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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: Republic of the Marshall Islands** | | |
| **Obligation: ROP Pre-Notification Issues** | | |
| **CMR reporting year: 2016** | | **List relevant WCPFC Compliance Case Ref #s:**   1. **MH (32 Counts).** |
| **Date submitted: August 30, 2017** | |
| **i) CCM to describe the steps that have been taken to commence the investigation** | | |
| In reviewing the Online Case Compliance File System, CCM has undertaken investigation on each counts based on corresponding dates for each vessels involved in 25 alleged incidents (GEN-3 Code: LC-a, LC-b, LC-c, LC-e or LC-f) reported by ROP Observers on this issue involving eight (8) vessels MIMRA team comprising of the MIMRA legal advisor, MIMRA Observer Coordinator, and MIMRA Debriefer Trainee, have been tasked to undergo investigation process in accordance with internal procedures. | | |
| **ii) CCM to describe the process that CCM will take to complete the investigation, within their relevant national processes and laws** | | |
| With the limited time given to undertake 32 counts (based on 21 vessel trips) alleged infringements (misreporting or unreported activities listed in the Observer’s GEN-3 Form) under the ROP Pre-Notification Issues, CCM will need additional time to review its data base system, largely depending on the nature of the alleged infringements based on Observer’s report and data. | | |
| **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)* | | |
| If it is determined that the alleged infringements did occur as reported with sufficient evidences, the next step will be to issue a Notice of Violation to the vessel operator in accordance with CCM’s internal procedures. | | |
| **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* | | |
| The proposed time for completion of investigation will require a month to complete full investigations. | | |
|  | **Anticipated end date for the Investigation:**  **SEPTEMBER 28, 2017 (Time of End of Investigation: 1700 hrs).** | |
| **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)