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| ***On completion the Investigation Status Report should be submitted with draft Compliance Monitoring Report (dCMR) to the Secretariat – this is due 28 days prior to TCC.*** | | |
| **INVESTIGATION STATUS REPORT TEMPLATE[[1]](#footnote-1)** | | |
| In accordance with paragraph 8 of CMM 2015-07, where a CCM cannot complete an investigation prior to TCC, that CCM shall provide a Status Report to the Secretariat with the dCMR. TCC will consider the Status Report submitted by the CCM, and may suggest changes. Where the CCM agrees the Status Plan may be revised to reflect those suggestions. | | |
| **CCM:** Philippines | | |
| **Obligation:** CMM 2012-04 01 and 06     1. This measure shall apply to the high seas and exclusive economic zones of the Convention Area. CCMs shall prohibit their flagged vessels from setting a purse seine on a school of tuna associated with a whale shark if the animal is sighted prior to the commencement of the set.      1. CCMs shall advise in their Part 1 Annual Report of any instances in which whale sharks have been encircled by the purse seine nets of their flagged vessels, including the details required under paragraph 4(b).   4. *CCMs shall require that, in the event that a whale shark is not deliberately encircled in the purse seine net, the master of the vessel shall:*  *(a) ensure that all reasonable steps are taken to ensure its safe release.; and*  *(b) report the incident to the relevant authority of the flag State, including the number of individuals, details of how and why the encirclement happened, where it occurred, steps taken to ensure safe release, and an assessment of the life status of the whale shark on release (including whether the animal was released alive but subsequently died).* | | |
| **CMR reporting year:** 2016 | | **List relevant WCPFC Compliance Case Ref #s:**  PH-CWS-005 to 007 |
| **Date submitted:** August 28, 2017 | |
| **i) CCM to describe the steps that have been taken to commence the investigation** | | |
| Philippines has officially informed the concerned fishing company on the alleged violation and requesting for their comments on this matter as part of our investigation. | | |
| **ii) CCM to describe the process that CCM will take to complete the investigation, within their relevant national processes and laws** | | |
| For Flag State Investigation: PH has been seriously coordinating with concerned agencies/companies. PH has send formal notification/communication to the concerned companies and/or concerned coastal state with regards to these alleged violation. PH has yet to receive response from concerned fishing company and /or coastal state on these alleged infringements. Once PH has the full picture of the alleged issues, PH can resolve this matter and will report back to the Commission. | | |
| **iii) CCM to describe, to the extent possible, actions proposed to be taken in relation to the alleged violation** *(including appropriate action in accordance with the relevant articles of the Convention)* | | |
| For Flag State Investigation: PH has been seriously coordinating with concerned agencies/companies. PH has send formal notification/communication to the concerned companies and/or concerned coastal state with regards to these alleged violation. PH has yet to receive response from concerned fishing company and /or coastal state on these alleged infringements. Once PH has the full picture of the alleged issues, PH can resolve this matter and will report back to the Commission. | | |
| **iv) CCM to set out an anticipated timeframe for the Investigation**  *CCMs are to provide a report of the progress of the investigation, including any action taken or proposed to be taken in relation to the alleged violation under the Status Report every year in its Annual Report Part II* | | |
| For Flag State Investigation: PH has been seriously coordinating with concerned agencies/companies. PH has send formal notification/communication to the concerned companies and/or concerned coastal state with regards to these alleged violation. PH has yet to receive response from concerned fishing company and /or coastal state on these alleged infringements. Once PH has the full picture of the alleged issues, PH can resolve this matter and will report back to the Commission. | | |
|  | **Anticipated end date for the Investigation:**  end of December 2017 (depends on the feedback of the concerned agencies/companies) | |
| **Relevant excerpts for Investigation Status Report from CONSERVATION AND MANAGEMENT MEASURE FOR COMPLIANCE MONITORING SCHEME**  **Conservation and Management Measure 2015-07**  *Investigation Status Report*  8. Where a CCM cannot complete an investigation prior to TCC, that CCM shall provide a Status Report to the Secretariat with the dCMR, that:  (i) describes the steps that have been taken to commence the investigation;  (ii)  describes the process that CCM will take to complete the investigation, within their relevant national processes and laws;  (iii)  describes, to the extent possible, actions proposed to be taken in relation to the alleged violation;  (iv) sets out an anticipated timeframe in the Status Report  The CCM may work together with the Secretariat to draft the Status Report. This report shall be attached to that CCM’s comments to the dCMR.  9. TCC will consider the Status Report submitted by the CCM, and may suggest changes. Where the CCM agrees the Status Plan may be revised to reflect those suggestions.  10. Where TCC recognizes that an investigation of an alleged violation has commenced and is ongoing, as identified in a dCMR by a CCM, TCC shall assess that CCM as “Flag State Investigation” for that obligation.  11. That CCM shall provide a report of the progress of the investigation, including any action taken or proposed to be taken in relation to the alleged violation under the Status Report every year in its Annual Report Part II. Until the end of the anticipated timeframe in the plan that CCM shall remain assessed as “Flag State Investigation” against that particular obligation for that year.  *Conclusion of Capacity Development Plan or Status Report*  12. Notwithstanding paragraphs 5 - 7 and 6 - 11, where TCC does not consider that progress has been made against a Capacity Development Plan or a Status Report that CCM shall be assessed for that obligation in accordance with Annex I.  13. If a CCM notifies the Commission that its capacity needs have been met, or an investigation has been completed and any required action taken, the Capacity Development Plan or Status Report for that obligation shall be deemed to have terminated early and the CCM’s compliance with that obligation shall then be assessed in accordance with Annex I.  14. Once the timeframe in the Capacity Development Plan or Status Report has passed, that CCM’s compliance with that obligation shall then be assessed in accordance with Annex I.  --- | | |

1. Version 1 issued by WCPFC Secretariat 22 March 2017 –this template was prepared for use as a guideline by CCMs who may like to submit an Investigation Status Report with their draft Compliance Monitoring Report (dCMR). TCC12 recommended that information being provided in writing improves TCC’s ability to make informed assessments and the Secretariat was tasked with preparing a paper template so as to assist CCMs in providing required information for CMM 2015-07 paragraph 8. [↑](#footnote-ref-1)