



**COMMISSION
SEVENTEENTH REGULAR SESSION**
Electronic Meeting
8 – 15 December 2020

PROVISIONAL OUTCOMES DOCUMENT

**WCPFC17-2020-Outcomes
22 December 2020**

Agenda 1.1 – Agenda

1. The agenda was adopted (**Attachment D**).

Agenda 2 – Report of the Executive Director

2. The Commission adopted the 2020 Annual Report of the Executive Director (**WCPFC17-2020-04**).

Agenda 3.1 – Status of the Convention

3. The Commission noted with appreciation the report on the Status of the WCPF Convention (**WCPFC17-2020-05**).

Agenda 3.2 – Update on Observer Status

4. The Commission accepted The Bahamas as a Non-State Party Observer.
5. The Commission noted the updated list of observers to the Commission (**WCPFC17-2020-06**).

Agenda 3.3 – Applications for Cooperating Non-Member status

6. The Commission noted the strong concerns from TCC16 regarding DPRKs application and decided to deny CNM status for DPRK.
7. The Commission accepted the report of the Cooperating Non-Member Small Working Group (SWG) and noted that:
 - i. The SWG had noted with appreciation the attendance and participation of The Bahamas, Curaçao, Ecuador, El Salvador, Liberia, Panama, Nicaragua, Thailand and Vietnam.
 - ii. The SWG confirmed that all CNM applications were complete and all additional information requested by TCC16 had been submitted.

- iii. SWG participants expressed concern surrounding the recent listing of two Panamanian flagged vessels on the IUU Fishing Vessel Lists of NEAFC and CCAMLR. One participant noted that Panama’s application for Cooperating Non-Contracting Party status in NEAFC for 2021 was denied by the organization. Panama acknowledged the concerns expressed by members and submitted additional information on the actions taken by Panama to address the issues, which included sanctions and the revocation of vessel licenses. Panama confirmed that the vessels included in NEAFC IUU List A would be removed from the vessel registers of all RFMOs, including WCPFC until the process is concluded. In relation to the vessel included in CCAMLR Non-Contracting Party IUU Vessel List, Panama informed that this vessel was self-reported by Panama and it no longer flies the Panama flag since March 2020.
 - iv. The SWG supported the application of Panama for CNM status in 2021, but encouraged Panama to continue to make improvements to the management of vessels, both in the WCPFC and in other RFMOs. The SWG noted that in the absence of tangible progress and improved compliance with WCPFC management measures, it would be difficult for the Commission to support an application from Panama for CNM status in 2022.
8. The Commission approved the applications for CNM status for 2021 from The Bahamas, Curaçao, Ecuador, El Salvador, Liberia, Nicaragua, Panama, Thailand and Vietnam.

Agenda 3.3.1 – Participatory Rights of CNMs

9. The Commission agreed that the following limits be applied to the participatory rights of CNMs, pursuant to the WCPF Convention and CMM 2019-01:
- i. In accordance with the WCPF Convention and WCPFC conservation and management measures and resolutions, the following participatory rights apply to CNMs for fisheries in the high seas within the WCPFC Convention Area;
 - ii. In addition, unless otherwise specified below, CNMs may fish in waters under their national jurisdiction or other CCMs’ national jurisdiction, in accordance with appropriate bilateral arrangements;
 - iii. CNMs shall ensure vessels flying their flags comply with all provisions of the WCPF Convention and the WCPFC conservation and management measures. In addition, CNM vessels will be placed on the WCPFC Record of Fishing Vessels (WCPFC RFV);
 - iv. CCMs shall ensure that CNM fishing activities that are conducted in waters under their national jurisdiction in accordance with bilateral arrangements are consistent with all relevant conservation and management measures and provisions of the WCPF Convention; and
 - v. Renewal of CNM status by the Commission will take into account compliance with the national laws and regulations of any licensing CCM, and all conservation and management measures and provisions of the WCPF Convention. CCMs shall identify any violations by vessels flagged to a CNM and report on any investigations of such violations to the Secretariat for attention by TCC.

Participatory rights of each CNM in 2021

10. **The Bahamas:** The participatory rights of The Bahamas are limited to carrier vessels to engage in transshipment activities in the Convention area.
11. **Curaçao:** The participatory rights of Curaçao are limited to carrier vessels to engage in transshipment activities in the Convention area.
12. **Ecuador:** The participatory rights of Ecuador for fishing in the WCPO are limited to purse seine fishing, with no participatory rights for fishing on the high seas for highly migratory fish stocks in the Convention Area. Any introduction of purse seine fishing capacity is to be in accordance with paragraph 12 of CMM 2019-01 and CMM 2018-01 or its replacement measure.
13. **El Salvador:** The participatory rights of El Salvador for fishing in the WCPO are limited to purse seine fishing only. The total level of effort by purse seine vessels of El Salvador on the high seas shall not exceed 29 days in the Convention Area. Any introduction of purse seine fishing capacity is to be in accordance with paragraph 12 of CMM 2019-01 and CMM 2018-01 or its replacement measure.
14. **Liberia:** The participatory rights of Liberia are limited to carrier vessels to engage in transshipment activities in the Convention area.
15. **Nicaragua:** The participatory rights of Nicaragua are limited to purse seine fishing for one vessel, with no participatory rights for fishing on the high seas for highly migratory fish stocks in the Convention Area. Any introduction of fishing capacity is to be in accordance with paragraph 12 of CMM 2019-01 and CMM 2018-01 or its replacement measure.
16. **Panama:** The participatory rights of Panama in the WCPO are limited to the provision of carrier and bunker vessels. Panama's participatory rights also apply to vessels that supply food, water and spare parts to carrier vessels that engage in transshipment activities, provided that these vessels do not engage in activities supporting fishing vessels, including providing and/or servicing FADs.
17. **Thailand:** The participatory rights of Thailand in the WCPO are limited to the provision of carrier and bunker vessels only.
18. **Vietnam:** The participatory rights of Vietnam in the WCPO are limited to the provision of carrier and bunker vessels only.

WCPFC/IATTC Overlap Area

19. In accordance with the decision of WCPFC9 regarding the management of the overlap area of 4°S and between 130°W and 150°W, vessels flagged to Ecuador, El Salvador, Nicaragua and Panama will be governed by the IATTC when fishing in the overlap area.
20. In accordance with the Data Exchange MOU agreed by both Commissions, fishing vessels flying the flag of a member of either the IATTC or WCPFC shall cooperate with the RFMO to which they are not a member by voluntarily providing operational catch and effort data for its fishing activities for highly migratory species in the overlap area.
21. For the purpose of investigation of possible IUU fishing activities and consistent with international and domestic laws, vessels flying the flag of a CNM that is a Contracting Party to the IATTC will cooperate with those coastal State members of the WCPFC whose EEZs occur

in the overlap area by voluntarily providing VMS reports (date, time and position) to those coastal States when operating in the overlap area.

Agenda 5 – COVID-19 Decisions

22. The Commission noted the paper on COVID-19 related Intersessional Decisions prepared by the Secretariat (**WCPFC17-2020-08**).

23. To facilitate a review at TCC17 of the implementation of the COVID-19 Intersessional Decisions, the Commission agreed to:

- i. require CCMs to provide in Annual Report Part 2 covering 2020 activities, a specific report on their implementation of the Intersessional Decisions taken in response to COVID-19;
- ii. task the Secretariat to include in Annual Report Part 2 covering 2020 activities appropriate questions that can suitably support CCMs reporting on their implementation of the Intersessional Decisions taken in response to COVID-19; and
- iii. further task the Secretariat to prepare a paper for TCC17, that provides a summary of the available information on the implementation of the COVID-19 Intersessional Decisions in 2020/21.

24. The Commission:

- i. noted the importance of placing observers safely back on vessels;
- ii. agreed to work intersessionally on a process so that observers can be redeployed safely on vessels;
- iii. agreed that a draft COVID-related Intersessional Decision will be circulated at the end of January/early February 2021 for decision by the Commission under the 7-day expedited decision-making process for COVID-19 Decisions;
- iv. tasked the Secretariat to follow-up the discussion at WCPFC17 and assist in the development of future COVID-19 Decisions; and
- v. noted with appreciation the FFA COVID-19 Operating Protocols and encouraged CCMs to share their own national COVID-19 Operating Protocols in order to broaden the database of COVID-19 measures on the WCPFC website.

Agenda 6.1 – Implementation of Article 30 of WCPF Convention and CMM 2013-07 (SIDS Special requirements)

25. WCPFC17 continued to recognise the importance of assessing the impact of proposals on SIDS in accordance with CMM 2013-06.

Agenda 6.2 – Strategic Investment Plan

26. The Commission noted with appreciation the update provided by the Secretariat on implementation of the Strategic Investment Plan (**WCPFC17-2020-10**).

27. The Commission approved the updated 2020 Strategic Investment Plan (**Attachment E**).

Agenda 7.1 – General overview of stock status (bigeye, skipjack, SP albacore, yellowfin, Pacific bluefin, NP albacore and NP swordfish)

28. The Commission noted the stock status of bigeye, yellowfin, skipjack and South Pacific albacore as presented by the Scientific Services Provider (SPC); and

29. The Commission noted the stock status of North Pacific albacore, Pacific Bluefin tuna, and North Pacific striped marlin as presented by the International Scientific Committee for Tuna and Tuna-like Species in the Northern Pacific Ocean (ISC).

Agenda 7.2.1.1 – Review of target reference point (TRP) for skipjack

30. The Commission noted the presentation by SPC of the results of analyses it undertook to assist WCPFC17 in its review of the performance of the interim skipjack tuna TRP.

31. The Commission agreed to continue intersessional work to review and revise, as appropriate, a TRP for skipjack in the future.

32. The Commission requested SPC to update the skipjack TRP work by including additional candidates, including 36%, 38% and 40% in the median depletion table.

Agenda 7.2.1.2 – Target reference point (TRP) for bigeye and yellowfin

33. The Commission noted the presentation by SPC of the results of analyses it undertook on candidate TRPs for bigeye and yellowfin.

34. The Commission agreed it would be difficult to identify TRPs for bigeye and yellowfin during WCPFC17 and to continue its consideration in the future.

35. The Commission requested SPC to include skipjack equivalent depletion levels and to provide separate TRP presentations for bigeye and yellowfin in the future to aid the Commission's consideration of candidate TRPs for bigeye and yellowfin.

Agenda 7.2.2.3 – Other commercial fisheries for bigeye, skipjack and yellowfin

36. The Commission noted that in recommending a status of "CMM Review" to paragraph 51 of CMM 2018-01, TCC16 had recognized the difficulty of the application of this paragraph in terms of the scope of "other commercial fisheries" in Indonesia and the Philippines.

37. The Commission noted that Indonesia and the Philippines had submitted delegation papers to SC16, TCC16 and WCPFC17 (**WCPFC17-2020-DP04** and **WCPFC17-2020-DP05**) in response to the request from TCC15 to inform a Commission discussion on the application of paragraph 51 of CMM 2018-01. However, the virtual format of these meetings made it difficult to consider these papers at SC16 and TCC16.

38. The Commission agreed to task SC17 and TCC17 to review these papers and provide advice to the Commission to facilitate a decision by WCPFC18 on the application of paragraph 51 of CMM 2018-01.

Agenda 7.2.2.4 – New CMM for tropical tunas

39. The Commission agreed on a simple rollover of CMM 2018-01 for one year and accordingly adopted CMM 2020-01 *Conservation and Management Measure for bigeye, yellowfin and skipjack tuna in the Western and Central Pacific Ocean*. (**Attachment F**)
40. In terms of the process for developing the CMM 2021-01 Tropical Tuna Measure, the Commission agreed:
- i. to convene at least two week-long workshops – one to be held in April 2021 and another one to be held in June/July 2021 prior to WCPFC18 – to discuss any proposals to develop a CMM 2021-01 tropical tuna measure. All efforts would be made to avoid conflict of timing with Pacific fisheries meetings and other RFMO meetings. The workshops would be chaired by the Chairperson of the Commission.
 - ii. that tropical tuna measure should continue to support the pathway for the adoption of harvest strategies, in accordance with the work plan and indicative timeframes set out in the Agreed Indicative Work Plan for the Adoption of Harvest Strategies under CMM 2014-06. To this end, the first workshop would focus in particular on a discussion on the objectives and scope of a new measure.
 - iii. that the first workshop would provide clarity on the information needed by the Commission, including the analyses required from the Scientific Services Provider (SSP), for a CMM 2021-01 on tropical tuna.
 - iv. that given the likelihood that some or all of these workshops would be virtual, and given the challenges already identified with this format, it is essential for CCMs to engage cooperatively in the intersessional period between workshops to provide the best possible opportunity for a CMM 2021-01 on tropical tuna.
 - v. that proposals or other supporting papers to support discussions should be to the extent possible submitted 30 days in advance of the date fixed for the opening of each workshop to ensure all Members and the SSP have adequate time to review the information.
 - vi. that the workshops would aim to discuss all proposals made by Members and make progress towards CMM 2021-01 on tropical tuna. Proposals must be accompanied by a 2013-06 SIDS' and territories' impact assessment as is required by CMM 2013-06.
 - vii. If sufficient progress is made, the Commission Chairperson, with the assistance of the Secretariat, will prepare a draft CMM 2021-01 for discussion at WCPFC18 based on the discussions at the workshops, without prejudice to any Member's right to make proposals to WCPFC18.
 - viii. that any new CMM shall be fully consistent with the WCPF Convention, in particular Articles 10 and 30 of the Convention and CMM 2013-07. As part of the preparation for the WCPFC workshops, early consultation with all SIDS and participating territories is encouraged taking into account the obligations reflected in CMM 2013-06.
 - ix. that it was essential to avoid a situation in which the WCPFC had no tropical tuna CMM.

Agenda 7.3.1 – Roadmap for effective conservation and management of south Pacific albacore

41. The Commission noted the report of progress from the SP Albacore Roadmap Working Group (WCPFC17-2020-SPALB-Roadmap-IWG).

Agenda 7.3.2 – Review of CMM 2015-02 (south Pacific albacore)

42. The Commission noted that the review of CMM 2015-02 *Conservation and Management Measure for South Pacific Albacore* is ongoing as part of the work of the SP Albacore Roadmap Working Group.

Agenda 7.4.1 – Review of CMM 2019-02 (Pacific bluefin tuna)

43. The Commission adopted CMM 2020-02 *Conservation and Management Measure for Pacific Bluefin Tuna (Attachment G)*.

Agenda 7.5.1 – Interim Rebuilding Plan (North Pacific striped marlin)

44. The Commission requested the ISC to:

- i. examine differences between ISC stock assessment catch estimates by CCM and WCPFC catch estimates, and work with the Scientific Services Provider to provide an assessment of the shortcomings;
- ii. provide explanation why the striped marlin stock decreased and the fishing mortality increased after a drastic decrease in fishing effort by high seas driftnet fisheries in the early 1990s; and
- iii. develop a roadmap to address the issues identified in the latest stock assessment by ISC.

Agenda 8.1 – Review of Harvest Strategy Work Plan

45. The Commission adopted the updated Indicative Workplan for the Adoption of Harvest Strategies under CMM 2014-06 (Attachment H).

Agenda 8.2 – Terms of Reference for a Science-Management Dialogue

46. The Commission acknowledged the utility of a science-management dialogue in progressing the implementation of the Indicative Workplan for the Adoption of Harvest Strategies but was unable to agree on the staging of such a dialogue. The Commission agreed to continue to explore in 2021 options to convene a science-management dialogue.

Agenda 9 – Adoption of Reports from Subsidiary Bodies

9.1 Sixteenth Regular Session of the Scientific Committee (SC16)

47. The Commission endorsed the *2021-2025 Shark Research Plan* (SC16 Summary Report paragraph 261).
48. The Commission approved the SC16 proposed work programme and budget for 2021 and indicative budget for 2022 - 2023.
49. The Commission endorsed the SC16 recommendation that that the approach of publishing the ACE tables based on the April 30 Scientific Data submissions and subsequent updates and revisions from CCMs is continued (SC16 Summary Report paragraph 296).
50. The Commission adopted the SC16 Summary Report (**WCPFC17-2020-SC16**), with some CCMs expressed reservations regarding paragraph 255(d) in the SC16 Summary Report.

9.2 Sixteenth Regular Session of the Northern Committee (NC16)

51. The Commission adopted the report of NC16 (**WCPFC17-2020-NC16**).

9.3 Sixteenth Regular Session of the of the Technical and Compliance Committee (TCC16)

Trial of Annual Catch and Effort (ACE) tables

52. The Commission endorsed the TCC16 recommendation in paragraph 101 of the TCC16 Summary Report and tasked the Scientific Services Provider with reviewing the feasibility of expanding the ACE tables to include:
 - i. additional estimates of effort where it is practicable to be derived based on the April 30 scientific data submissions from CCMs and provide an update to SC17; and
 - ii. estimates of annual area-based CMM quantitative limits where it is practicable for the estimate to be derived based on the April 30 scientific data submissions from CCMs and to provide an update to TCC17.

Improving the online Compliance Case File System (CCFS)

53. The Commission endorsed the TCC16 recommendation in paragraph 118 of the TCC16 Summary Report and tasked the Secretariat to prioritise in its work planning for 2021 to:
 - i. undertake the ten actions identified in Table 1 of the Review Report (**Attachment I**) to enhance the CCFS, to automatically notify people within the CCM when a single case is created or updated, make the CCFS easier to use, allow CCMs to browse a single list containing all cases, enhance the aggregated summary tables produced by the CCFS, improve communication with CCMs regarding which internet browsers the CCFS works best on, improve the CCFS quick guide and offer CCFS training to CCMs;
 - ii. undertake the one action contained in Table 1 of the Review Report (**Attachment I**) to implement a proof of concept online graph / table creation tool for CCFS data; and

- iii. to provide an update to TCC17 on the progress on the implementation of the proposed CCFS enhancements.

Improvements to the tracking of observer report requests and responses in order to better identify impediments to the flow of observer reports

54. The Commission endorsed the TCC16 recommendation in paragraph 178 of the TCC16 Summary Report and tasked the Secretariat to provide a paper for TCC17 that outlines the feasibility and costs of further developing the CCFS such that it has the ability to: (1) serve as a messaging tool through which CCMs can request observer reports and ROP Providers can respond to requests; and (2) keep track of such requests and responses. In particular, it should be developed so that, to the extent possible:

- i. requests and responses for observer reports are tied to specific cases in the CCFS, but also can include requests and responses related to investigations of possible violations other than those identified in the CCFS.
- ii. from the perspective of the Secretariat, the messaging and tracking functions are automated, and do not increase the ongoing workload of Secretariat staff.
- iii. it can handle bulk requests for observer reports and responses to bulk requests (i.e., multiple cases), provided that sufficient details are included by the requesting CCM.

55. The Commission endorsed the TCC16 recommendation in paragraph 179 of the TCC16 Summary Report and agreed that once the CCFS's messaging tool is fully functional and the Secretariat has successfully trialed it with a subset of CCMs for a period of three months, all requests for observer reports, and all responses to such requests, should be sent through the CCFS's messaging tool so they can be tracked.

Methods to filter out "false positive" and de minimis violations to reduce the number of observer report requests and the associated workloads for ROP Providers and CCMs

56. The Commission endorsed the TCC16 recommendation in paragraph 180 of the TCC16 Summary Report and agreed that the expectations under the ROP Minimum Standards on "Briefing and Debriefing" and "The Pre-Notification Process" be revised as shown in TCC16 Summary Report Attachment F), such that any time a "YES" is noted on the Observer Trip Monitoring Summary (e.g., Form Gen-3) with respect to a WCPFC obligation, indicating a possible violation, the ROP Provider is expected to prioritize debriefing of the observer and not transmit the pre-notification to the Secretariat until:

- i. debriefing of the observer has been completed and the information in the observer report has been finalized accordingly; and
- ii. the observer or ROP Provider includes comments on the Observer Trip Monitoring Summary that give sufficient detail as to why the "YES" was noted, references to other parts of the observer report that contain information relevant to the possible violation, and, where relevant, an indication of the magnitude of reporting discrepancies or the number of instances of the possible violation.

The revised ROP Minimum Standards as amended by WCPFC17 is provided in **Attachment J**.

57. The Commission endorsed the TCC16 recommendation in paragraph 181 of the TCC16 Summary Report and requested that ROP Providers be requested to review observer reports associated with cases in the CCFS that are generated by queries by the Secretariat of the ROP database, to help assess whether the possible violation(s) identified through the Secretariat's

screening is supported by the information in the observer report, and to provide in the “CCM comments” box for the consideration of the relevant CCM(s) a succinct summary of the relevant information in the observer report.

58. The Commission noted the TCC16 recommendation in paragraph 182 of the TCC16 Summary Report that the Commission (possibly through work of the ROP IWG) review the minimum data fields associated with the Observer Trip Monitoring Summary and make updates to those data fields to better reflect the Commission’s priorities and the types of violations that are amenable to yes/no indications by the observer. Any such recommendations should take into account their implications (e.g., on observers’ workloads, in terms of ROP Providers having to revise their forms, etc.).

HSBI Pennant size

59. The Commission agreed that the minimum pennant size for use by the boarding vessel, transiting from the inspection vessel, be 44 centimetres (cm) by 66 cm (height by length). Inspection flag usage and display for the inspection vessel itself would not change from what was agreed at WCPFC4. This decision only updates information on pennant dimensions contained in Attachment G, Annex 2 of TCC3 that was adopted at WCPFC4.

TCC workplan 2019-2021

60. The Commission noted that the *TCC Workplan 2019-2021* adopted at WCPFC15 continues until 2021 and endorsed the TCC16 recommendation that the TCC Vice-Chair continue progressing intersessional work on the TCC workplan for consideration by TCC17 and WCPFC18 in 2021.

Labour Standards for Crew on Fishing Vessels

61. The Commission noted the TCC16 recommendation in paragraph 236 of the TCC16 Summary Report that had recommended consideration by WCPFC17 regarding the treatment of crew on fishing vessels and to further strengthen observer safety.
62. The Commission agreed to intersessional work to be led by Co-Leads Indonesia and an FFA Member through various means to promote discussion among members and enable the sharing of information, with initial discussion points to be developed in consultation with the Commission Chair and the Secretariat.

63. The Commission adopted the report of TCC16 (**WCPFC17-2020-TCC16**).

9.4.1 E-reporting and E-monitoring working group (ERandEMWG)

64. The Commission noted the intersessional progress report by the ERandEMWG (**WCPFC17-2020-ERandEMWG4**).

9.4.2 FAD Management Options IWG

65. The Commission noted the Report of the FAD Management Options IWG and accepted its recommendations to continue to engage intersessionally to progress outstanding work (**WCPFC17-2020-FADMgmtOptions**).

66. The Commission noted that the FAD Management Options WG had prepared a revised set of draft guidelines for non-entangling and biodegradable FADs as reflected in the FADMO-IWG-04-2020/WP-02 (**Attachment K**).
67. Noting that the SC16 and TCC16 could not complete the task in paragraph 22 of CMM 2018-01 due to the limited agenda resulting from COVID-19, the Commission tasked SC17 and TCC17 to review the draft guidelines for non-entangling and biodegradable FADs prepared by the FAD Management Options IWG (**Attachment K**). The FAD Management Options IWG should revisit the draft guidelines based on input from those bodies as well as any additional scientific and technical information on non-entangling and bio-degradable FADs.

9.4.3 VMS Data Gaps Review SWG (VMS SWG)

68. The Commission noted the intersessional progress report by the VMS Data Gaps Review SWG (**WCPFC17-2020-VMS-SWG**).

9.4.4 Review of the Transshipment Measure (CMM 2009-06) IWG (TS-IWG)

69. The Commission noted the intersessional progress report by the Review of the Transshipment CMM IWG (**WCPFC17-2020-TS_IWG**).
70. The Commission also acknowledged the intention of the TS-IWG to finalise in early 2021 the draft Scope of Work for the analysis of transshipment information, to support the Review of the Transshipment Measure (CMM 2009-06) through the TS- IWG during the intersessional period in 2021.

Agenda 10.1 – Consideration and adoption of the Final Compliance Monitoring Report

71. The Commission noted the TCC16 recommendation in paragraph 19 of the Final Compliance Monitoring Report and encouraged CCMs to work closely with the Secretariat to ensure that new information submitted in revised Annual Report Part 1 after the reports have been provided to the CCMs as outlined in paragraph 25 of CMM 2019-06 is brought to the Secretariat's attention for inclusion in the draft CMR, where relevant and in line with paragraph 27 of the same measure.
72. The Commission tasked TCC17 to provide WCPFC18 an update on obligations and other matters which would benefit from further consideration by the Commission to assist in assessing compliance and noted that these concerns may also emerge through the Future Work of the CMS on Audit Points.
73. The Commission adopted the Final Compliance Monitoring Report (**Attachment L**).

Agenda 10.2 – List of obligations for 2021 assessments

74. The Commission adopted the report of the List of Obligations SWG and noted that:
- i. WCPFC16 had tasked TCC16 to recommend a revised list of obligations to be assessed in 2021 but that TCC16 was not able to agree to a list.

- ii. The SWG used the FFA proposal on a list of obligations (**WCPFC17-2020-DP01 Attachment 1**) as the basis for developing a new list of obligations for 2021 assessments.
- iii. SWG participants had expressed divergent views on the appropriate length of the list of obligations for assessment in 2021. A majority of CCMs expressed a view that the list should be no longer than the list assessed in 2020. Some CCMs expressed that the length of the list should not be limited to 2020 levels. All participants recognised the importance of ensuring that the list of obligations is manageable given the broad range of issues that TCC17 will need to address in 2021, including developing and implementing a process to consider aggregated summary tables required under paragraph 26(ii) of CMM 2019-06, ongoing Future Work to develop the CMS and providing advice related to the development of CMM 2021-01 tropical tuna measure.
- iv. The SWG recognised the impacts of COVID-19 on the operation of the WCPO tuna fishery and on the operation of the Commission, and the SWG agreed not to include assessment of the “Intersessional Decisions in response to COVID-19” in the CMR process in 2021.
- v. The SWG agreed to include the obligations suspended by the “Intersessional Decisions in response to COVID-19” for review in the 2021 CMR for the periods prior to their suspension, noting the importance of these obligations and the duration of their applicable periods.
- vi. The SWG agreed not to include CMM 2018-05 Ann C 06 (related to longline observer coverage) – the SWG noted that the impacts of the COVID pandemic meant that it was highly unlikely that the CMR would be able to effectively assess this obligation for the year 2020. The SWG expressed that the decision not to include this obligation does not represent a suspension of this obligation; rather this is a recognition of the genuine impact that the COVID-19 pandemic will have on the ability of the TCC to assess this obligation. The SWG noted that the decision not to assess this obligation does not remove CCMs’ obligation to comply with this provision
- vii. The SWG agreed not to include the “comprehensive sharks measure” (CMM 2019-04) in the list of obligations for assessment in 2021, noting that this measure only came into effect on 1 November 2020 and hence the period of application for 2020 was only two months. The SWG also noted that the superseded sharks measure, CMM 2010-07, was included in the list.
- viii. The SWG recommended that obligations under CMM 2019-04, including measures related to non-retention of silky sharks and oceanic whitetip sharks, and paragraph 13 of CMM 2018-03 be included in the list of obligations for assessment in 2022.

75. The Commission agreed to the List of Obligations to be reviewed by the Compliance Monitoring Scheme in 2021, covering 2020 activities (**Attachment M**).

76. The Commission also agreed that, in 2021, CCMs shall submit their Annual Report Part 2 at least 100 days prior to TCC17.

Agenda 10.3 – Review the workplan of tasks to enhance the Compliance Monitoring Scheme

77. The Commission noted the progress on the Future Work of the CMS tasks, through the CMS IWG established by WCPFC16 under the leadership of the TCC Vice-Chair, and as set out in paragraph 4 of **WCPFC17-2020-25**.
78. The Commission noted in paragraph 129 of the TCC16 Summary Report that TCC16 had affirmed the importance of all the future work called for in section IX of CMM 2019-06 and supported the prioritisation of four streams of intersessional work for the CMS IWG in 2020/21 and recognised that some elements may extend until 2022:
- i. the development of a risk-based assessment framework to inform compliance assessments and ensure obligations are meeting the objectives of the Commission;
 - ii. the development of audit points to clarify the Commission obligations assessed under the CMS, as well as a checklist to be used by proponents of any proposal to include a list of potential audit points for the consideration of the Commission;
 - iii. the development of a process for TCC to consider the aggregated tables alongside the draft CMR (paragraph 33 and 34 of CMM 2019-06); and
 - iv. the development of guidance on the participation of observers in the CMS process as outlined in CMM 2019-06.
79. The Commission endorsed the TCC16 recommendation in paragraph 130 of the TCC16 Summary Report that Ms. Heather Ward from New Zealand would lead the risk-based assessment framework task and Ms. Rhea Moss-Christian from Marshall Islands would lead the development of audit points in support of the CMS IWG Chair.
80. WCPFC17 also noted the delay in advancing the work agreed at WCPFC16 concerning the aggregated tables and tasked the TCC Chair to lead work intersessionally prior to TCC17, with a view to providing guidance on how TCC17 would consider the aggregated tables alongside the draft CMR. This work will also benefit from the TCC16 recommended analytical work that the Secretariat will be undertaking related to the CCFS and approaches to present the data.

Agenda 11 – Adoption of the 2020 IUU Vessel List

81. The Commission decided not to place Oryong No.721 on the 2021 WCPFC IUU Vessel List.
82. The Commission agreed to maintain the three vessels currently on the WCPFC IUU Vessel List, and adopted the 2021 WCPFC IUU Vessel List (**Attachment N**).
83. In respect of the WCPFC IUU Vessel List 2021, the Commission approved the TCC16 recommendations in paragraph 60 of the TCC16 Summary Report and tasked the Executive Director to:
- i. seek the former flag States' cooperation to provide any information on these vessels, including their respective masters' names and nationalities;
 - ii. write to all CCMs requesting them to provide information to the Commission if the vessels are located, or if there are any known changes to name, flag or registered owner, including any action that port States have taken such as denial of port entry

and services to those vessels or any information from cannery States of any landings made by these vessels;

- iii. write a letter to other RFMOs conveying this same message for cooperation to locate these vessels; and
- iv. propose that any information received by the Executive Director is reported promptly to CCMs.

84. The Commission encouraged the EU and other interested CCMs to engage intersessionally on the issue of cross-listing of other RFMOs IUU vessel lists.

Agenda 12 – Report of FAC14

85. The Commission adopted the report of the Fourteenth Session of the FAC (WCPFC17-2020-FAC14), including the 2021 budget of \$ **8,190,633** and indicative budgets for 2022 and 2023 of \$ **8,404,595** and \$ **8,146,335** respectively (**Attachments O**).

86. The Commission endorsed the FAC14 recommendation in paragraph 7 of the FAC14 Summary Report, and accepted the audited financial statements for 2019.

87. The Commission endorsed the FAC14 recommendation in paragraph 9 of the FAC14 Summary Report and agreed to reappoint Deloitte and Touche LLP for a further period of two years.

88. The Commission noted that per the Staff Regulations, local staff and the Executive Director would receive an annual increase in 2021 due to inflation and endorsed the FAC14 recommendation in paragraph 21 of the FAC14 Summary Report and approved a 1.7% increase in professional staff salary in 2021 excluding the Executive Director.

89. The Commission endorsed the FAC14 recommendation in paragraph 28 of the FAC14 Summary Report that any additional resourcing needed to support Commission’s intersessional work in 2021 may be drawn from the Working Capital Fund.

90. The final adopted 2021 budget and Annexes are provided in (**Attachment P**).

Agenda 13.1 – Election of officers

91. The Commission made a number of appointments to Commission positions commencing after the end of WCPFC17 (15 December 2020):

- i. Ms Jung-re Riley (Republic of Korea) was reappointed as WCPFC Chair, and Dr Josie Tamate (Niue) was reappointed as WCPFC Vice-Chair;
- ii. Mr Mat Kertesz (Australia) was appointed as TCC Chair, and Dr Robert Day (Canada) was reappointed as TCC Vice-Chair; and
- iii. Mr Masanori Miyahara (Japan) was reappointed as NC Chair, and Mr Michael Tosatto (United States) was reappointed as NC Vice-Chair.
- iv. Mr. Felix Toa Ngwango (Vanuatu) was appointed as co-Chair of the Transshipment Review IWG.

92. In support of 2021 Intersessional Working Group activities, to be progressed electronically, the Commission confirmed the following:

- i. Mr. Tom Graham (United States) would continue to lead the TCC Observer-related WG;
- ii. Ms Mere Lakeba (Fiji) would continue to lead the South Pacific Albacore Roadmap IWG;
- iii. Ms. Kerry Smith (Australia) would continue to lead the ERandEMWG;
- iv. Dr. Alex Kahl (United States) would continue to co-chair the Transshipment Review IWG.
- v. Mr Jamel James would continue to lead the FAD Management Options IWG; and
- vi. Dr Robert Day (Canada) would continue to Chair the CMS IWG to progress work intersessionally to under CMS Future Work tasks (set out in paragraph 46 of CMM 2019-06). Ms Heather Ward (New Zealand) would lead the risk-based assessment framework task and Ms Rhea Moss-Christian (RMI) would lead the development of audit points in support of the CMS IWG Chair.

Agenda 13.2 – Future meetings

93. The Commission acknowledged that with the COVID-19 pandemic likely to continue into 2021 it was difficult to predict the feasibility of convening physical meetings next year.

94. In the event that physical meetings for 2021 are feasible the Commission agreed on the following meeting venues and dates:

- i. **SC17** would be held in Palau from 11 – 19 August 2021 and for **SC18** in Tonga in 2022;
- ii. **NC17** would be held in Japan (venue and date to be advised)
- iii. **TCC17** would be held in Pohnpei, Federated States of Micronesia from 22 – 28 September 2021;
- iv. **WCPFC18** would be held in Canada (venue and date to be advised) and noted Vietnam’s offer to host **WCPFC19** in 2022; and
- v. At least two **workshops for CMM 2021-01 Tropical Tuna Measure** would be held in April and June/July 2021

95. In the event that physical meetings for 2021 are not feasible the expedited decision-making procedure used in 2020 will also be used to facilitate each decision by the Commission to convene virtual meetings in 2021.

Agenda 14.1 – Cetacean release guidelines

96. Mindful that WCPFC16 tasked SC16 to develop and recommend best handling practices for the release of cetaceans but SC16 was unable to progress this task amongst other tasks due the

disruptive impacts of the COVID-19 pandemic, the Commission requested the Scientific Committee to consider managing these outstanding tasks at SC17.

DRAFT LIST OF ATTACHMENTS FOR WCPFC17 DRAFT SUMMARY REPORT
(note order and numbering of attachments may change)

Attachment A	WCPFC17 List of Participants
Attachment B	Opening statement by WCPFC Executive Director
Attachment C	Opening Statement by WCPFC Chair
Attachment D	WCPFC17 Agenda – as adopted
Attachment E	Updated Strategic Investment Plan (WCPFC17-2020-10 Attachment 1)
Attachment F	CMM 2020-01 <i>Conservation and Management Measure for bigeye, yellowfin and skipjack tuna in the Western and Central Pacific Ocean</i>
Attachment G	CMM 2020-02 <i>Conservation and Management Measure for Pacific Bluefin Tuna</i>
Attachment H	Updated Indicative Workplan for the Adoption of Harvest Strategies under CMM 2014-06
Attachment I	Consolidated list of recommended actions for the WCPFC Secretariat as contained in the CCFS Review Report (TCC16 Summary Report Attachment E)
Attachment J	ROP Minimum Standards incorporating revisions to “Briefing and Debriefing” and “The Pre-Notification Process” (TCC16 Summary Report Attachment F)
Attachment K	Draft guidelines for non-entangling and biodegradable FADs prepared by the FAD Management Options WG, and as reflected in Attachment 1 to FADMO-IWG-04-2020/WP-02
Attachment L	Final Compliance Monitoring Report covering 2019 activities (WCPFC17-2020-finalCMR)
Attachment M	Agreed List of obligations to be assessed by the Compliance Monitoring Scheme in 2020
Attachment N	WCPFC IUU Vessel List for 2021
Attachment O	Summary Report of 14 th Regular Session of Finance and Administration Committee (WCPFC17-2020-FAC14)
Attachment P	Final adopted 2021 budget and annexes
Attachment Q	List of Abbreviations