



**TECHNICAL AND COMPLIANCE COMMITTEE**

**Fifteenth Regular Session**

25 September – 1 October 2019

Pohnpei, Federated States of Micronesia

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**Final Supplemental Status Report on Audit Points**

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WCPFC-TCC15-2019-16\_Supplemental

30 Sept 2019

**Paper by  
CMS IWG Audit Points Chair**

**SUPPLEMENTAL STATUS REPORT ON THE DEVELOPMENT OF AUDIT POINTS  
FOR THE COMPLIANCE MONITORING SCHEME**

**Progress at TCC15 and Proposed Way Forward**

***Submitted by FSM***

**Informal SWG Outcomes at TCC15**

Following informal discussions during TCC15, participants of the intersessional working group of interested CCMs and Observers to develop audit points discussed how best to make progress in the lead up to WCPFC16. Participants expressed concern that very few participants have provided feedback on audit points, to date, noting that there is a significant amount of detailed review required. Participants discussed the utility of using a template to guide future review of audit points for obligations by category and requested the WCPFC Secretariat to prepare a set of templates that could be used for that purpose.

A series of five templates have been developed for reviewing how compliance should be assessed for each Commission obligation in the following five categories: Report Deadline, Report, Implementation, Quantitative Limit, Other.

Some participants find the templates to be a useful guide for reviewing how obligations should be assessed for compliance, while others feel comfortable working directly from the Secretariat's spreadsheet. In general, members agreed that additional focus and effort is required in order to move the process forward before the end of 2019.

**Proposed Process between TCC15 and WCPFC16**

CCMs and Observers should continue to review audit points for the initial set of 83 obligations and submit their comments to the FSM no later than 31 October 2019. Participants can use the templates as guides for reviewing obligations or they may use the Secretariat's existing evaluation criteria as a starting point. Participants agreed that all CCMs and Observers need to provide feedback on proposed audit points in order for a set of recommendations to be developed for WCPFC16 consideration.

***Proposed 2020 Process [proposed TCC15 report language on recommendations to WCPFC16]***

*TCC15 acknowledges that the development of audit points for reviewing compliance with obligations is the responsibility of CCMs. Several years of CMS implementation experience by the Commission has revealed the importance of transparent audit points developed by CCMs for robust compliance review.*

*TCC15 requests WCPFC16 to convene a Small Working Group to finalize any recommended audit points developed by the intersessional group of CCMs and Observers for adoption by WCPFC16.*

*TCC15 recommends to the Commission that a Technical Working Group be formed for 2020, comprised of a group of CCM officials, to review audit points for any remaining Commission obligations that are not adopted by WCPFC16. Representatives of Observer organizations as well as representatives from the WCPFC Secretariat (including SPC-OFP as the Scientific Services Provider), the FFA Secretariat, and the PNA Office, may also participate. The TWG should hold at least one face-to-face meeting in 2020 to review any remaining Commission obligations and report its outcomes to TCC16 for consideration. A finalized set of audit points for all the Commission's obligations will be presented to WCPFC17 for adoption.*

*TCC15 recommends that the Commission adopt the "CMM Audit Point Checklist" to be used by proponents of new measures for consideration alongside proposed new obligations, beginning in 2020.*

*TCC15 recommends that the Commission provide adequate budget to support at least one face-to-face meeting of the Audit Points TWG. To the extent possible, this meeting should be held in conjunction with another regional meeting where many of the same officials will be in attendance.*

## CMM Audit Point Checklist

### What is the obligation?

CMM \_\_\_\_\_, para \_\_\_\_\_

Set out the obligation. Where there are separate obligations in the paragraph, set out each separately.

Should any other obligations be assessed in combination with this obligation?

Yes – if so, which CMM \_\_\_\_\_, para \_\_\_\_\_  No

### To whom does the obligation apply?

All CCMs  Flag CCMs  Some CCMs - if so, which CCMs?

Set out any exceptions or exclusions.

### What does it apply to (if relevant)?

le does it apply to a particular geographical area, fishery, stock, species of special interest?

### What is the nature of the obligation?

Report deadline  Report  Implementation  Limit  Other

Go to relevant section below:

#### Report Deadline

What is the deadline?

Specify how compliance is to be assessed:

- Has an annual Report been submitted to the Secretariat by the required deadline?
- Have all monthly Reports been submitted to the Secretariat by the required deadline?
- Have all activity Reports been submitted to the Secretariat by the required deadline?
- In respect of any other deadline, specify how compliance is to be assessed:

#### Report

Specify how compliance is to be assessed:

Is this information already provided as part of the submission of operational level catch and effort data?

Yes  No

If no, is this information to be provided in  Annual Report pt1  Annual Report pt2 or  Directly?

Must the information provided be complete?  Yes  No

Does the information provided have to be verified?  Yes  No

Can the information provided be verified through another source?  Yes  No

If yes, what other data or information source should be used? Please specify:

## Implementation

Specify how compliance is to be assessed:

Adoption by an applicable CCM, in accordance with its own policies and procedures, of binding measures that implement the requirement, and provision of the requisite information on this in Annual Report pt 2 (eg provision of information on or link to relevant legislation, or policies or procedures).

If this information has been provided in the past, confirmation from the CCM that it has checked that this information is current for the reporting year, and if not, that it has updated the requisite information.

Provision by an applicable CCM of information in Annual Report pt 2 showing that it has a system to monitor and ensure compliance with this obligation. Specify the type and nature of the information required to be provided to demonstrate this:

Specify how compliance is to be assessed where incidents of non-compliance have been identified on the on-line compliance case file system:

## Quantitative Limit

Specify how compliance is to be assessed:

What is the limit? (Specify the CCM-level or Collective limit)

Is there a baseline for a limit?  Yes  No  
If yes, what is the baseline for each applicable CCM?

Has the CCM provided data in Annual Report pt 2 confirming that the limit has not been exceeded?  
 Yes  No

Is the data provided by the CCM on the limit able to be verified from another data source?  
 Yes  No

If yes, what is the source of data is to be used to verify the limit?

## Other

If none of the other categories are appropriate:  
Specify the nature of the obligation:

Specify how compliance is to be assessed:

## Example of Using Audit Point Template for a "Report Deadline" Obligation

### What is the obligation?

CMM 2010-07, para 12

Set out the obligation. Where there are separate obligations in the paragraph, set out each separately.

*"shall advise the Commission in Part 2 of the annual report on the implementation of this CMM and any alternative measures adopted under paragraph 11."*

Should any other obligations be assessed in combination with this obligation?

Yes – if so, which CMM \_\_\_\_\_, para \_\_\_\_\_  No

### To whom does the obligation apply?

All CCMs  Flag CCMs  Some CCMs - if so, which CCMs?  
*Applies to all flag CCMs*

Set out any exceptions or exclusions.

### What does it apply to (if relevant)?

le does it apply to a particular geographical area, fishery, stock, species of special interest?

*Key shark species caught in the Convention Area*

### What is the nature of the obligation?

Report deadline  Report  Implementation  Limit  Other

**Go to relevant section below:**

### Report Deadline

What is the deadline? *Before 1 July each year*

Specify how compliance is to be assessed:

- Has an annual Report been submitted to the Secretariat by the required deadline?
- Have all monthly Reports been submitted to the Secretariat by the required deadline?
- Have all activity Reports been submitted to the Secretariat by the required deadline?
- In respect of any other deadline, specify how compliance is to be assessed:

## Example of Using Audit Point Template for a "Report" Obligation

### What is the obligation?

CMM 2015-02, para 4

Set out the obligation. Where there are separate obligations in the paragraph, set out each separately.

"CCMs shall report annually to the Commission the annual catch levels taken by each of their fishing vessels that has taken South Pacific albacore, as well as the number of vessels actively fishing for South Pacific albacore, in the Convention area south of 20°S."  
Requirement to provide data according to species groups.

Should any other obligations be assessed in combination with this obligation?

Yes – if so, which CMM \_\_\_\_\_, para \_\_\_\_  No

### To whom does the obligation apply?

All CCMs  Flag CCMs  Some CCMs - if so, which CCMs?

Set out any exceptions or exclusions.

### What does it apply to (if relevant)?

le does it apply to a particular geographical area, fishery, stock, species of special interest?

South Pacific albacore in the Convention Area S20°S.

### What is the nature of the obligation?

Report deadline  Report  Implementation  Limit  Other

Go to relevant section below:

### Report

Specify how compliance is to be assessed:

Is this information already provided as part of the submission of operational level catch and effort data?

Yes (mostly)  No

If no, is this information to be provided in  Annual Report pt1  Annual Report pt2 or  Directly?

Must the information provided be complete?  Yes  No

Does the information provided have to be verified?  Yes  No

Can the information provided be verified through another source?  Yes  No

If yes, what other data or information source should be used? Please specify:

Advice from SPC using operational level catch and effort data

## Example of Using Audit Point Template for an "Implementation" Obligation

### What is the obligation?

CMM 2011-04, para 1

Set out the obligation. Where there are separate obligations in the paragraph, set out each separately.

"CCMs shall prohibit vessels flying their flag and vessels under charter arrangements to the CCM from retaining on board, transshipping, storing on a fishing vessel, or landing any oceanic whitetip shark, in whole or in part, in the fisheries covered by the Convention."

Should any other obligations be assessed in combination with this obligation?

Yes – if so, which CMM \_\_\_\_\_, para \_\_\_\_  No

### To whom does the obligation apply?

All CCMs  Flag CCMs  Some CCMs - if so, which CCMs?

Applies to flag CCMs with flagged fishing vessels that "fished" on the RFV in RY

Set out any exceptions or exclusions.

### What does it apply to (if relevant)?

le does it apply to a particular geographical area, fishery, stock, species of special interest?

Oceanic White-Tip shark

### What is the nature of the obligation?

Report deadline  Report  Implementation  Limit  Other

Go to relevant section below:

### Implementation

Specify how compliance is to be assessed:

Adoption by an applicable CCM, in accordance with its own policies and procedures, of binding measures that implement the requirement, and provision of the requisite information on this in Annual Report pt 2 (eg provision of information on or link to relevant legislation, or policies or procedures).

If this information has been provided in the past, confirmation from the CCM that it has checked that this information is current for the reporting year, and if not, that it has updated the requisite information.

Provision by an applicable CCM of information in Annual Report pt 2 showing that it has a system to monitor and ensure compliance with this obligation. Specify the type and nature of the information required to be provided to demonstrate this:

Information which indicates the policies or procedures the CCM has in place to monitor and ensure compliance with this obligation.

Specify how compliance is to be assessed where incidents of non-compliance have been identified on the online compliance case file system:

Information is in the online compliance case file system which indicates that the CCM has taken action in response to any potential infringements.

## Example of Using Audit Point Template for a "Limit" Obligation

### What is the obligation?

CMM 2015-02, para 1

Set out the obligation. Where there are separate obligations in the paragraph, set out each separately.

"CCMs shall not increase the number of their fishing vessels actively fishing for South Pacific albacore in the Convention Area south of 20°S above 2005 levels or recent historical (2000-2004) levels."

Should any other obligations be assessed in combination with this obligation?

Yes – if so, which CMM \_\_\_\_\_, para \_\_\_\_  No

### To whom does the obligation apply?

All CCMs  Flag CCMs  Some CCMs - if so, which CCMs?

Set out any exceptions or exclusions.

All CCMs with fishing vessels fishing actively for SP albacore in the convention area S20°S. Exemption for SIDS and T (para 2 of CMM). Thus applies to Australia, China, Chinese Taipei, European Union, Indonesia, Japan, Korea, New Zealand, Philippines and United States.

### What does it apply to (if relevant)?

le does it apply to a particular geographical area, fishery, stock, species of special interest?

South Pacific albacore in the Convention Area south of 20°S

### What is the nature of the obligation?

Report deadline  Report  Implementation  Limit  Other

### Go to relevant section below:

#### Limit

Specify how compliance is to be assessed:

What is the limit? (Specify the CCM-level or Collective limit)

Not exceed the baseline limit

Is there a baseline for a limit?  Yes  No

If yes, what is the baseline for each applicable CCM?

2005 numbers of fishing vessels or the average of 2002-2004 numbers. Information is on file.

Has the CCM provided data in Annual Report pt 2 confirming that the limit has not been exceeded?

Yes  No

Is the data provided by the CCM on the limit able to be verified from another data source?

Yes  No

If yes, what is the source of data is to be used to verify the limit?

Operational level catch and effort data provided by CCM in AR pt 1.

## Example of Using Audit Point Template for a “Report Deadline” and “Report” Obligation

### What is the obligation?

CMM 2017-01, para 41

Set out the obligation. Where there are separate obligations in the paragraph, set out each separately.

“Shall report monthly the amount of bigeye catch ... to the Commission Secretariat by the end of the following month”

Should any other obligations be assessed in combination with this obligation?

Yes – if so, which CMM \_\_\_\_\_, para \_\_\_\_\_  No

### To whom does the obligation apply?

All CCMs  Flag CCMs  Some CCMs - if so, which CCMs?

Set out any exceptions or exclusions.

China, Indonesia, Japan, Republic of Korea, Chinese Taipei, United States

### What does it apply to (if relevant)?

le does it apply to a particular geographical area, fishery, stock, species of special interest?

Longline caught bigeye tuna

### What is the nature of the obligation?

Report deadline  Report  Implementation  Limit  Other

Go to relevant section below:

### Report Deadline

What is the deadline? By the end of the following month

Specify how compliance is to be assessed:

- Has an annual Report been submitted to the Secretariat by the required deadline?  
 Have all monthly Reports been submitted to the Secretariat by the required deadline?  
 Have all activity Reports been submitted to the Secretariat by the required deadline?  
 In respect of any other deadline, specify how compliance is to be assessed:

### Report

Specify how compliance is to be assessed:

Is this information already provided as part of the submission of operational level catch and effort data?

Yes  No

If no, is this information to be provided in  Annual Report pt1  Annual Report pt2 or  Directly?

Must the information provided be complete?  Yes  No

Does the information provided have to be verified?  Yes  No

Can the information provided be verified through another source?  Yes  No

If yes, what other data or information source should be used? Please specify:

Comparison of total monthly figures with annual catch and effort data.