



**WCPFC10**  
**Tenth Regular Session**  
2<sup>nd</sup> December – 6<sup>th</sup> December 2013  
Cairns, AUSTRALIA

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**COMPLIANCE MONITORING SCHEME – MATTERS FOR WCPFC10**

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**WCPFC10-2013-20**  
**21 November 2013**

**Paper prepared by the Secretariat**

**Background**

1. At WCPFC9 the Commission adopted CMM 2012-02 *Conservation and Management Measure for Compliance Monitoring Scheme*. The purpose of the WCPFC Compliance Monitoring Scheme, as stated in Article 1, is “to ensure that Members, Cooperating Non-Members and, where appropriate, Participating Territories (CCMs) implement and comply with obligations arising under the Convention and conservation and management measures (CMMs) adopted by the Commission.”
2. Paragraph 3 of CMM 2012-02 describes the five areas that are to be evaluated by the Commission through the Compliance Monitoring Scheme process:
  3. *Each year the Commission will evaluate compliance by CCMs during the previous calendar year with the obligations in the Convention and CMMs adopted by the Commission with respect to:*
    - (i) *catch and effort limits for target species;*
    - (ii) *catch and effort reporting for target species;*
    - (iii) *spatial and temporal closures, and restrictions on the use of fish aggregating devices;*
    - (iv) *observer and VMS coverage; and*
    - (v) *provision of scientific data through the Part 1 Annual Report and the Scientific Data to be provided to the Commission.*

**Tasks for WCPFC10**

3. In accordance with CMM 2012-02 paragraphs 17 to 20, at WCPFC10, the Commission is to consider the provisional CMR agreed by TCC9 (para 17), and any additional information and advice from CCMs (para 18), and is to adopt a final Compliance Monitoring Report. The final CMR is to include:
  - a Compliance Status for each CCM and recommendations for any corrective action needed, based on non-compliance identified with respect to that CCM (para 19); and
  - an executive summary setting out any recommendations or observations from the Commission regarding the issues listed in paragraph 15 of this measure (para 20).

## Overview of post-TCC9 developments

4. TCC9 agreed to the Provisional Compliance Monitoring Report. TCC 9 Summary Report paragraph 85 states: “ TCC9 recommends that all CCMs make best efforts to provide any additional information to the Secretariat identified during the WG review at least 30 days prior to WCPFC10.” In accordance with CMM 2012-02 paragraph 6, the draft and provisional Compliance Monitoring Reports are non-public domain data, so they are accessible from secure CCM side of the WCPFC website: <http://www.wcpfc.int/CMR-2013> (CCM login and password required).

5. For preparations for WCPFC10, and in accordance with paragraph 18, the Secretariat posted on 15 November, the first set of ‘additional information which maybe relevant to certain CCMs Provisional CMR assessment scores. In accordance with CMM 2012-02 paragraph 6 these are accessible from secure CCM side of the WCPFC website (CCM login and password required). The list of CMM paragraph requirements to which the additional information relates to is provided, as at 19 November, in Table 1. A list of the CCMs that have provided additional information will be maintained as part of the WCPFC List of Documents (WCPFC10-2013-04). Further sets of ‘additional information’ are expected to be prepared as any new information from CCMs are received and have been duly reviewed by the Secretariat.

**Table 1. List of CMM paragraph requirements to which the Secretariat has prepared additional information documents as a response to the provisional CMR report as agreed by TCC9, this is as at 19 November 2013**

Conservation and Management Measure	Paragraph	CMR Section (para 3)
CMM 2005-03 North Pacific Albacore	02	i) catch and effort limits for target species
	03	ii) catch and effort reporting for target species
	04	ii) catch and effort reporting for target species
CMM 2007-01 Regional Observer Programme	07	iv) observer and VMS coverage
	14 (vii)	iv) observer and VMS coverage
	Attachment K Annex C 06	iv) observer and VMS coverage
CMM 2008-01 Bigeye, Yellowfin and Skipjack	23	iii) spatial and temporal closures, and restrictions on the use of fish aggregating devices
	39	i) catch and effort limits for target species
CMM 2009-01 Record of Fishing Vessels and Authorisation to Fish	09	ii) catch and effort reporting for target species
CMM 2009-03 Swordfish	03	i) catch and effort limits for target species
CMM 2009-06 Transshipment	11	v) provision of scientific data through the Part 1 Annual Report and the Scientific Data to be provided to the Commission.
	34	ii) catch and effort reporting for target species
	35 a (ii)	i) catch and effort limits for target species

Conservation and Management Measure	Paragraph	CMR Section (para 3)
	35 a (iii)	ii) catch and effort reporting for target species
	35 a (iv)	ii) catch and effort reporting for target species
CMM 2010-01 north Pacific Striped Marlin	05	ii) catch and effort reporting for target species
CMM 2010-02 Eastern High Seas Pocket	02	ii) catch and effort reporting for target species
CMM 2010-05 south Pacific Albacore	01	i) catch and effort limits for target species
	04	ii) catch and effort reporting for target species
CMM 2010-07 Sharks	07	i) catch and effort limits for target species
CMM 2011-02 Vessel Monitoring System (VMS)	9a	iv) observer and VMS coverage
	9a, and VMS SSPs 2.8	iv) observer and VMS coverage
	9a and VMS SSPs 7.2.4	iv) observer and VMS coverage
Scientific Data to be Provided to the Commission	01 – Annual Catch Estimates	v) provision of scientific data through the Part 1 Annual Report and the Scientific Data to be provided to the Commission.
	02 – Number of active vessels	v) provision of scientific data through the Part 1 Annual Report and the Scientific Data to be provided to the Commission.
	03 – Operational level catch & effort level data	v) provision of scientific data through the Part 1 Annual Report and the Scientific Data to be provided to the Commission.
	04 – Aggregate catch & effort level data	v) provision of scientific data through the Part 1 Annual Report and the Scientific Data to be provided to the Commission.
	05 – Size data	v) provision of scientific data through the Part 1 Annual Report and the Scientific Data to be provided to the Commission.

#### Secretariat support in 2013 and preparations for 2014

6. Some notes on the support that the Secretariat provided to the Compliance Monitoring Scheme during 2013 are provided in **Annex I**.

7. Noting the suggestion arising from discussions at TCC9 that the Commission should agree at its annual meeting on a template for draft Compliance Monitoring Reports, a draft template is provided in **Annex II**. The format of the Secretariat's suggested draft Compliance Monitoring report table should be considered indicative. The Secretariat intends to use the Secretariat's WCPFC Intranet - Microsoft Sharepoint web application platform, to develop the CCM draft Compliance Monitoring reports under the new CMM and covering 2012 activities.

## **Annex I: Notes on work undertaken by the Secretariat to support the Compliance Monitoring Scheme process**

1. In accordance with WCPFC9 decision, the online interface for Annual Report Part 2 was delivered for CCMs use on 4<sup>th</sup> April 2013 (Circular 2013/21). The solution was hosted within the WCPFC Intranet, which uses a Microsoft Sharepoint web application platform. The successful delivery of the online system was as a result of the combined efforts of the WCPFC Secretariat Compliance and IT staff and contractor Taz-E P/L.
2. For draft Compliance Monitoring Report preparation, in accordance with paragraphs 9 – 12 of CMM 2012-02
  - Monday 29<sup>th</sup> July: a preliminary draft CMR was provided to 39 CCMs (online access to the WCPFC intranet system, and a pdf copy provided) (Circular 2013/65);
  - During August: 16 CCMs took up the opportunity and provided responses to the preliminary dCMR prepared by the Secretariat – most replied using the online interface provided by the Secretariat;
  - Thursday 5<sup>th</sup> September: a final draft CMR containing a chapter for each 39 CCMs, was posted to the secure side of the WCPFC website (Circular 2013/85).
3. For TCC9 preparations,
  - i. in accordance with paragraph 13 of CMM 2012-02, some CCMs provided responses to the draft CMR during September including during TCC9. A set of additional information relevant to dCMR was prepared by the Secretariat during September, for consideration by TCC9 alongside the draft Compliance Monitoring Report;
4. In addition, at the request of the TCC Chair, the Secretariat prepared a set of dCMR review tables for TCC9. Following the direction from the Heads of Delegation meeting, the review tables were revised
5. TCC9: met to review the draft CMR, and developed a Provisional Compliance Monitoring Report. The Provisional CMR, was to include a provisional assessment of each CCMs compliance status and recommendation for any corrective action needed, and an executive summary (para 14 – 16, CMM 2012-012).
6. For preparations for WCPFC10, and in accordance with paragraph 18, the Secretariat posted on 15 November, the first set of ‘additional information which maybe relevant to certain CCMs Provisional CMR assessment scores. Further sets of ‘additional information’ are expected to be prepared as any new information from CCMs as a response to the provisional CMR come to hand. A copy of the template is provided below(Annex III)

**Annex II: Suggested template for 2014 draft Compliance Monitoring Report**

CCM	CMM Paragraph	CMR Section	CCM Assessment	2012 CCM Implementation	Potential issue	WCPFC Secretariat Explanation	CCM additional information	TCC Assessment	TCC notes on corrective actions the CCM is to undertake
	<i>A list will be developed by the Secretariat based on a consideration of the equivalent of para 3 of CMM 12-02 in the new CMM</i>	<i>The equivalent of para 3 of CMM 12-02</i>	<i>CCM advice in Annual Report part 2: * YES (fully implemented), * NO (not fully implemented) *N/A (not applicable) * [blank] – not included in AR Pt 2</i>	<i>May include, as appropriate:  CCM explanation from Annual Report Part 2  Notes from Secretariat on other relevant information regarding implementation or potential issues</i>	<i>choice of: *no issues detected;  *additional information;  *potential compliance issue.</i>	<i>text explanation as the basis for the identification of a potential issue by WCPFC Secretariat</i>	<i>The equivalent of para 11 of CMM 12-02 in the new CMM</i>	<b>Completed by TCC</b>	<b>Completed by TCC</b>

**Annex III: Template used by Secretariat for compiling additional information relevant to provisional CMR scores**

From draft CMR_rev 1 (WCPFC-TCC9-2013-dCMR_rev1) - posted 14 September 2013				ProvCMR	Additional Information	WCPFC10 revised assessment
CMM Paragraph	CMR Section	CCM Implementation	WCPFC Secretariat Evaluation Explanation	TCC9 Assessment		