

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

**Circular No.: 2015/43**

**Date: 24 July 2014**

**No. pages: 3**

**Letter from TCC Chair Seeking Views on whether the Reviews of Draft Compliance Monitoring Reports can be Conducted by TCC11 in Open Session**

Dear All,

Please find attached a letter from the TCC Chair seeking views on the whether TCC11 can conduct the Compliance Monitoring Scheme work in open session.

Members are asked to confirm if they will object to undertaking the Compliance Monitoring Scheme process during TCC11 in open session by **Friday 7 August 2015**. Members with any views on this matter should submit them to the TCC Chair Alexa Cole ([Alexa.Cole@noaa.gov](mailto:Alexa.Cole@noaa.gov)) and the Secretariat Compliance Manager, Dr Lara Manarangi-Trott ([Lara.Manarangi-Trott@wcpfc.int](mailto:Lara.Manarangi-Trott@wcpfc.int)), along with the grounds of their objection.

Thanks,



Feleti P Teo, **OBE**  
**EXECUTIVE DIRECTOR**

23 July 2015

Over the past four years, the work of the Technical and Compliance Committee to assess compliance pursuant to the Compliance Monitoring Scheme has been conducted in working group sessions closed to most observers (representatives of the FFA and PNAO have been allowed access to the working group sessions so as to provide advice and assistance to their CCM members). CCMs have made strong arguments on both sides of the issue as to whether the sessions should be opened or closed. Observers have requested access to these sessions (see WCPFC11-2014-OP13 at <http://www.wcpfc.int/node/20112>).

In recognition that the Compliance Monitoring Scheme process takes up a significant portion of the work of the Technical and Compliance Committee, I think it would be helpful if we could seek to address this issue in advance of TCC11. That way, should it seem likely that the work will be done in closed session again this year, observers can make their travel arrangements with that information in hand.

Last year, the primary basis for closing the session was that the draft Compliance Monitoring Report contains non-public domain data, and several CCMs noted during the Heads of Delegation meeting and across the floor that they were not authorized to allow access to their non-public domain data. Some CCMs disagreed with this position. Given the lack of agreement, the TCC Chair felt that the concern regarding non-public domain data along with the past practice of conducting the assessment in closed session dictated in favor of closing the session. However, it was also suggested that recommendations be made and a decision taken by the Commission as to how the review should be conducted in future years. Unfortunately, no decision was made by the Commission at WCPFC11 on this issue, so we must again address it at TCC11.

It is my intention to undertake the assessment under the Compliance Monitoring Scheme in open session unless I receive objections from CCMs regarding access to their non-public domain data or any other valid objections under the WCPFC rules of procedure or relevant data rules, that cannot be resolved prior to TCC11.

Therefore, for planning purposes only, I ask that if any CCMs know now that they will object to undertaking the Compliance Monitoring Scheme process in open session that they inform me ([Alexa.Cole@noaa.gov](mailto:Alexa.Cole@noaa.gov)) and the Compliance Manager ([Lara.Manarangi-Trott@wcpfc.int](mailto:Lara.Manarangi-Trott@wcpfc.int)) of that fact, along with the grounds of their objection, by **August 7, 2015**. This does not, in any way, prejudice any CCMs' right to raise, waive or modify their objections at TCC11.

My primary goals in soliciting this information now are to identify if there are issues that can be resolved in advance of TCC11 and if not to allow observers to plan accordingly. In addition, if CCMs identify the grounds of their objection, it would assist me and the

Secretariat in preparing for the discussion at TCC11 and may help identify possible ways to address this issue moving forward.

If you have any questions, please do not hesitate to let me know.

Alexa Cole  
TCC Chair