised AP of CMM 2018-04 07a to take into account the exclusion in para 7b of CMM 2018-04</p> <p>Consider revised AP</p>

	<p>and the Secretariat confirms that CCM provided information in AR Pt 2 of any CCM vessel interactions with sea turtles in fisheries managed under the Convention and confirmation that CCM vessels are required to record all incidents involving sea turtles during fishing operations.</p>	<p>has accepted in accordance with paragraph 7b that the CCMs shallow-set longline fishery/ies has minimal observed interaction rates of sea turtles</p> <p>and the Secretariat confirms that CCM provided information in AR Pt 2 of any CCM vessel interactions with sea turtles in fisheries managed under the Convention and confirmation that CCM vessels are required to record all incidents involving sea turtles during fishing operations.</p>	<p>Compliance Committee (TCC) and approved by the Commission to be capable of reducing the interaction rate (observed numbers per hooks fished) of turtles in shallow-set longline fisheries.</p> <p>b. The requirements of paragraph 7(a) need not be applied to those shallow-set longline fisheries determined by the SC, based on information provided by the relevant CCM, to have minimal*** observed interaction rates of sea turtles over a three-year period and a level of observer coverage of at least 10% during each of those three years.</p> <p>* footnote 1: “Shallow-set” fisheries are generally to be considered those in which the majority of hooks fish at depth shallower than 100 meters; however pursuant to paragraph 7(c) CCMs are to establish and enforce their own operational definitions.** footnote 2: A mitigation plan details the actions that will be taken to achieve specified reductions in sea turtle interactions.*** footnote 3: As determined by SC5.</p>	
61.	<p>Sea Turtles 2018-04 07c Category: Report (RP)</p>			
	<p>WCPFC Sec Criteria</p>	<p>Draft Audit Point for consideration</p>	<p>CMM Paragraph</p>	<p>Decision Points/Comments</p>
	<p>Reporting requirement for operational definitions of shallow set swordfish fisheries, and sea turtle mitigation requirements including large circle hooks Theme: Mitigating impacts of fishing on species of special interest Sub Theme: Sea turtle mitigation Supersedes: CMM 2008-03 07c 1. AR Pt 2 should include a statement</p>	<p>Secretariat confirms that CCMs with longline vessels that fish in a shallow-set manner provided a statement of its establishment and enforcement of operational definitions of ‘shallow-set longline fisheries, large circle hooks’ and any measures under (CMM 2018-04) para 7(a)(iii), or measures adopted by the Commission under CMM 2018-04 para 12.</p>	<p>7. CCMs with longline vessels that fish in a shallow-set manner¹ shall: c. For the purpose of implementing this paragraph (7), establish and enforce their own operational definitions of shallow-set longline fisheries, large circle hooks, and any measures under 7(a)(iii) or adopted by the Commission under paragraph 12, ensuring that they are as enforceable as possible, and report these</p>	<p>Consider draft AP.</p>

	<p>that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that CCMs establish and enforce operational definitions for shallow-set swordfish longline fisheries, large circle hooks, any measures under (CMM 2018-04) para 7(a iii), or measures adopted by the Commission under CMM 18-04 para 12. A report on the definitions established by a CCM is to be included in Annual Report Part 2 and can be provided in "Further Information box" or as an Attachment.</p> <p>2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p>		<p>definitions to the Commission in Part 2 of their annual reports.</p>	
62.	<p>Sea Turtles 2018-04 07 d-e Category: Report (RP)</p>			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM paragraph	Decision Points/Comments
	<p>Annual reporting requirement for incidents involving sea turtles in shallow-set longline fisheries {SCIENTIFIC DATA SUBMISSION} Applies to:- flag CCMs with flagged longline fishing vessels that FISHED on the RFV in RY Further Information box to be used for statement Details may include confirming that CCM annual reporting of Scientific Data to be Provided to the Commission, includes the</p>	<p>The Secretariat confirms that reporting by CCM fishing vessels on interactions with sea turtles is also reported by the CCM in its Scientific Data Provision requirements.</p>	<p>7. CCMs with longline vessels that fish in a shallow-set manner¹ shall: d. Provide for their longline vessels to record all incidents involving sea turtles during fishing operations and report such incidents to the appropriate authorities of the CCM. e. Provide the results of the reporting under paragraph 7(d) in their annual reporting of Scientific Data to be Provided to the Commission.</p> <p>¹ “Shallow-set” fisheries are generally to be</p>	<p>Consider draft AP</p>

	results of required reporting by longline vessel operators of all incidents involving sea turtles during fishing operations and that have been reported to the appropriate authorities of the CCM [refer CMM 2018-04 paragraph 7(d)]		considered those in which the majority of hooks fish at depth shallower than 100 meters; however pursuant to paragraph 7(c) CCMs are to establish and enforce their own operational definitions.	
63.	Sea Turtles 2018-04 07d Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Reporting requirement for incidents involving sea turtles in shallow-set longline fisheries for swordfish Theme: Mitigating impacts of fishing on species of special interest Sub Theme: Sea turtle mitigation Supersedes: CMM 2008-03 07d 1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that longline vessels are to record all incidents involving sea turtles during shallow-set swordfish fishing operations and to report such incidents to the appropriate national authorities as per (CMM 2018-04). 2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements	CCM submitted a statement in AR Pt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that requires its flagged longline vessels that fish in a shallow-set manner to record all incidents involving sea turtles during fishing operations and report such incidents to the appropriate national authorities. b. describes how CMM is monitoring and ensuring that its flagged longline vessels, that fish in a shallow-set manner, are recording record all incidents involving sea turtles during fishing operations and reporting such incidents to the appropriate national authorities, and how the CCM responds to potential infringements or instances of noncompliance with these requirements.	7. CCMs with longline vessels that fish in a shallow-set manner ¹ shall: d. Provide for their longline vessels to record all incidents involving sea turtles during fishing operations and report such incidents to the appropriate authorities of the CCM.	Consider draft AP
64.	Regional Observer Programme 2018-05 07 Category: Implementation (IM)			

	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<p>Vessels to be prepared to accept an observer from the ROP, if required</p> <p>Theme: Observer activity related requirement</p> <p>Sub Theme: Observer coverage</p> <p>Supersedes: CMM 2007-01 07</p> <p>1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that CCMs to ensure their fishing vessels are prepared to accept a ROP observer, if required as per (CMM 2018-05)</p> <p>2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p>	<p>CCM submitted a statement in AR Pt2 that:</p> <p>a. confirms CCM’s implementation through adoption of a national binding measure that requires its flagged vessels to accept an ROP observer, if required by the Commission.</p> <p>b. describes how the CCM is monitoring and ensuring its flagged vessels are accepting ROP observers, and how the CCM responds to potential infringements or instances of noncompliance with this requirement.</p>	<p>7. Each CCM of the Commission shall ensure that fishing vessels fishing in the Convention Area, except for vessels that operate exclusively within waters under the national jurisdiction of the flag State, are prepared to accept an observer from the Commission ROP if required by the Commission.</p>	<p>Consider draft AP.</p>
65.	<p>Regional Observer Programme</p> <p>2018-05 08</p> <p>Category: Implementation (IM)</p>			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<p>CCM shall be responsible for meeting the level of observer coverage as set by the Commission.</p> <p>Theme: Observer activity related requirement</p> <p>Sub Theme: Observer coverage</p> <p>Supersedes: CMM 2007-01 08</p> <p>1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national</p>	<p>CCM submitted a statement in AR Pt2 that:</p> <p>a. confirms CCM’s implementation through adoption of a national binding measure that requires it to meet observer coverage levels as set by the Commission.</p> <p>b. describes how the CCM is monitoring and ensuring it is meeting its observer coverage levels as set by the Commission, and how the CCM responds to potential</p>	<p>8. Each CCM of the Commission shall be responsible for meeting the level of observer coverage as set by the Commission</p>	<p>Consider draft AP.</p>

	<p>policies and procedures, of binding measures that implement the requirement that CCMs to meet observer coverage levels as set by the Commission as per (CMM 2018-05)</p> <p>2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p>	<p>infringements or instances of noncompliance with this requirement.</p>		
66.	<p>Regional Observer Programme</p> <p>2018-05 09</p> <p>Category: Implementation (IM)</p>			
	<p>WCPFC Sec Criteria</p>	<p>Draft Audit Point for consideration</p>	<p>CMM Paragraph</p>	<p>Decision Points/Comments</p>
	<p>CCMs shall source observers for their vessels as determined by the Commission</p> <p>Theme: Observer activity related requirement</p> <p>Sub Theme: Observer coverage</p> <p>Supersedes: CMM 2007-01 09</p> <p>1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that CCMs to source observers for vessels as determined by the Commission as per (CMM 2018-05)</p> <p>2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p>	<p>CCM submitted a statement in AR Pt2 that:</p> <p>a. confirms CCM’s implementation through adoption of a national binding measure that requires it to source observers for their flagged vessels as determined by the Commission.</p> <p>b. describes how the CCM is monitoring and ensuring it is sourcing observers for their flagged vessels as determined by the Commission, and how the CCM responds to potential infringements or instances of noncompliance with this requirement.</p>	<p>9. CCMs shall source observers for their vessels as determined by the Commission</p>	<p>Consider draft AP.</p>
67.	<p>Regional Observer Program</p> <p>2018-05 10</p> <p>Category: Implementation (IM)</p>			

	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<p>1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that CCMs shall explain to the vessel captain, observer duties relevant to appropriate measures adopted by the Commission as per (CMM 2018-05) REGIONAL OBSERVER PROGRAMME</p> <p>2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p>	<p>CCM submitted a statement in AR Pt2 that:</p> <p>a. confirms CCM’s implementation through adoption of a national binding measure that requires <u>the CCM to provide its vessel captains to receive information on observer duties relevant to Commission measures, and the manner in which the CCM provides the required information to vessel captains (e.g. workshop, pamphlet, etc)</u></p> <p>b. describes how CCM <u>is monitoring and ensuring that its vessel captains are aware of observer duties relevant to Commission measures, and how CCM responds to potential infringements or instances of non-compliance with this requirement.</u></p>	<p>Obligations of CCMs of the Commission</p> <p>10. CCMs shall explain to the vessel captain, observer duties relevant to appropriate measures adopted by the Commission.</p>	<p>Consider draft AP</p>
68.	<p>Regional Observer Programme 2018-05 11 Category: Report (RP) or Implementation (IM)</p>			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<p>CCMs to use information collected by observers for the purpose of investigations under Convention Article 23 and 25, and shall cooperate in exchange of such information in accordance with standards adopted by the Commission</p> <p>Theme: Observer activity related requirement</p> <p>Sub Theme: Response to alleged violations</p> <p>1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM,</p>	<p>[RP] Secretariat confirms that CCMs have provided a statement on its use of information collected by observers for the purpose of investigations under Convention Articles 23 and 25, and the CCM’s cooperation in exchange of such information in accordance with standards adopted by the Commission.</p> <p>OR</p> <p>[IM] CCM submitted a statement in AR Pt2 that:</p>	<p>11. CCMs shall take advantage of the information collected by observers for the purpose of investigations under Convention Articles 23 and 25, and shall cooperate in the exchange of such information, including by proactively requesting, responding to, and facilitating the fulfilment of requests for, copies of observer reports in accordance with standards adopted by the Commission, as applicable.</p>	<p>This obligation currently treated in ARP2 as an IM obligation (hold on file approach).</p> <p>Seek views as to whether only IM AP needed.</p> <p>Consider draft AP(s)</p>

	<p>in accordance with its own national policies and procedures, of binding measures that implement the requirement that CCMs use information collected by observers for the purpose of investigations under Convention Article 23 and 25, and shall cooperate in exchange of such information in accordance with standards adopted by the Commission.</p> <p>2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this requirement and has taken action in response to any potential infringements</p>	<p>a. confirms CCM's implementation through adoption of a national binding measure that implements the requirement that CCMs are to use information collected by observers for the purpose of investigations under Convention Article 23 and 25, and shall cooperate in exchange of such information in accordance with standards adopted by the Commission.</p> <p>b. describes how CCM is monitoring and ensuring relevant government authorities are proactively requesting, responding to and facilitating the fulfilment of requests for, copies of observer reports in accordance with standards adopted by the Commission.</p>		
69.	<p>Regional Observer Programme 2018-05 14 Category: Report (RP)</p>			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<p>CCM shall nominate a WCPFC National Observer Coordinator Theme: Observer activity related requirement Sub Theme: Observer programme Supersedes: CMM 2007-01 13 Applies to:- CCMs with a WCPFC ROP authorised observer programme. Further Information box to be used for statement CCMs in preparing their statement might find the (WCPFC National Observer Coordinators List https://www.wcpfc.int/wcpfc-national-observer-coordinator-cmm-2018-05-para-13 a helpful resource</p>	<p>Secretariat confirms that CCMs have provided a statement confirming its nomination of a National Observer Coordinator and notification to the Secretariat of any changes to the nominee or his/her contact information.</p>	<p>14. Each CCM shall nominate a WCPFC National Observer Coordinator, who shall be the contact point on matters related to the ROP, and keep the Secretariat informed of any changes to the Coordinator and his/her contact information.</p>	<p>Consider draft AP</p>

	Where needed CCM should liaise with the Secretariat to resolve any issues			
70.	Regional Observer Programme 2018-05 14 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	CCM shall nominate a WCPFC National Observer Coordinator Theme: Observer activity related requirement Sub Theme: Observer programme Supersedes: CMM 2007-01 13 [Not currently included in ARP2 as IM]	CCM submitted a statement in AR Pt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that requires it to nominate a WCPFC National Observer and keep the Secretariat informed of any changes to the Coordinator and his/her contact information. b. describes how the CCM is monitoring and ensuring that it has nominated a WCPFC National Observer and keeps the Secretariat informed of any changes to the Coordinator and his/her contact information.	14. Each CCM shall nominate a WCPFC National Observer Coordinator, who shall be the contact point on matters related to the ROP, and keep the Secretariat informed of any changes to the Coordinator and his/her contact information.	Seek views as to whether IM obligation needed for this (or just keep to RP obligation as currently done in ARP2) Consider draft AP
71.	Regional Observer Program 2018-05 15(g) Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that CCMs are to ensure vessel operators comply with the "Guidelines for the rights and responsibilities of vessel operators, captains and crew" (Attachment K Annex B to (CMM 2018-05) 2. CCMs should also provide information	CCM submitted a statement in AR Pt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that requires its vessel operators to comply with the Guidelines for the Rights and Responsibilities of Vessel Operators, Captains, and Crew (Annex B of CMM 2018-05) b. describes how CCM is monitoring and ensuring that its vessel operators comply with the Guidelines for the Rights and Responsibilities of Vessel Operators,	<u>Guiding principles for operation of the Commission ROP</u> 15. The Commission ROP shall operate in accordance with the following principles: g) The Commission ROP shall be operated to ensure that observers shall not be unduly obstructed in the discharge of their duties. To this extent, CCMs of the Commission shall ensure that vessel operators comply with the Guidelines in Annex B — Guidelines for the Rights and Responsibilities of Vessel Operators, Captains and Crew.	Consider draft AP

	showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements (there may be relevant information in the Online Compliance Case Observer Obstruction Alleged Infringements list)	Captains, and Crew (Annex B of CMM 2018-05), and how CCM responds to potential infringements or instances of noncompliance with this requirement.		
72.	Regional Observer Programme 2018-05 2018-05 Annex C 04 Category: Report (RP)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	ROP data submission Theme: Observer activity related requirement Sub Theme: Observer programme Supersedes: CMM 2007-01 Attachment K Annex C 04 Applies to CCMs with WCPFC ROP authorised observer programme. Further Info box used for statement.	Secretariat confirms that CCMs with a WCPFC ROP authorised observer programme have submitted a statement confirming that it has submitted data obtained through its observer programmes to the Commission.	No later than 31 December 2008: - Existing sub-regional programmes and national programmes shall be regarded as a part of the ROP, and shall continue unless otherwise determined by the Commission. - Data obtained through these observer programmes shall be submitted to the Commission and shall be considered Commission data	Seek views as to whether AP needs Commented [FV27]: This obligation as a RP resulted from old CMS discussions. This obligation appears more appropriate as an Implementation obligation (rather than QL or RP) – largely due to the lack of ability to assess based on the obligation wording (i.e. no deadline for submission).
73.	Regional Observer Programme 2018-05 2018-05 Annex C 04 Category: Quantitative Limit (QL)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	ROP data submission Theme: Observer activity related requirement Sub Theme: Observer programme Supersedes: CMM 2007-01 Attachment K Annex C 04 [Not currently included in ARP2 as QL]		No later than 31 December 2008: -Existing sub-regional programmes and national programmes shall be regarded as a part of the ROP, and shall continue unless otherwise determined by the Commission. -Data obtained through these observer programmes shall be submitted to the Commission and shall be considered Commission data	Seek views as to whether AP needs Commented [FV28]: This obligation as a QL resulted from old CMS discussions. This obligation appears more appropriate as an Implementation obligation (rather than QL or RP) – largely due to the lack of ability to assess based on the obligation wording (i.e. no deadline for submission).
74.	Regional Observer Programme 2018-05 2018-05 Annex C 04			

	Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	ROP data submission Theme: Observer activity related requirement Sub Theme: Observer programme Supersedes: CMM 2007-01 Attachment K Annex C 04 1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that CCMs implement the requirement for ROP data to be submitted to the Commission	CCM submitted a statement in AR Pt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that requires CCMs to submit ROP data to the Commission. b. describes how the CCM is monitoring and ensuring that it is submitting ROP data to the Commission, and how CCM responds to potential infringements or instances of non-compliance with this requirement	No later than 31 December 2008: -Existing sub-regional programmes and national programmes shall be regarded as a part of the ROP, and shall continue unless otherwise determined by the Commission. -Data obtained through these observer programmes shall be submitted to the Commission and shall be considered Commission data	Consider draft AP
75.	*Rev – Regional Observer Program 2018-05 Annex C 06 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that CCMs achieve 5% coverage of the effort in each fishery under the jurisdiction of the Commission as per (CMM 2018-05) REGIONAL OBSERVER PROGRAMME 2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements	<u>1.</u> CCM submitted a statement in AR Pt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that it requires a minimum observer coverage rate of 5% for its flagged, non-PS vessels b. describes how CCM is monitoring and ensuring that its flagged non-PS vessels are achieving a minimum observer coverage rate of 5%, and how CCM responds to potential infringements or instances of non-compliance with this requirement.	<u>Implementation programme for the Regional Observer Programme</u> No later than 30 June 2012, CCMs shall achieve 5% coverage of the effort in each fishery under the jurisdiction of the Commission (except for vessels provided for in paras 9 and 10). In order to facilitate the placement of observers the logistics may dictate that this be done on the basis of trips.	Consider draft AP.

	<p>3. WCPFC11 agreed to a reporting procedure for ROP longline coverage (reminder sent in WCPFC Circular 2015-08) - metric to be selected and notified to the Secretariat. CCMs are to include in AR Pt 1 a report on previous year longline observer coverage using the chosen metric and in the agreed format</p> <p>4. Check SPC advice on level of ROP observer coverage achieved in RY, based on ROP data received by WCPFC/SPC</p>	<p>2. The Secretariat can verify, through ROP data received by WCPFC, that the CCM did meet the minimum observer coverage rate of 5% for its flagged, non-PS vessels</p>		
76.	<p>Regional Observer Program 2018-05 Annex C 06 Category: Report (RP)</p>			
	<p>WCPFC Sec Criteria</p>	<p>Draft Audit Point for consideration</p> <p>The Secretariat confirms receipt by the CCM in AR P1 of the required information contained in WCPFC11 reporting procedure of previous year longline observer coverage achieved using the chosen metric and in the agreed format.</p>	<p>CMM Paragraph</p> <p><u>Implementation programme for the Regional Observer Programme</u></p> <p>No later than 30 June 2012, CCMs shall achieve 5% coverage of the effort in each fishery under the jurisdiction of the Commission (except for vessels provided for in paras 9 and 10). In order to facilitate the placement of observers the logistics may dictate that this be done on the basis of trips.</p>	<p>Decision Points/Comment</p> <p>Consider draft AP</p>
77.	<p>Regional Observer Programme 2018-05 2018-05 Annex C 08 Category: Implementation (IM)</p>			
	<p>WCPFC Sec Criteria</p> <p>CCMs shall meet any additional ROP observer obligations as specified in CMMs</p> <p>Theme: Observer activity related requirement</p> <p>Sub Theme: Observer coverage</p>	<p>Draft Audit Point for consideration</p> <p>CCM submitted a statement in AR Pt2 that: a. confirms CCM's implementation through adoption of a national binding measure that it requires it to meet any ROP observer obligations (such as coverage levels) as agreed in CMMs.</p>	<p>CMM Paragraph</p> <p>8. CCMs shall also be expected to meet any additional ROP observer obligations that may be included in any measure adopted by WCPFC, such as provisions of a catch retention measure, a FAD management measure or a transhipment measure. Such measures may include observer</p>	<p>Decision Points/Comments</p> <p>Consider draft AP.</p>

Commented [FV29]: Included additional verification step. While, in general, APs have not included verification steps for the Secretariat, there are some Implementation obligations (e.g. CMM 2009-03 03 [IM]) that have included it to support clear and consistent assessment.

Proposed draft AP captures this verification step for clarity.

Commented [FV30]: 2022 suggestion to include this obligation as RP. This proposed draft AP included as RP obligation – focused on the review of the ARP1 submission of these data.

<p>Supersedes: CMM 2007-01 Attachment K Annex C 08</p> <p>1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that CCMs to meet any additional ROP observer coverage levels as agreed in CMMs. Note, the specific additional observer coverage requirements in measures, will also be covered under the individual CMMs.</p> <p>2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p>	<p>b. describes how the CCM is monitoring and ensuring that is meeting any ROP observer obligations agreed in CMMs, and how the CCM responds to potential infringements or instances of non-compliance with these requirements.</p>	<p>requirements for freezer longliners, purse seiners and/or carriers.</p>	
<p>78. Record of Fishing Vessels 2018-06 02 Category: Implementation (IM)</p>			
<p>WCPFC Sec Criteria</p>	<p>Draft Audit Point for consideration</p>	<p>CMM Paragraph</p>	<p>Decision Points/Comments</p>
<p>1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement for CCMs to ensure its fishing vessels only transship to/from, and provide bunkering for/ are bunkered by or otherwise supported by vessels on the RFV</p> <p>2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this</p>	<p>CCM submitted a statement in AR Pt2 that:</p> <p>a. confirms CCM's implementation through adoption of a national binding measure that requires <u>prohibits its flagged vessels in the Convention Area from transshipping to/from, engaging in bunkering activities with, or otherwise receiving support by non-CCM flagged vessels, vessels not on the WCPFC Interim Register, or vessels not operating under charter, lease, or similar mechanisms to a CCM</u></p> <p>b. describes how CCM is monitoring and ensuring that its flagged vessels are not transshipping to/from, engaging in</p>	<p><u>A. Authorisation to Fish</u></p> <p>2. Each member of the Commission shall take necessary measures to ensure that its fishing vessels, when in the Convention Area, only tranship to/from, and provide bunkering for, are bunkered by or otherwise supported by:</p> <p>(a) vessels flagged to members, or</p> <p>(b) Other vessels flagged to States not members of the Commission only if such vessels are on the WCPFC Interim Register of non-Member Carrier and Bunker Vessels established under section D below (the "Register"); or</p> <p>(c) Vessels operated under charter, lease, or similar mechanisms in accordance with</p>	<p>Consider draft AP</p>

	obligation and has taken action in response to any potential infringements.	bunkering activities with, or otherwise receiving support by non-CCM flagged vessels, vessels not on the WCPFC Interim Register, or vessels not operating under charter, lease, or similar mechanisms to a CCM, and how CCM is responding to potential infringements or instances of non-compliance by its vessels with this requirement.	paragraphs 42 to 44 of this measure.	
79.	Record of Fishing Vessels 2018-06 04 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the vessel authorization to fish requirements specified in CMM 18-06 paragraph 4 2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements.	CCM submitted a statement in AR Pt 2 that: a. confirms CCM’s implementation through adoption of a national binding measure that ensures the authorizations it issues to its vessels to fish beyond its areas of national jurisdiction and in the Convention Area contain the following information: i. the specific areas, species and time periods for which the authorization is valid; ii. permitted activities by the vessel; iii. a prohibition of fishing, retention on board, transshipment or landing by the vessel in areas under the national jurisdiction of another State except pursuant to any license, permit or authorization that may be required by such other State; iv. the requirement that the vessel keep on board the authorization issued pursuant to paragraph 1 above, or certified copy thereof; any license, permit or authorization, or	<u>A. Authorisation to Fish</u> 4. Each such authorization shall set forth for the vessel to which it is issued: (a) the specific areas, species and time periods for which the authorization is valid; (b) permitted activities by the vessel; (c) a prohibition of fishing, retention on board, transshipment or landing by the vessel in areas under the national jurisdiction of another State except pursuant to any license, permit or authorization that may be required by such other State; (d) the requirement that the vessel keep on board the authorization issued pursuant to paragraph 1 above, or certified copy thereof; any license, permit or authorization, or certified copy thereof, issued by a coastal State, as well as a valid certificate of vessel registration; and (e) any other specific conditions to give effect to the provisions of the Convention and conservation and management measures adopted pursuant to it.	Consider draft AP

		certified copy thereof, issued by a coastal State, as well as a valid certificate of vessel registration; and v. any other specific conditions to give effect to the provisions of the CMMs adopted pursuant to it. b. describes how CCM is monitoring and ensuring that authorizations issued to its flagged fishing vessels contain the required information and how CCM is responding to potential infringements or instances of non-compliance with this requirement.		
80.	Record of Fishing Vessels 2018-06 07 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<p>*Note in practice, and through adoption of the RFV SSPs flag CCM users are to submit updates with respect to their vessels listed on the Record of Fishing Vessels in accordance with the standards, specifications and procedures for the RFV (refer CMM 2013-03 / CMM 2014-03). **MS Excel files that meet requirements of RFV SSPs can be submitted to: contact.rfv@wcpfc.int **Authorised CCM users are able to use the online reporting tool at https://intra.wcpfc.int 1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of measures to notify any additions, modifications and deletions of Vessels from the record,</p>	<p>CCM submitted a statement in ARPt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that requires provision of complete and updated information in accordance with the standards, specifications, and procedures for the WCPFC Record of Fishing Vessels, in respect of each of its flagged fishing vessels authorized to fish beyond CCM area of national jurisdiction in the Convention Area, for placement on the WCPFC Record of Fishing Vessels, and that the CCM provide this such information be provided by the CCM within 72 hours of commencement of fishing activities by CCM’s authorized vessels b. describes how CCM is monitoring and ensuring that its vessels are not operating in the Convention Area beyond CCM area</p>	<p>B. Members’ record of fishing vessels 7. Each such authorization shall set forth for the vessel to which it is issued: (a) the specific areas, species and time periods for which the authorization is valid; (b) permitted activities by the vessel; (c) a prohibition of fishing, retention on board, transshipment or landing by the vessel in areas under the national jurisdiction of another State except pursuant to any license, permit or authorization that may be required by such other State; (d) the requirement that the vessel keep on board the authorization issued pursuant to paragraph 1 above, or certified copy thereof; any license, permit or authorization, or certified copy thereof, issued by a coastal State, as well as a valid certificate of vessel registration; and (e) any other specific conditions to give effect to the provisions of the Convention and</p>	<p>Past Chair’s Notes: Current data sources: ARPt2; WCPFC RFV submissions; relevant CCM communications to the Secretariat; absence of information to show fishing occurred prior to required authorizations by CCM Deadline: complete RFV information for CCM no later than 72 hours before CCM fishing activities begin Template/format: RFV</p>

	including for each vessel all details as set out in paragraph 6 of this CMM 2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements. 3. Summarise the number of vessels on the RFV where CCM made modifications/updates in RY	of jurisdiction without having complete and updated information entered in the WCPFC Record of Fishing Vessels, and how CCM is responding to instances of potential non-compliance by its vessels with this requirement.	conservation and management measures adopted pursuant to it.	SSPs Consider draft AP
81.	Record of Fishing Vessels 2014-03 02 / 2022-05 02 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Requirements and specifications to implement 2018-06 paragraph 6 (submit completed vessel record data for vessels authorised to fish beyond its flag CCMs areas under national jurisdiction) 1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement to submit complete vessel record data to the Secretariat for its vessels on the Record of Fishing Vessels as per CMM 2018-06 CMM on Record of Fishing Vessels and Authorisation to Fish Note footnote 3 of CMM 2014-03: (footnote 3: Although vessels with only the minimum required fields will be added to and maintained on the RFV, this does not relieve the responsible CCM of its obligations to provide all the data	1. CCM submitted a statement in ARPt2 that: a. confirms CCM’s implementation through adoption of a national binding measure to implement the requirement to submit complete vessel record data to the Secretariat for its vessels on the Record of Fishing Vessels as per CMM 2018-06 CMM on Record of Fishing Vessels and Authorisation to Fish b. describes how CCM is monitoring and ensuring that its vessels are not operating in the Convention Area beyond CCM area of jurisdiction without having complete and updated information entered in the WCPFC Record of Fishing Vessels, and how CCM is responding to instances of potential non-compliance by its vessels with this requirement. 2. The Secretariat can confirm that it has received the complete vessel record data to	Responsibilities of CCMs It shall be the responsibility of CCMs to: 2. Submit complete vessel record data to the WCPFC Secretariat that meet the structure and format specifications of Attachment 1, and submit vessel photographs that meet the specifications of Attachment 2; footnote 3: Although vessels with only the minimum required data will be added to and maintained on the RFV, this does not relieve the responsible CCM of its obligations to provide all the data required under the WCPFC’s applicable conservation and management measures. The consequences of failing to provide such data will be specified outside of these SSPs, such as in the WCPFC’s compliance monitoring scheme.	Consider draft AP

Commented [FV31]: Propose including this AP to cover CMM 2014-03 02, which was previously assessed in 2017 to assess the completeness of RFV data submissions for each CCMs’ vessels entered on the RFV.

	<p>required under the WCPFC's applicable conservation and management measures) 2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements. - are there gaps in any RFV entries (both minimum required fields and the other required fields). As @ dd mmm yy: All minimum data fields = <100% OR 100% complete xx other fields excluding IMO# = <100% OR 100% complete</p>	<p>the Secretariat for its vessels on the Record of Fishing Vessels as per CMM 2018-06 and CMM 2014-03/CMM 2022-05</p>		
82.	<p>Record of Fishing Vessels 2018-06 09 Category: Implementation (IM)</p>			
	<p>WCPFC Sec Criteria</p>	<p>Draft Audit Point for consideration</p>	<p>CMM Paragraph</p>	<p>Decision Points/Comments</p>
	<p>Submission by Member to ED a list of all vessels on national record in previous year, noting FISHED or DID NOT FISH for each vessel. Theme: Operational requirements for fishing vessels Sub Theme: Annual fishing activity reporting Supersedes: CMM 2017-05 09</p>		<p>9. Before 1 July of each year, each Member shall submit to the Executive Director a list of all vessels that appeared in its record of fishing vessels at any time during the preceding calendar year, together with each vessel's WCPFC identification number (WIN) and an indication of whether each vessel fished for highly migratory fish stocks in the Convention Area beyond its area of national jurisdiction. The indication shall be expressed as (a) fished, or (b) did not fish</p>	<p>AP for Report (RP) agreed. Seek views as to whether AP needed</p>
83.	<p>Record of Fishing Vessels 2018-06 11 Category: Report (RP)</p>			
	<p>WCPFC Sec Criteria</p>	<p>Draft Audit Point for consideration</p>	<p>CMM Paragraph</p>	<p>Decision Points/Comments</p>

Commented [FV32]: This obligation already has an adopted AP as a Reporting obligation. Therefore, AP for this (IM) may not be needed – i.e. because of past accepted treatment/assessment as a Reporting obligation

	<p>Requirement to report extraordinary circumstances as to why IMO or LR number is not able to be obtained. Theme: Operational requirements for fishing vessels Sub Theme: Annual report on implementation Supersedes: CMM 2017-05 11 1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that CCMs flagged vessels on the RFV obtain an IMO or LR. Flag CCMs shall report any such extraordinary situations where a vessel owner is not able to obtain an IMO or LR in Part 2 of their annual reports. 2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p>	<p>Where a flag CCM has not reported a IMO or LR number for a vessel that is authorised on the RFV, the Secretariat to confirm that the CCM submitted in its ARP2 information, for each CCM authorised vessel, about any extraordinary situations where a vessel owner is not able to obtain an IMO or LR number.</p>	<p>11. In assessing compliance with 6(s) above, the Commission shall take into account extraordinary circumstances in which a vessel owner is not able to obtain an IMO or LR number despite following the appropriate procedures. Flag CCMs shall report any such extraordinary situations in Part 2 of their annual reports</p>	<p>Consider draft AP.</p>
<p>84.</p>	<p>Record of Fishing Vessels 2018-06 16 Category: Implementation (IM)</p>			
	<p>WCPFC Sec Criteria</p>	<p>Draft Audit Point for consideration</p>	<p>CMM Paragraph</p>	<p>Decision Points/Comments</p>
	<p>CCMs to advise of the results of their annual review of implementation of paragraph 1 of CMM 2018-06 (RECORD OF FISHING VESSELS) Theme: Overarching requirements Sub Theme: Annual report on implementation</p>		<p>16. CCMs shall review their own internal actions and measures taken pursuant to paragraph 1, including sanctions and punitive actions and, in a manner consistent with domestic law as regards disclosure, report annually to the Commission the results of the review. In consideration of the results of such review, the Commission shall, if appropriate, request that</p>	<p>AP for Report (RP) agreed. Seek views as to whether AP needed</p>

Commented [FV33]: This obligation already has an adopted AP as a Reporting obligation. Therefore, AP for this (IM) may not be needed – i.e. because of past accepted treatment/assessment as a Reporting obligation

	Supersedes: CMM 2017-05 16		the Flag State, or member, of vessels on the Record or the Register take further action to enhance compliance by those vessels with WCPFC conservation and management measures.	
85.	Record of Fishing Vessels 2018-06 17 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<p>1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement to ensure its FVs have been placed on the RFV in accordance with CMM 2018-06</p> <p>Vessels not on RFV shall be deemed not to be authorized to fish for, retain on board, transship or land HMFS in the Convention Area beyond the national jurisdiction of its flag State</p> <p>2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements.</p>	<p>CCM submitted a statement in ARPt2 that:</p> <p>a. confirms CCM’s implementation through adoption of a national binding measure that deems any vessels flying CCM flag and not on the RFV to be unauthorized to fish for, retain on board, transship, or land highly migratory fish stocks caught in the Convention Area beyond CCM’s national jurisdiction, and requires authorized CCM flagged vessels to be placed on the RFV in accordance with CMM 2018-06</p> <p>b. describes how CCM is ensuring that its authorized vessels are placed on the RFV in accordance with the CMM and that CCM vessels not authorized through placement on the RFV are not fishing for, retaining on board, transshipping, or landing HMFS in the Convention Area beyond CCM’s national jurisdiction, and how CCM is responding to potential infringements or instances of non-compliance with this requirement.</p>	<p>C. WCPFC Record of Fishing Vessels 17. It is the responsibility of each member of the Commission to ensure that its fishing vessels have been placed on the WCPFC Record of Fishing Vessels in accordance with the requirements of this measure, and any vessel not included in the WCPFC Record of Fishing Vessels shall be deemed not to be authorized to fish for, retain on board, transship or land highly migratory fish stocks in the Convention Area beyond the national jurisdiction of its flag State. Each member of the Commission shall prohibit such activities by any vessel entitled to fly its flag that is not included on the Record and shall treat a violation of this prohibition as a serious violation. Such vessels shall be eligible to be considered for IUU listing.⁵</p> <p>⁵This revision is to correct an omission in an amendment to this paragraph under CMM 2004-01 that was approved in WCPFC6, but not included in the new CMM 2009-01</p>	<p>Consider draft AP</p>
86.	Record of Fishing Vessels 2018-06 18 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments

	<p>Applicable CCMs are to confirm whether obligation was implemented. Provide additional information / details that confirms the adoption by a CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement to prohibit landings in their ports or transshipment activities with vessels not on RFV CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p>	<p>CCM submitted a statement in ARPt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that prohibits landing at its ports or transshipment to its flagged vessels of HMFS caught in the Convention Area by vessels that are not entered on the Record or the Register b. describes how CCM is monitoring and ensuring that vessels not on the Record or the Register are not landing at its ports and that vessels not on the Record or the Register are not transshipping to CCM’s flagged vessels, and how CCM is responding to potential infringements or instances of non-compliance with this requirement.</p>	<p>C. WCPFC Record of Fishing Vessels 18. Each CCM shall further prohibit landing at its ports or transshipment to vessels flying its flag of highly migratory fish stocks caught in the Convention Area by vessels not entered on the Record or the Register.</p>	<p>Proposed edit to draft AP to remove dated reference to interim register of non-CCM carrier and bunker vessels. Consider draft AP</p>
<p>87.</p>	<p>Sharks 2019-04 06 / 2022-04 06 Category: Report (RP)</p>			
	<p>WCPFC Sec Criteria</p>	<p>Draft Audit Point for consideration</p>	<p>CMM Paragraph</p>	<p>Decision Points/Comments</p>
	<p>Assessment of need for National Plan of Action for the Conservation and Management of sharks and/or as appropriate status and details of such plans (provide in Part 2 Annual Report)</p>	<p>The Secretariat confirms that CCM submitted in AR Pt2 a. a report on its implementation of the IPOA-Sharks, that addresses the elements contained in the template at Annex 2 paragraph 2 and b. includes, as appropriate, its National Plan of Action for sharks that addresses the elements contained in the template at Annex 2 paragraph 3.</p>	<p>6. CCMs should implement, as appropriate, the FAO International Plan of Action for the Conservation and Management of Sharks (IPOA). For implementation of the IPOA, each CCM should, as appropriate, include its National Plan of Action for sharks in Part 2 Annual Report. Annex 2: Template for reporting implementation of this CMM. Each CCM shall include the following information in Part 2 of its annual report: 2. Results of their assessment of the need for a National Plan of Action and/or the status of their National Plans of Action for the Conservation and Management of Sharks, as appropriate</p>	<p>Consider draft AP</p>

			<p>3. Details of National Plan of Action, as appropriate, for implementation of IPOA Sharks in para 6 that includes:</p> <ul style="list-style-type: none"> (1) details of NPOA objectives; and (2) species and fleet covered by NPOA as well as catches thereby (3) measures to minimize waste and discards from shark catches and encourage the live release of incidental catches of sharks; (4) work plan and a review process for NPOA implementation 	
88.	<p>Sharks 2022-04 16 Category: Report (RP) or Implementation (IM)</p>			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<p>Theme: Mitigating impacts of fishing on species of special interest Sub Theme: Shark mitigation and fishery management</p> <p>None</p>	<p>CCM submitted a statement in ARPt2 that:</p> <ul style="list-style-type: none"> a. confirms CCM’s implementation through adoption of a national binding measure that <ul style="list-style-type: none"> i. prohibits its flagged longline vessels targeting tuna and billfish from using wire trace as branch lines or leaders, ii. requires its flagged longline vessels targeting tuna and billfish, if carrying wire trace as branch lines or leaders, to stow them, iii. prohibits its flagged longline vessels targeting tuna and billfish from using shark lines or branch lines running directly off of the longline floats or drop lines (see Annex 1 for schematic diagram of a shark line). b. describes how the CCM is monitoring its flagged vessels to ensure the 	<p>16. Starting on January 1, 2024, between 20 N and 20 S, CCMs shall ensure that their longline vessels, targeting tuna and billfish do not use, or if carrying, must stow wire trace as branch lines or leaders and do not use shark lines or branch lines running directly off of the longline floats or drop lines (see Annex 1 for schematic diagram of a shark line).</p>	<p>Consider draft AP</p>

		requirements are met and how potential infringements or instances of non-compliance with this requirement are handled.		
89.	Sharks 2022-04 20 Category: Report (RP) or Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Requirement for longline vessels to release sharks that are not to be retained asap, and required guidelines for safe release of sharks (effective from 1 Jan 2024) Theme: Mitigating impacts of fishing on species of special interest Sub Theme: Shark mitigation and fishery management None	CCM submitted a statement in ARPt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that requires its flagged longline vessels that catch sharks which are not retained to release sharks as soon as possible, taking into consideration the safety of the crew and observer and the guidelines. b. describes how the CCM is monitoring its flagged vessels to ensure the requirements are met and how potential infringements or instances of non-compliance with this requirement are handled.	20. Beginning on January 1, 2024, for sharks that are caught by longline vessels and are not retained, CCMs shall require their fishing vessels to release these sharks as soon as possible, taking into consideration the safety of the crew and observer, using the following guidelines: (1) Leave the shark in the water, where possible; and (2) Use a line cutter to cut the branchline as close to the hook as possible.	Consider draft AP
90.	Mobulid Rays 2019-05 03 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirements in (CMM 2019-05) MOBULID RAYS to prohibit vessels from targeted fishing or intentional setting on	CCM submitted a statement in AR Pt2 that: a. confirms CCMs implementation through adoption of a national binding measure that prohibits CCM vessels from targeting fishing or intentional setting on mobulid rays b. describes how CCM is monitoring and ensuring that its vessels are not targeting	3. CCMs shall prohibit their vessels from targeted fishing or intentional setting on mobulid rays in the Convention Area.	Consider draft AP

	<p>mobulid rays in the Convention Area. Be sure to also include as part of response the relevant part of the CMM 2019-05 para 7 required report related to implementation of this requirement. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p>	<p>fishing or setting intentionally on mobulid rays, and how the CCM responds to potential infringements or instances of non-compliance with the relevant requirement.</p>		
91.	<p>Mobulid Rays 2019-05 07 Category: Report (RP)</p>			
	<p>WCPFC Sec Criteria</p>	<p>Draft Audit Point for consideration</p>	<p>CMM Paragraph</p>	<p>Decision Points/Comments</p>
	<p>Report on Implementation of CMM 2019-05 Mobulid rays (Part 2 Annual Report) Theme: Mitigating impacts of fishing on species of special interest Sub Theme: Annual report on implementation In practice, AR Pt2 contains questions for CMM 2019-05 03 and CMM 2019-05 (04-06, 08, 10) which together would be expected to comprise the CMM 2019-05 07 report</p>	<p>The Secretariat confirms that CCM submitted in AR Pt2 information about its implementation of the CMM, particularly CMM 2019-05 03 and CMM 2019-05 (04-06, 08, 10).</p>	<p>7. CCMs shall advise the Commission (in Part 2 of their Annual Report) on implementation of this CMM.</p>	<p>Consider Draft AP</p>
92.	<p>IUU Vessel List 2019-07 22 Category: Implementation (IM)</p>			
	<p>WCPFC Sec Criteria</p>	<p>Draft Audit Point for consideration</p>	<p>CMM Paragraph</p>	<p>Decision Points/Comments</p>
	<p>CCMs shall take all necessary non-discriminatory measures, including under their applicable legislation, to take certain actions in respect of vessels listed on the IUU Vessel List Theme: Activity related requirement</p>	<p>CCM submitted a statement in AR Pt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that requires it to take all necessary non-discriminatory measures to ensure that the requirements of paragraph 22(a) to (g) are</p>	<p>22. CCMs shall take all necessary non-discriminatory measures under their applicable legislation, international law and each CCMs’ international obligations, and pursuant to paras 56 and 66 of IPOA-IUU to: a. ensure that fishing vessels, support vessels,</p>	<p>Consider draft AP.</p>

	<p>Sub Theme: Response to alleged violations</p> <p>Supersedes: CMM 2010-06 22</p> <p>1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that CCMs take necessary non-discriminatory measures, including under their applicable legislation, in respect of vessels that are listed on the WCPFC IUU Vessel List.</p> <p>A list of actions to be taken in respect of vessels that are listed on the WCPFC IUU Vessel List, is provided in paragraph 22.</p>	<p>met with respect to its flagged vessels and vessels on the WCPFC IUU Vessel list. b. describes how the CCM is monitoring and ensuring that the requirements of paragraph 22(a) to (g) are met with respect to its flagged vessels and vessels on the WCPFC IUU Vessel list, and how the CCM responds to potential infringements or instances of non-compliance with these requirements.</p>	<p>mother ships or cargo vessels flying their flag do not participate in any transshipment or joint fishing operations with, support or re-supply vessels on the WCPFC IUU Vessel List;</p> <p>b. ensure that vessels on the WCPFC IUU Vessel List that enter ports voluntarily are not authorized to land, tranship, refuel or re-supply therein but are inspected upon entry;</p> <p>c. prohibit the chartering of a vessel on the WCPFC IUU Vessel List;</p> <p>d. refuse to grant their flag to vessels on the WCPFC IUU Vessel List in accordance with para 1f, Section A, in CMM 2018-06 or its replacement measure;</p> <p>e. prohibit commercial transactions, imports, landings and/or transshipment of species covered by the WCPFC Convention from vessels on the WCPFC IUU Vessel List;</p> <p>f. encourage traders, importers, transporters and others involved, to refrain from transactions in, and transshipment of, species covered by the WCPFC Convention caught by vessels on WCPFC IUU Vessel List;</p> <p>g. collect, and exchange with other CCMs, any appropriate information with the aim of searching for, controlling and preventing false import/export certificates for species covered by the WCPFC Convention from vessels on the WCPFC IUU Vessel List.</p>	
93.	<p>Bigeye tuna, Skipjack tuna and Yellowfin tuna</p> <p>2021-01 15</p> <p>Category: Report (RP)</p>			
	<p>WCPFC Sec Criteria</p>	<p>Draft Audit Point for consideration</p>	<p>CMM Paragraph</p>	<p>Decision Points/Comments</p>
	<p>Annual advice on choice and implementation of two additional month</p>	<p>The Secretariat confirms receipt of a CCM's notification, by the required deadline of 1</p>	<p>15. In addition to the three-month FAD closure in paragraph 14, except for those vessels flying</p>	<p>AP for Implementation (IM) agreed. Both are</p>

	<p>high seas purse seine FAD closure (April-May or Nov-Dec)</p> <p>Theme: Additional measures for tropical tunas Sub Theme: Purse seine fishery FAD set management</p> <p>Based on Secretariat records, was a notification of additional month high seas FAD closure choice received?</p>	<p>March each year, of its choice of which two consecutive additional months of FAD closure on the high seas will be applied by its vessels.</p>	<p>the Kiribati flag when fishing in the high seas adjacent to the Kiribati exclusive economic zone, and Philippines’ vessels operating in HSP1 in accordance with Attachment 2, it shall be prohibited to deploy, service or set on FADs in the high seas for two additional sequential months of the year. Each CCM shall decide which two sequential months (either April - May or November - December) shall be closed to setting on FADs by their fleets in the high seas for 2022, and 2023 and notify the Secretariat of that decision by March 1, each year. In case a CCM decides to change the notified period at any given year of the application of this CMM this shall be notified to the Secretariat before 1st March of that year.</p>	<p>included in dCMR 2021 and 2022.</p> <p>Consider draft AP.</p>
<p>94.</p>	<p>Bigeye tuna, Skipjack tuna and Yellowfin tuna</p> <p>2021-01 17</p> <p>Category: Report (RP) OR Implementation (IM)</p>			
	<p>WCPFC Sec Criteria</p>	<p>Draft Audit Point for consideration</p>	<p>CMM Paragraph</p>	<p>Decision Points/Comments</p>
	<p>Each purse seine vessel is limited to no more than 350 FADs with activated instrumented buoys</p> <p>Theme: Additional measures for tropical tunas Sub Theme: Purse seine fishery FAD set management Supersedes: CMM 2020-01 23 {INAUGURAL REPORT DETAILING STEPS TAKEN TO IMPLEMENT THE NEW OBLIGATION FROM 1 JAN 2024} 1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national</p>	<p>[RP] The Secretariat confirms that the CCM submitted information on its implementation of the requirement to ensure that the design and construction of any FAD to be deployed in, or that drifts into, the Convention Area comply with the following specifications</p> <p>(a) The use of mesh net shall be prohibited for any part of a FAD. (b) If the raft is covered, only non-entangling material and designs shall be used. (c) The subsurface structure shall only be made using non-entangling materials.</p>	<p>17. To reduce the risk of entanglement of sharks, sea turtles or any other species, as from 1st January 2024,2 CCMs shall ensure that the design and construction of any FAD to be deployed in, or that drifts into, the WCPFC Convention Area shall comply with the following specifications:</p> <p>(a) The use of mesh net shall be prohibited for any part of a FAD. (b) If the raft is covered, only non-entangling material and designs shall be used. (c) The subsurface structure shall only be made using non-entangling materials.</p>	<p>Note, the ARP2 classifies this obligation as Implementation.</p> <p>Consider whether should be RP or IM.</p> <p>Consider draft AP.</p>

	<p>policies and procedures, of binding measures that implement the requirement that CCMs to ensure that the design and construction of any FAD to be deployed in, or that drifts into, the Convention Area shall comply with the following specifications:</p> <ul style="list-style-type: none"> • The use of mesh net shall be prohibited for any part of a FAD. • If raft is covered, only non-entangling material and designs shall be used. • The subsurface structure shall only be made using non-entangling materials. <p>2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p>	<p>OR</p> <p>[IM] CCM submitted a statement in AR Pt2 that:</p> <p>a. confirms CCM’s implementation through adoption of a national binding measure that requires it to ensure that the design and construction of any FAD to be deployed in, or that drifts into, the Convention Area shall comply with the following specifications:</p> <ul style="list-style-type: none"> • The use of mesh net shall be prohibited for any part of a FAD. • If raft is covered, only non-entangling material and designs shall be used. • The subsurface structure shall only be made using non-entangling materials. <p>b. describes how the CCM is monitoring and ensuring that the requirements are met with respect to its flagged vessels, and how the CCM responds to potential infringements or instances of non-compliance with these requirements.</p>		
<p>95.</p>	<p>Bigeye tuna, Skipjack tuna and Yellowfin tuna 2021-01 18 Category: Implementation (IM)</p>			
	<p>WCPFC Sec Criteria</p>	<p>Draft Audit Point for consideration</p>	<p>CMM Paragraph</p>	<p>Decision Points/Comments</p>
	<p>Requirement to encourage vessels to use, or transition towards using, non-plastic and biodegradable materials in the construction of FADs Theme: Additional measures for tropical tunas</p>	<p>CCM submitted a statement in AR Pt2 that:</p> <p>a. confirms CCM’s implementation through adoption of a national binding measure that encourages its flagged vessels to use, or transition towards using, non-plastic and</p>	<p>18. To reduce the amount of synthetic marine debris, CCMs shall encourage vessels flying their flag to use, or transition towards using, non-plastic and biodegradable materials in the construction of FADs.</p>	<p>Consider draft AP</p>

	<p>Sub Theme: Purse seine fishery FAD set management</p> <p>None</p>	<p>biodegradable materials in the construction of FADs</p> <p>b. describes how the CCM is monitoring and ensuring that the requirements are met with respect to its flagged vessels, and how the CCM responds to potential infringements or instances of non-compliance with these requirements.</p>		
96.	<p>Tropical Tuna 2021-01 21 Category: Implementation (IM)</p>			
	WCPFC Secretariat Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<p>1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that at any one time, each flagged purse seine vessel shall have no more than 350 drifting FADs with activated instrumented buoys</p> <p>2. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement to ensure that its vessels operating in the waters of a coastal State comply with the laws of that Coastal State relating to FAD management, including FAD tracking</p> <p>3. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in</p>	<p>CCM submitted a statement in AR Pt2 that:</p> <p>a. confirms CCM’s implementation through adoption of a national binding measure(s) that limits each of CCM flagged PS vessel to 350 activated instrumented buoys, and that ensures its vessels comply with coastal State laws relating to FAD management.</p> <p>b. describes how CCM is monitoring its activation and deployment of instrument buoys flagged PS vessels to ensure they do not set a purse seine net on a school of tuna associated with a cetacean where a sighting occurs prior to commencement of the set, and how potential infringements or instances of non-compliance with this requirement and coastal State laws relating to FAD management are handled.</p>	<p><u>Instrumented Buoys:</u></p> <p>21. A flag CCM shall ensure that each of its purse seine vessels shall have deployed at sea, at any one time, no more than 350 drifting Fish Aggregating Devices (FADs) with activated instrumented buoys. An instrumented buoy is defined as a buoy with a clearly marked reference number allowing its identification and equipped with a satellite tracking system to monitor its position. The buoy shall be activated exclusively on board the vessel. A flag CCM shall ensure that its vessels operating in the waters of a coastal State comply with the laws of that coastal State relating to FAD management, including FAD tracking.</p>	<p>Consider draft AP</p>

response to any potential infringements			
97.	Tropical Tuna 2021-01 22 Category: Implementation (IM)		
WCPFC Secretariat Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
Requirement to encourage vessels to manage FADs deployed and make reasonable efforts to retrieve and report lost FADs Theme: Additional measures for tropical tunas Sub Theme: Purse seine fishery FAD set management None	<p>CCM submitted a statement in AR Pt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that encourages its flagged vessels to responsibly manage the number of drifting FADs deployed each year, carry equipment on board to facilitate the retrieval of lost drifting FADs, make reasonable efforts to retrieve lost drifting FADs; and to report the loss of drifting FADs, and if the loss occurred in the EEZ of a coastal State, report the loss to the coastal State concerned.</p> <p>b. describes how the CCM is monitoring and ensuring that the requirements are met with respect to its flagged vessels, and how the CCM responds to potential infringements or instances of non-compliance with these requirements.</p>	22. CCMs shall also encourage vessels to: <ul style="list-style-type: none"> (a) responsibly manage the number of drifting FADs deployed each year; (b) carry equipment on board to facilitate the retrieval of lost drifting FADs; (c) make reasonable efforts to retrieve lost drifting FADs; and (d) report the loss of drifting FADs, and if the loss occurred in the EEZ of a coastal State, report the loss to the coastal State concerned. 	Consider draft AP
98.	Bigeye tuna, Skipjack tuna and Yellowfin tuna 2021-01 24 Category: Report (RP)		
WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
Purse seine EEZ limits (for skipjack, yellowfin and bigeye tuna) and advice from other coastal CCMs of EEZ limits to be applied Theme: Quantitative limits for tuna and	The Secretariat confirms that coastal CCMs within the Convention Area have submitted a statement of its purse seine effort and/or catch of skipjack, yellowfin and bigeye tuna limits within their EEZ.	24. Coastal CCMs within the Convention Area shall restrict purse seine effort and/or catch of skipjack, yellowfin and bigeye tuna within their EEZs in accordance with the effort limits established and notified to the Commission and	Audit Point for Quantitative Limit (agreed). Consider draft AP,

Commented [FV34]: This obligation (para 24, CMM 2021-01) already has an adopted AP as a Quantitative Limit obligation. Therefore, AP for this (RP) may not be needed – i.e. because of past accepted treatment/assessment as a QL obligation

	billfish Sub Theme: PS fishery effort control Supersedes: CMM 2020-01 25		set out in Table 1 of Attachment 1. Those coastal CCMs that have yet to notify limits to the Commission shall do so by 31 December 2022.	seek views as to whether this AP needed.
99.	Bigeye tuna, Skipjack tuna and Yellowfin tuna 2021-01 24 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Purse seine EEZ limits (for skipjack, yellowfin and bigeye tuna) and advice from other coastal CCMs of EEZ limits to be applied Theme: Quantitative limits for tuna and billfish Sub Theme: Purse seine fishery effort control Supersedes: CMM 2020-01 25		24. Coastal CCMs within the Convention Area shall restrict purse seine effort and/or catch of skipjack, yellowfin and bigeye tuna within their EEZs in accordance with the effort limits established and notified to the Commission and set out in Table 1 of Attachment 1. Those coastal CCMs that have yet to notify limits to the Commission shall do so by 31 December 2022.	Audit Point for Quantitative Limit (QL) agreed. Seek views as to whether this AP needed
100.	Tropical Tuna 2021-01 26 Category: Implementation (IM)			
	WCPFC Secretariat Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	CCMs not to transfer fishing effort in days fished in the purse seine fishery to areas N20N and S20S Theme: Quantitative limits for tuna and billfish Sub Theme: Purse seine fishery effort control 1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement for CCMs not to transfer	<u>1. CCM submitted a statement in AR Pt2 that:</u> a. confirms CCM’s implementation through adoption of a national binding measure that ensures that CCM flagged purse seine vessels do not transfer effort in days fished to the area north of 20N and south of 20S b. describes how it is monitoring its flagged purse seine vessels to ensure they do not transfer effort in days fished to the area north of 20N and south of 20S and how the CCM responds to potential infringements	<u>High seas purse seine effort and control</u> ³ : 26. CCMs shall ensure that the effectiveness of these effort limits for the purse seine fishery are not undermined by a transfer of effort in days fished into areas within the Convention Area south of 20°S and/or north of 20°N ³ Throughout this measure, in the case of small purse seine fleets, of five vessels or less, the baseline level of effort used to determine a limit shall be the maximum effort in any period and not the average.	Consider draft AP

Commented [FV35]: This obligation (para 24, CMM 2021-01) already has an adopted AP as a Quantitative Limit obligation. Therefore, AP for this (IM) may not be needed – i.e. because of past accepted treatment/assessment as a QL obligation

	<p>fishing effort in days fished in the purse seine fishery to areas N20N and S20S</p> <p>2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p>	<p>or instances of non-compliance with this requirement.</p> <p>2. The Secretariat can verify that the CCM's flagged purse seine vessels have not shifted PS transferred effort in days fished to the area north of 20N and south of 20S.</p>		
<p>101.</p>	<p>Tropical Tuna 2021-01 29 Category: Implementation (IM)</p>			
	<p>WCPFC Secretariat Criteria</p>	<p>Draft Audit Point for consideration</p>	<p>CMM Paragraph</p>	<p>Decision Points/Comments</p>
	<p>Purse seine catch retention requirements (20N - 20S)</p> <p>1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the High Seas Rules for purse seine catch retention: requirement for purse seine vessels fishing in areas bounded by 20N and 20S to retain on board and then land or transship at port all BET, SKJ and YFT(The only exceptions is as stated in the CMM 18-01 para 31 a, b and c)</p> <p>2. CCM should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p> <p>3. Based on Secretariat database records how many h/s purse seine fishery catch retention reports were received for RY?</p>	<p>CCM submitted a statement in AR Pt2 that: a. confirms CCM's implementation through adoption of a national binding measure of the requirement for CCM's flagged purse seine vessels fishing in EEZs and on the high seas between 20N and 20S to retain on board and then land or transship at port all BE, SJ, and YF tuna. The statement must include information on CCM's implementation of the requirements for its PS operators of vessels on the high seas to submit a report to the ED within 48-hours after any discard.</p> <p>b. that describes how CCM is monitoring and ensuring that its flagged PS vessels are following the requirements for catch retention when operating in EEZs and the high seas and are submitting reports to the ED when on the high seas and where required, and how CCM responds to potential infringements or instances of non-compliance with this requirement.</p>	<p><u>Catch retention: Purse Seine Fishery</u></p> <p>29. To create an incentive to reduce the non-intentional capture of juvenile fish, to discourage waste and to encourage an efficient utilization of fishery resources, CCMs shall require their purse seine vessels fishing in EEZs and on the high seas within the area bounded by 20oN and 20oS to retain on board and then land or transship at port all bigeye, skipjack, and yellowfin tuna. (Paragraphs 8 to 12 of CMM 2009-02 set out the Commission's rules for catch retention in the high seas.) The only exceptions to this paragraph shall be:</p> <p>(a) when, in the final set of a trip, there is insufficient well space to accommodate all fish caught in that set, noting that excess fish taken in the last set may be transferred to and retained on board another purse seine vessel provided this is not prohibited under applicable national law; or</p> <p>(b) when the fish are unfit for human consumption for reasons other than size; or</p> <p>(c) when serious malfunction of equipment</p>	<p>Past Chair's Notes:</p> <p>Current data sources: ARPt2; HS catch retention reports; ROP</p> <p>Deadline: discard reports due within 48 hours of any discard</p> <p>Template: Discard reports must contain information in CMM2009-02 12(a-k)</p> <p>**WCPFC10 noted that consistent with PNA 3IA, purse seine catch discard reporting to WCPFC should only be required where it occurs in high seas waters</p>

Commented [FV36]: Amended to keep language consistent with agreed AP for CMM 2009-03 03 IM.

		occurs.	Consider draft AP
102.	Tropical Tuna 2021-01 31 Category: Implementation (IM)		
	WCPFC Sec Criteria	Draft Audit Point for consideration	Decision Points/Comments
	1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that flag CCMs ensure that purse seine vessels shall not operate under manual reporting during the FAD closure period 2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements 3. Based on Secretariat records, did any purse seine vessels provide VMS manual reports during the applicable months of the FAD closure?	CCM submitted a statement in ARPt2 that: a. confirms CCM's implementation through adoption of a national binding measure of the requirement for CCM flagged purse seine vessels to not operate under VMS manual reporting during FAD closure periods b. describes how CCM is monitoring and ensuring that its flagged purse seine fishing vessels do not operate under VMS manual reporting during FAD closure periods, and how the CCM responds to potential infringements or instances of non-compliance with the relevant requirement.	<u>Monitoring and Control: Purse Seine Fishery</u> 31. Notwithstanding the VMS SSP, a purse seine vessel shall not operate under manual reporting during the FADs closure periods, but the vessel will not be directed to return to port until the Secretariat has exhausted all reasonable steps to re-establish normal automatic reception of VMS positions in accordance with the VMS SSPs. The flag State shall be notified when VMS data is not received by the Secretariat at the interval specified in CMM 2014-02 or its replacement, and paragraph 35.
103.	Bigeye tuna, Skipjack tuna and Yellowfin tuna 2021-01 32 Category: Implementation (IM)		
	WCPFC Sec Criteria	Draft Audit Point for consideration	Decision Points/Comments
	Requirement for purse seine vessels to carry a ROP observer Theme: Observer activity related requirement Sub Theme: Observer coverage		32. CCMs shall ensure that purse seine vessels entitled to fly their flags and fishing within the area bounded by 20°N and 20°S exclusively on the high seas, on the high seas and in waters under the jurisdiction of one or more coastal States, or vessels fishing in waters under the Audit Point for Report (RP) agreed. Seek views as to whether AP needed

Commented [FV37]: This obligation (para 32, CMM 2021-01) already has an adopted AP as a Reporting obligation. Therefore, AP for this (IM) may not be needed – i.e. because of past accepted treatment/assessment as a Reporting obligation

	Supersedes: CMM 2020-01 34		jurisdiction of two or more coastal States, shall carry an observer from the Commission’s ROP (CMM 2018-05).	
104.	*Rev – Tropical Tuna 2021-01 33 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Applicable Flag CCMs are to confirm whether obligation was implemented? Provide additional information / details that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement for 100% purse seine coverage (between 20N and 20S), specifically the rules that flag CCMs are to implement for vessels operating exclusively in areas under its national jurisdiction. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements	CCM submitted a statement in AR Pt2 that: a. confirms CCM’s implementation through adoption of a national binding measure of the requirement for all CCM flagged purse seine vessels to carry an observer if they are operating solely within the CCM’s national jurisdiction within 20N and 20S. b. describes how CCM is monitoring and ensuring that each of its flagged PS vessels that is operating solely within its national jurisdiction is carrying an observer, and how CCM responds to potential infringements or instances of non-compliance with this requirement.	<u>Monitoring and Control: Purse Seine Fishery</u> 33. Each CCM shall ensure that all purse seine vessels fishing solely within its national jurisdiction within the area bounded by 20°N and 20°S carry an observer. These CCMs are encouraged to provide the data gathered by the observers for use in the various analyses conducted by the Commission, including stock assessments, in such a manner that protects the ownership and confidentiality of the data.	Consider whether this should only be RP obligation (as noted below from proposed revision). Seek views whether should be IM or RP, and on draft APs.
	Proposed Revision: Report (RP) Simplify, assess as a Report	The Secretariat confirms receipt of a report from the CCM that confirms its flagged purse seine vessels carried an observer when said vessels were operating solely within the CCM’s national jurisdiction between 20N and 20S.		
105.	Bigeye tuna, Skipjack tuna and Yellowfin tuna 2021-01 Att 2 04 Category: Report (RP)			

	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<p>Philippines to ensure its flagged vessels report sightings of any fishing vessel to the Commission Secretariat (vessel type, date, time, position, markings, heading and speed)</p> <p>Theme: Additional measures for tropical tunas</p> <p>Sub Theme: HSP requirements</p> <p>Supersedes: CMM 2020-01 Att 2 04</p> <p>1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that CCMs fishing vessels to report sightings of vessels in HSP-1 SMA to the Secretariat.</p>	<p>The Secretariat confirms receipt of any reports from Philippine flagged vessels operating in HSP-1 SMA of any sightings of fishing vessels, with vessel type, date, time, position, markings, heading and speed.</p> <p>Philippines to report in its ARP2 any sightings reports from its flagged vessels operating in HSP1 (including nil reports where relevant).</p>	<p>Att 2 04. Philippines shall ensure that its flagged vessels operating in the HSP-1 SMA report sightings of any fishing vessel to the Commission Secretariat. Such information shall include: vessel type, date, time, position, markings, heading and speed</p>	<p>Consider draft AP.</p>
106.	<p>Bigeye tuna, Skipjack tuna and Yellowfin tuna</p> <p>2021-01 Att 2 04</p> <p>Category: Implementation (IM)</p>			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<p>Philippines to ensure its flagged vessels report sightings of any fishing vessel to the Commission Secretariat (vessel type, date, time, position, markings, heading and speed).</p> <p>Theme: Additional measures for tropical tunas</p> <p>Sub Theme: HSP requirements</p> <p>Supersedes: CMM 2020-01 Att 2 04</p> <p>1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national</p>	<p>Philippines submitted a statement in AR Pt2 that:</p> <p>a. confirms its implementation through adoption of a national binding measure of the requirement for its flagged vessels operating in HSP-1 SMA to report sightings of any fishing vessel to the Commission Secretariat with details of vessel type, date, time, position, markings, heading and speed.</p> <p>b. describes how CCM is monitoring and ensuring that its flagged vessels operating</p>	<p>Att 2 04. Philippines shall ensure that its flagged vessels operating in the HSP-1 SMA report sightings of any fishing vessel to the Commission Secretariat. Such information shall include: vessel type, date, time, position, markings, heading and speed</p>	<p>Consider draft AP.</p>

	<p>policies and procedures, of binding measures that implement the requirement that CCMs fishing vessels to report sightings of vessels in HSP-1 SMA to the Secretariat.</p>	<p>in HSP-1 SMA report sightings of any fishing vessel to the Commission Secretariat with details of vessel type, date, time, position, markings, heading and speed, and how CCM responds to potential infringements or instances of non-compliance with this requirement.</p>		
107.	<p>Bigeye tuna, Skipjack tuna and Yellowfin tuna 2021-01 Att 2 08 Category: Implementation (IM)</p>			
	<p>WCPCFC Sec Criteria</p>	<p>Draft Audit Point for consideration</p>	<p>CMM Paragraph</p>	<p>Decision Points/Comments</p>
	<p>Philippines to monitor landings by vessels operating in HSP1-SMA and collect reliable catch data by species Theme: Additional measures for tropical tunas Sub Theme: HSP requirements Supersedes: CMM 2020-01 Att 2 08 1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that all port landings of its HSP1 vessels are monitored and accounted for to make certain that reliable catch data by species are collected for processing and analysis 2. CCM should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p>	<p>Philippines submitted a statement in AR Pt2 that: a. confirms its implementation through adoption of a national binding measure of the requirement for all port landings of its HSP1 vessels to be monitored and accounted for to make certain that reliable catch data by species are collected for processing and analysis b. describes how CCM is monitoring and ensuring that all port landings of its HSP1 vessels are monitored and accounted for to make certain that reliable catch data by species are collected for processing and analysis, and how CCM responds to potential infringements or instances of non-compliance with this requirement.</p>	<p>8. The Philippines shall ensure that all port landings of its vessels covered by this decision are monitored and accounted for to make certain that reliable catch data by species are collected for processing and analysis.</p>	<p>Consider draft AP.</p>
108.	<p>Bigeye tuna, Skipjack tuna and Yellowfin tuna</p>			

2021-01 Att 2 08			
Category: Report (RP)			
WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
<p>Philippines to monitor landings by vessels operating in HSP1-SMA and collect reliable catch data by species</p> <p>Theme: Additional measures for tropical tunas</p> <p>Sub Theme: HSP requirements</p> <p>Supersedes: CMM 2020-01 Att 2 08</p> <p>1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that all port landings of its HSP1 vessels are monitored and accounted for to make certain that reliable catch data by species are collected for processing and analysis</p> <p>2. CCM should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p>	<p>The Secretariat confirms receipt of a statement from Philippines that it has monitored and accounted for all port landings of its vessels operating in HSP1-SMA, to make certain that reliable catch data by species are collected for processing and analysis.</p>	<p>8. The Philippines shall ensure that all port landings of its vessels covered by this decision are monitored and accounted for to make certain that reliable catch data by species are collected for processing and analysis.</p>	<p>Consider draft AP.</p>
<p>109. Tropical Tuna</p> <p>2021-01 47</p> <p>Category: Quantitative Limit (QL)</p>			
WCPFC Secretariat Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<p><i>This paragraph was assigned “CMM Review” in 2020 CMR with requests to SC and TCC for further work to support clarification of this obligation</i></p>	<p><u>Other Commercial Fisheries:</u></p> <p>47. 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</p>	<p>This paragraph is subject to SC/TCC advice. Unclear how AP development can address the issue. Instead, this appears</p>

			tropical tunas (bigeye, yellowfin and skipjack), shall not exceed either the average level for the period 2001-2004 or the level of 2004.	to require separate SC/TCC/Commission work.
110.	Pacific Bluefin tuna 2021-02 09 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Requirement to intensify cooperation for effective implementation of CMM, including juvenile catch reduction Theme: Additional measures for pacific bluefin tuna Sub Theme: Cooperate for effective implementation Supersedes: CMM 2020-02 06 1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that CCMs. Further Information box to be used to provide additional information / details that confirms efforts to intensify cooperation for effective implementation of CMM for PACIFIC BLUEFIN TUNA, including juvenile catch reduction. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements	CCM submitted a statement in AR Pt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that requires it to intensify cooperation for effective implementation of CMM 2021-02, including juvenile catch reduction. b. describes how it is monitoring and ensuring it is intensifying cooperation for effective implementation of CMM 2021-02, including juvenile catch reduction.	9. CCMs shall intensify cooperation for effective implementation of this CMM, including juvenile catch reduction.	Consider draft AP Or seek views as to whether AP needed (due to wording of the obligation)
111.	Pacific Bluefin tuna 2021-02 10 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision

			Points/Comments	
	<p>Requirement to monitor and obtain prompt results of recruitment of juveniles each year</p> <p>Theme: Additional measures for pacific bluefin tuna</p> <p>Sub Theme: Monitor recruitment of juveniles</p> <p>Supersedes: CMM 2020-02 07</p> <p>1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that CCMs take measures to monitor and obtain prompt results of recruitment of juvenile BFT each year</p> <p>2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements</p>	<p>CCM submitted a statement in AR Pt2 that:</p> <p>a. confirms CCM’s implementation through adoption of a national binding measure that requires CCMs to take measures to monitor and obtain prompt results of recruitment of juvenile Pacific bluefin tuna each year.</p> <p>b. describes how it is monitoring and ensuring it is taking measures to monitor and obtain prompt results of recruitment of juvenile Pacific bluefin tuna each year.</p>	<p>10. CCMs, in particular those catching juvenile Pacific bluefin tuna, shall take measures to monitor and obtain prompt results of recruitment of juveniles each year.</p>	<p>Consider draft AP.</p>
112.	<p>Pacific Bluefin tuna</p> <p>2021-02 11</p> <p>Category: Implementation (IM)</p>			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<p>Requirement to take measures necessary to prevent commercial transaction of Pacific bluefin tuna and its products that undermine the effectiveness of this CMM</p> <p>Theme: Additional measures for pacific bluefin tuna</p> <p>Sub Theme: Response to alleged violations</p> <p>Supersedes: CMM 2020-02 08</p> <p>1. AR Pt 2 should include a statement</p>	<p>CCM submitted a statement in AR Pt2 that:</p> <p>a. confirms CCM’s implementation through adoption of a national binding measure that requires CCMs to take measures necessary to prevent commercial transaction of Pacific bluefin tuna and its products that undermine the effectiveness of CMM 2021-02.</p> <p>b. describes how it is monitoring and ensuring it is taking measures necessary to</p>	<p>11. Consistent with their rights and obligations under international law, and in accordance with domestic laws and regulations, CCMs shall, to the extent possible, take measures necessary to prevent commercial transaction of Pacific bluefin tuna and its products that undermine the effectiveness of this CMM, especially measures prescribed in the paragraph 3 above. CCMs shall cooperate for this purpose.</p>	<p>Consider draft AP.</p>

	that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that CCMs take measures necessary to prevent commercial transaction of Pacific bluefin tuna and its products that undermine the effectiveness of CMM for PACIFIC BLUEFIN TUNA 2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements	prevent commercial transaction of Pacific bluefin tuna and its products that undermine the effectiveness of CMM 2021-02.		
113.	Pacific Bluefin tuna 2021-02 13 Category: Report (RP)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Requirement to take measures to strengthen monitoring and data collection. Theme: Additional measures for pacific bluefin tuna Sub Theme: Catch and effort reporting requirements Supersedes: CMM 2020-02 10 1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that CCMs take measures necessary to strengthen monitoring and data collecting systems for BFT fisheries and farming in order to improve data	Secretariat confirms that CCMs submitted a statement in AR Pt2 that provides information on the measures it has taken to strengthen monitoring and data collecting system for Pacific bluefin tuna fisheries and farming in order to improve the data quality and timeliness of all the data reporting.	13. CCMs shall also take measures necessary to strengthen monitoring and data collecting system for Pacific bluefin tuna fisheries and farming in order to improve the data quality and timeliness of all the data reporting.	Consider draft AP <i>Note: Sec criteria is for Implementation obligation (not Reporting obligation)</i>

	quality and timeliness of all the data reporting. 2. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements			
114.	*Rev – Convention Art 23.3 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	<p>Advice from members on its measures for areas under their national jurisdiction, including conservation and management measures, inspections and surveillance activities. Summary to be provided in Annual Report Part 2.</p> <p>Theme: Overarching requirements Sub Theme: Annual report on implementation TEMPLATE AND STANDARD ARE NOT SPECIFIED}</p> <p>Summary information to be reported by coastal CCMs should include, as applicable:</p> <ul style="list-style-type: none"> i) measures adopted for conservation and management of highly migratory fish stocks in areas under national jurisdiction; ii) how many inspections of domestic-only vessels were undertaken in areas under national jurisdiction during the previous calendar year; iii) how many surveillance activities (aerial or sea patrols) were conducted in areas under national jurisdiction during the previous calendar year; and 	<p>CCM submitted a statement in AR Pt2 that:</p> <ul style="list-style-type: none"> a. confirms CCM’s implementation through adoption of a national binding measures that require it to adopt measures for the conservation and management of highly migratory fish stocks in areas within the Convention Area under their national jurisdiction. b. describes how it is monitoring and ensuring it is taking measures for the conservation and management of highly migratory fish stocks in areas within the Convention Area under their national jurisdiction. 	<p>3. The members of the Commission shall keep the Commission informed of the measures they have adopted for the conservation and management of highly migratory fish stocks in areas within the Convention Area under their national jurisdiction. The Commission shall circulate periodically such information to all members</p>	<p>Consider draft AP</p> <p>Or seek views as to whether AP needed.</p>

	iv) summary of any incidents that were cited during surveillance activities, including a list of CMMs and clauses which were violated; If there is insufficient space in the [Further Information] box, please provide this report as an attachment			
115.	*Rev – Convention Art 24.3 Category: Implementation (IM)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	(previously Report (R)) Applicable Flag CCMs are to confirm whether obligation was implemented. Provide additional information / details that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that the vessel operate in the high seas in accordance with Annex III of the Convention. CCMs should also provide information showing that it has a system to monitor and ensure compliance with this obligation and has taken action in response to any potential infringements	CCM submitted a statement in ARPt2 that: a. confirms CCM’s implementation through adoption of a national binding measure that requires its vessels operating in the high seas of the Convention Area do so in accordance with Annex III of the Convention. b. describes how CCM is monitoring and ensuring that its vessels operating on the high seas of the Convention Area are operating in accordance with Annex III of the Convention, and how CCM is responding to potential infringements or instances of non-compliance with this requirement.	Article 24 Flag State Duties 3. It shall be a condition of every authorization issued by a member of the Commission that the fishing vessel in respect of which the authorization is issued: (a) conducts fishing within areas under the national jurisdiction of other States only where the fishing vessel holds any licence, permit or authorization that may be required by such other State; and (b) is operated on the high seas in the Convention Area in accordance with the requirements of Annex III, the requirements of which shall also be established as a general obligation of all vessels operating pursuant to this Convention.	Consider draft AP or seek views as to whether AP needed.
	Proposed Revision: Unnecessary as Annex III provisions are reflected in CMMs	[No revision; proposal to remove this audit point]		Seek views as to whether AP needed.
116.	*Rev – Convention Art 23.4 Category: Report (RP)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Measures CCM adopted for regulating activities of fishing vessels flying its flag. Summary to be provided in ARP2.	Secretariat confirms that CCMs with flagged vessels operating in the Convention Area in the previous reporting year,	4. Each member of the Commission shall keep the Commission informed of the measures it has adopted for regulating the activities of fishing	Consider draft AP or seek views as to whether AP needed.

Commented [FV38]: Proposed approach to remove this AP for Convention Art 24.3 as the requirements (regarding flag State duties) are covered in specific CMMs

Commented [FV39]: Note – APR2 (and information held on file) may already address this obligation, so this AP may not be required.

	<p>Theme: Overarching requirements Sub Theme: Annual report on implementation {TEMPLATE AND STANDARD ARE NOT SPECIFIED} Applicable Flag CCMs are to confirm whether obligation was implemented? Yes / No / not applicable Further Information box to be used to provide additional information / details such as applicable measure adopted for regulating activities of vessels flying its flag that fish in the Convention Area</p>	<p>provided a statement of compliance measures, including imposition of sanction, it has taken in the previous reporting year.</p>	<p>vessels flying its flag which fish in the Convention Area. The Commission shall circulate periodically such information to all members.</p>	
117.	<p>*Rev – Convention Art 25.11 Category: Report (RP)</p>			
	<p>WCPFC Sec Criteria</p>	<p>Draft Audit Point for consideration</p>	<p>CMM Paragraph</p>	<p>Decision Points/Comments</p>
	<p>Report on mechanisms for monitoring international trade and domestic distribution of HMFS. Summary to be provided in Annual Report Part 2 Theme: Overarching requirements Sub Theme: Annual report on implementation {TEMPLATE AND STANDARD ARE NOT SPECIFIED} Applies to:- All CCMs with international trade and/or domestic distribution of highly migratory fish stocks during the previous calendar year. 1. AR Pt 2 should include a statement that confirms the adoption by a flag CCM, in accordance with its own national policies and procedures, of binding measures that implement the requirement that CCMs Further Information box to be used for</p>		<p>11. The members of the Commission may take action in accordance with the Agreement and international law, including through procedures adopted by the Commission for this purpose, to deter fishing vessels which have engaged in activities which undermine the effectiveness of or otherwise violate the CMMs adopted by the Commission from fishing in the Convention Area until such time as appropriate action is taken by the flag State</p>	<p>Seek views as to whether AP needed</p>

Commented [FV40]: Note – APR2 (and information held on file) may already address this obligation, so this AP may not be required.

	statement. CCM in preparing this statement might note that CCMs should provide, as applicable, summary information on mechanisms for monitoring international trade and domestic distribution of highly migratory fish stocks during the previous calendar year. The annual summary may also be provided as an Attachment			
118.	*Rev – Convention Art 25.8 Category: Report (RP)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Annual Statement of compliance measures, including imposition of sanctions (to be provided in ARP2) Theme: Overarching requirements Sub Theme: Annual report on implementation {TEMPLATE AND STANDARD ARE NOT SPECIFIED} Applies to:- Flag CCMs whose vessels had fishing activity in Convention Area in RY Further Information box to be used for statement. CCM in preparing this statement might note that flag CCMs are to provide an Annual Statement of Compliance Measures including imposition of sanctions. The statement of compliance may be provided in [Further Information box] or as an Attachment	Secretariat confirms that CCMs, that had its flagged vessels operating in the Convention Area in the previous reporting year, provided a statement of compliance measures, including imposition of sanction, it has taken in the previous reporting year.	8. Each member shall transmit to the Commission an annual statement of compliance measures, including imposition of sanctions for any violations, it has taken in accordance with this article.	Consider draft AP or Seek views as to whether AP needed
119.	*Rev – Convention Art 27 Category: Report (RP)			
	WCPFC Sec Criteria	Draft Audit Point for consideration	CMM Paragraph	Decision Points/Comments
	Reports of outcomes of Port State Inspections. Summary to be provided in		1.A port State has the right and the duty to take measures, in accordance with international law,	This obligation should be addressed under

Commented [FV41]: Note – APR2 (and information held on file) may already address this obligation, so this AP may not be required.

	<p>Part 2 Theme: Inspection activity related requirement Sub Theme: Annual report on implementation {TEMPLATE AND STANDARD ARE NOT SPECIFIED} Applies to:- CCMs which conducted port inspection activities during the previous calendar year Further Information box to be used for statement. Details may include, if applicable, summary information on port inspections, including the number of port inspections that were conducted in the previous calendar year The annual summary may also be provided as an Attachment</p>		<p>to promote the effectiveness of subregional, regional and global conservation and management measures. When taking such measures a port State shall not discriminate in form or in fact against the fishing vessels of any State. 2. Whenever a fishing vessel of a member of the Commission voluntarily enters a port or offshore terminal of another member, the port State may, inter alia, inspect documents, fishing gear and catch on board such fishing vessel. 3. Members of the Commission may adopt regulations empowering the relevant national authorities to prohibit landings and transshipments where it has been established that the catch has been taken in a manner which undermines the effectiveness of conservation and management measures adopted by the Commission. 4. Nothing in this article affects the exercise by Contracting Parties of their sovereignty over ports in their territory in accordance with international law</p>	<p>CMM 2017-02. Seek views as to whether AP needed.</p>
120.	<p>*Rev – Convention Art 5 (j) Category: Report (RP)</p>			
	<p>WCPFC Sec Criteria</p>	<p>Draft Audit Point for consideration</p>	<p>CMM Paragraph</p>	<p>Decision Points/Comments</p>
	<p>Reports on surveillance activities (sea patrols and aerial surveillance) conducted in areas beyond national jurisdiction. Summary to be provided in Part 2 Theme: Inspection activity related requirement Sub Theme: Annual report on implementation {TEMPLATE AND STANDARD ARE NOT</p>	<p>The Secretariat confirms that the CCM submitted information in ARP2 on its surveillance activities (sea patrols and aerial surveillance) conducted in areas beyond national jurisdiction.</p>	<p>In order to conserve and manage highly migratory fish stocks in the Convention Area in their entirety, the members of the Commission shall, in giving effect to their duty to cooperate in accordance with the 1982 Convention, the Agreement and this Convention: (j) implement and enforce conservation and management measures through effective</p>	<p>Seek views as to whether AP needed.</p>

<p>SPECIFIED</p> <p>Applies to:- CCMs which conducted surveillance activities (sea patrols and aerial surveillance) in the high seas waters of the Convention Area during the previous calendar year</p> <p>Further Information box to be used for statement. Details may include the following summary information as applicable:</p> <ul style="list-style-type: none"> i) how many sea going patrols were undertaken in areas beyond national jurisdiction during the previous calendar year; ii) how many aerial surveillance activities were conducted in areas beyond national jurisdiction during the previous calendar year; and iii) summary of any incidents that were cited during surveillance activities, including a list of CMMs and clauses which were violated. <p>The annual summary may also be provided as an Attachment</p>		<p>monitoring, control and surveillance.</p>	
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