

TECHNICAL AND COMPLIANCE COMMITTEE Eighteenth Regular Session

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TS-IWG CHAIRS' DISCUSSION PAPER FOR TCC18

WCPFC-TCC18-2022-20 23 August 2022

Paper by the TS-IWG Co-Chairs



TRANSHIPMENT INTERSESSIONAL WORKING GROUP (TS-IWG)

CHAIRS' DISCUSSION PAPER FOR TCC18

Background

Acquiring and analysing transshipment data has been quite a challenge for the WCPFC over the past three years. This pandemic-related data gap, stemming from the Commission's obligation to protect transshipment observer health created an opening IUU fishing activities related to transshipment at-sea. As the western and central Pacific emerges from the pandemic, there is an increasing gap between CCMs who can afford to have observers onboard with robust protocols ensuring observer data are still obtained in a timely manner and CCMs who cannot afford such mechanisms in place.

As the Commission resumes deployment of transshipment observers, members are increasingly concerned about the submission of transshipment observer data to the Secretariat. Most recently, these concerns were collectively expressed by members at the July 2022 ER and EM Working Group which recommended in paragraph 22 of the Chair's Summary Report, "The ERandEM WG recommends that the TCC advise the Commission on how to resolve the issue of the submission of transshipment observer data to the Secretariat."

The "issue of the submission of transshipment observer data to the Secretariat" is multi fold, not the least of which include:

- 1. There are no transshipment ROP minimum standard data fields to be collected by ROP observers.
- 2. There are no required forms or standards for the submission of transshipment observer data to the Secretariat.
- 3. There is no requirement to submit transshipment observer data to the Secretariat.

However, these concerns are not new and were reviewed by the TS-IWG after TCC17 recommended that the TS-IWG be asked to consider specific recommendations from the United States' proposal on ROP Minimum Standard Data Fields for Transshipment at Sea (WCPFC-TCC17-2021-DP01). In particular, one of the TCC17 recommendations sought the same

objectives as the ERandEM WG's more recent recommendation to TCC18. Copying paragraph 40 from the TCC17 Outcomes Document:

40. TCC17 recommended that the TS-IWG be asked to consider the following recommendations from TCC17-2021-DP01:

a. that TCC17 should recommend WCPFC18 adopt specific data fields from the Forms FC1, FC2, and FC3 as ROP minimum standard data fields to be collected by ROP observers during transshipments at sea.

b. that TCC17 should remind its members and WCPFC18 of the ROP Minimum Standard specifying that that ROP data should be submitted to the Secretariat where possible within 120 days of the observer disembarking the receiving vessel.

As we've noted to the TS-IWG before, per paragraph 11(a) of the <u>TS-IWG Terms of Reference</u>, the TS IWG will identify recommended actions for the Commission to improve the management, monitoring, and regulation of transshipment, including modifying the ROP minimum data standards and reporting obligations. Additionally, members expressed general support for the concept of this proposal during TCC17.

However, your co-chairs failed to facilitate much progress between TCC17 and WCPFC18, towards a clear recommendation to WCPFC18 on the minimum data standards or the submission of data. As a result, WCPFC18 recommended (WCPFC18 Summary Report)

- 309. The Commission supported the TS-IWG continuing its review of CMM 2009-06 in 2022.
- 310. The Commission reminds members that ROP transshipment data should be submitted to the Secretariat where possible within 120 days of the observer disembarking the receiving vessel.

In light of the above recommendations (TCC17, WCPFC18, and the ERandEM WG) your cochairs seek members' advice on how the TS-IWG can be responsive to the clear desire for progress on transshipment observer data. As a continuation of last year's discussion, the TS-IWG is well-positioned to facilitate and support TCC18's consideration of this issue with an eye towards developing recommendations for decision by WCPFC19 on transshipment observer minimum data standards and the provision of transshipment observer data to the Secretariat.

Discussion Questions and Points to Guide Next Steps

- 1. Should existing ROP data fields in FC-1, FC-2, and FC-3 (all three forms are available on the WCPFC ROP page) be adopted in their entirety as required forms of reporting for transshipment observers?
 - Many of the data field in FC-1, FC-2, and FC-3 are already ROP minimum standard data fields (see annotated forms FC-1, FC-2, and FC-3 attached). Last year, your co-chairs reviewed and annotated carrier forms FC-1, FC-2, and FC-3 to help members identify which fields are already required by the ROP <u>current WCPFC ROP table is here</u>.
- 2. Should transshipment observer data be submitted to the Secretariat (inclusive of the SSP?) within 30 days of the transshipment observer disembarking their vessel?
 - TS observer data are not required to be submitted to the Secretariat or the SSP. The most recent guidance is in the form a reminder from WCPFC18 for members that transshipment data should be submitted to the Secretariat within 120 days. Some members have repeatedly sought to shorten this voluntary timeline to 30 days because the longer timeframe is a legacy of submitting data by post, which is increasingly obsolete among members.
- 3. Should the TS-IWG consider drafting and making specific recommendations to WCPFC19 with specific revisions to CMM 2009-06 to ensure transshipment observer minimum standard data fields are submitted to the Secretariat in a timely manner?
 - At WCPFC18, some members wanted to consider the work of the TS-IWG with a view to adopting a revised transshipment measure in 2022. Focusing on the specific needs of the Commission in 2022, the TS-IWG could review the FC forms and consider member input with a focus on only revising the CMM to address transshipment observer reporting requirements.

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