**Australia’s comments on the DRAFT Terms of Reference for the Review of the CMS**

**General question**

“Has the CMS adequately met the purpose set out in CMM 2015-07?

**Specific questions to be answered by the Review of the CMS**

a. To what extent does the CMS contribute to the work of the TCC and WCPFC?

b. How effective are the CMS procedures, and in particular how user-friendly are the CMS online reporting systems?

c. How effective are the TCC procedures in considering the draft Compliance Monitoring Report (CMR), particularly in light of requests for greater transparency?

d. What are the budgetary and resource implications of the CMS, both within the Secretariat and across the Commission?

e. What refinements should be made to the CMS to improve its efficiency and effectiveness?

f. Should a regular review process of the CMS be considered, and if so what aspects of the CMS should be reviewed and how frequently?

g. How much have CCMs improved in meeting their obligations over time and since the CMS has been in place?

h. Have all management measures been implemented and if so how effectively?

i. What is the most appropriate method for determining compliance status and identifying CMMs that require alteration to improve implementation with their objectives and those which need further clarification/reviewing?

j. What are the most appropriate methods for ensuring compliance including potential use of sanctions as a deterrent?

j. What are the recommended ways to manage frequent or serious non-compliance in a manner that aims to improve overall compliance?

k. What is the most effective process for encouraging and recognizing improvements in compliance by members?

l. What process would identify and address the capacity needs of members in assisting them meeting their obligations?

m. What do you recommend for a CMS that could be adopted on a permanent basis?

**Scheduling**

Timing of the Review depends on whether one or two years of implementation of CMM 2015-07 is to be reviewed.

The Review Panel is expected to travel to Pohnpei to meet with the Secretariat and to observe the TCC process.

**Composition**

The Review Panel should comprise [three (3)] independent experts with no recognized affiliation with TCC that have a detailed knowledge and understanding of the strengths and weaknesses of SIDs and significant experience in Compliance Monitoring Schemes in RFMOs, one of whom will be assigned the role of Chair.

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