



COMMISSION
Twentieth Regular Session
4-8 December 2023
Rarotonga, Cook Islands (Hybrid)

Provisional Meeting Outcomes and Attachments (Rev01¹)
List of Documents

Provisional Outcomes Document

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- Attachment 2:** 2023 WCPFC Strategic Investment Plan*
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*These attachments removed from this copy. The full report available at <https://meetings.wcpfc.int/node/21645>

¹ An error has been corrected in paragraph 1 of Attachment 9: CMM 2023-03.



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PROVISIONAL OUTCOMES DOCUMENT

WCPFC20-2023-OUTCOMES
18 December 2023

AGENDA 1.1 – ADOPTION OF AGENDA

1. The Agenda was adopted.

AGENDA 1.2 – REQUEST FOR OBSERVER STATUS

2. The Commission invited the Organization of the Fisheries and Aquaculture Sector of the Central American Isthmus (OSPESCA) to participate in the work of the Commission and subsidiary bodies as an inter-governmental observer, with effect from WCPFC20.

AGENDA 2 – OPENING STATEMENTS

AGENDA 3 – 2023 ANNUAL REPORT OF THE EXECUTIVE DIRECTOR

3. The Commission noted the 2023 Annual Report of the Executive Director (**WCPFC20-2023-05**) and acknowledged the work of the Executive Director and Secretariat over 2023.

AGENDA 4.1 – STATUS OF THE CONVENTION

4. The Commission noted the report on the Status of the WCPF Convention (**WCPFC20-2023-06**).
5. The Commission noted that the requests for membership of the Commission from Vietnam and Ecuador are not accepted at this point in time.

AGENDA 4.2 – UPDATE ON OBSERVER STATUS

6. The Commission noted the updated list of observers to the Commission (**WCPFC20-2023-07**).
7. The Commission tasked the Secretariat with keeping a list of observers on the WCPFC website, undertake a review of the attendance of observers at meeting of the Commission and subsidiary bodies and the costs incurred in relation to observers, and to report to FAC18 regarding options for an annual observer fee.

AGENDA 4.3 – APPLICATIONS FOR COOPERATING NON-MEMBER (CNM) STATUS

8. The Commission approved the applications for CNM status for 2024 from Curaçao, Ecuador, El Salvador, Nicaragua, Panama, Thailand and Vietnam. In the case of Liberia, the Commission approved the application on the condition that any outstanding payments of the financial contribution for 2023 be paid and received into the Commission account by 31 December 2023.

Participatory Rights of CNMs - Recommendations from the SWG

9. The Commission considered the request for participatory rights of 8 CNMs for 2023. The CNM SWG considered changing certain CNMs' participatory rights but was not able to reach an agreement due to limited time.
10. The Commission approved the following participatory rights for 2024:
 - a. **Curaçao:** The participatory rights of Curacao are limited to carrier vessels to engage in transshipment activities in the Convention area.
 - b. **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 2021-01 or its replacement measure.
 - c. **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 2021-01 or its replacement measure.
 - d. **Liberia:** The participatory rights of Liberia are limited to carrier vessels to engage in transshipment activities in the Convention area.
 - e. **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 2021-01 or its replacement measure.
 - f. **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
 - g. **Thailand:** The participatory rights of Thailand in the WCPO are limited to the provision of carrier and bunker vessels only.
 - h. **Vietnam:** The participatory rights of Vietnam in the WCPO are limited to the provision of carrier and bunker vessels only.

WCPFC/IATTC Overlap Area

- a. In accordance with the decision of WCPFC9 regarding the management of the overlap area of 4°S and 50°S between 130°W and 150°W, vessels flagged to Ecuador, El Salvador and Nicaragua and Panama will be governed by the IATTC when fishing in the overlap area.
 - b. 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 Regional Fisheries Management Organizations (RFMOs) 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.
 - c. 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.
11. The Commission tasked TCC20 to provide recommendations regarding the type of vessels that should be allowed to deploy and service FADs in the WCPFC Convention Area or fisheries.

AGENDA 5 – ADOPTION OF THE 2024 IUU VESSEL LIST

12. The Commission agreed to maintain the three fishing vessels **NEPTUNE, FU LIEN No.1** and **YU FONG 168** on the WCPFC 2024 IUU Vessel List and to include the vessel **FB Kuda Laut - 03** on the 2024 IUU Vessel List (**Attachment 1**).
13. The Commission noted the intersessional process for the removal of a vessel from the Final IUU Vessel List and that the **FB Kuda Laut 03** may be removed from the Final IUU vessel list in accordance with the intersessional process set out in CMM 2019-07.

AGENDA 6 – INTRODUCTION OF NEW PROPOSALS

14. The Commission noted the proposals that were tabled and introduced for consideration at WCPFC20, including the Chair's Consultative Draft of the Tropical Tuna Measure. Proponents of proposals were encouraged to discuss them in the established SWGs and in the margins of the meeting, noting that there would be opportunities to report back to plenary on progress.

AGENDA 7.1 – UPDATED STRATEGIC INVESTMENT PLAN

15. The Commission approved the updated Strategic Investment Plan for 2023 (**WCPFC20-2023-10**) (**Attachment 2**).

AGENDA 8 – STATUS OF STOCKS

16. The Commission noted with appreciation the presentations by the Scientific Services Provider (SSP) and the ISC on the status of WCPFC tuna and billfish stocks.
17. The Commission endorsed the proposal from ISC23 to have an independent peer review of the North Pacific striped marlin stock assessment in 2024 and expressed appreciation to the United States for its voluntary contribution to support the peer review.

AGENDA 9 – INCORPORATING CLIMATE CHANGE CONSIDERATIONS INTO MANAGEMENT AND CONSERVATION OF WCPO FISHERIES AND ECOSYSTEMS

18. The Commission noted with appreciation the Ecosystem and Climate Indicator Report Card (Attachment 1 of WCPFC20-2023-12).
19. The Commission requested that the Ecosystem and Climate Indicator Report Card be updated and presented annually to the Commission and its subsidiary bodies.
20. The Commission recognised that there is increased importance for the Commission to ensure relevant information and data collection is adequate to support improved and updated understanding by the Commission on the impacts of climate change and implications for management of WCPFC fisheries.
21. The Commission tasked SC and TCC to include as part of the standing agenda item on climate change a review of available data to inform the Commission on climate change impacts to stocks and ecosystems in the WCPO, and the potential effects of climate change on related fishing activities.
22. The Commission tasked the Secretariat with continuing to provide a brief that summarises updates on international and regional fishery bodies (RFB) developments.
23. The Commission requested the Secretariat with the SSP explore the scope and feasibility of undertaking an assessment of active CMMs and to determine specific CMM provisions that may be susceptible to be impacted by climate change, and present the findings to the Science Committee, the Technical and Compliance Committee and the Commission.
24. The Commission recommended co-leads are identified to develop a Commission workplan for addressing climate change on WCPFC fisheries in the Convention Area. The co-leads would use the WCPFC Convention and Resolution 2019-01 as guides for that work. The draft workplan would be discussed and considered by each subsidiary body in 2024, with a view to taking this to WCPFC21 for consideration. The work plan will include, but not be limited to:
 - a. the scoping and feasibility study of an assessment of CMMs and their susceptibility to be affected by climate change
 - b. tasking for the SC to explore:
 - i. how to capture potential effects of climate change on WCPFC fisheries and fish stocks.

- ii. mechanisms to test the robustness of existing and candidate management procedures under plausible climate change scenarios within the MSE framework.
 - c. Engagement with other Regional Fisheries Management Organizations and the Food and Agriculture Organization and their members to discuss shared challenges, leverage available resources, and identify potential pathways for cooperation on addressing climate change effect on fisheries.
25. The co-leads on Climate Change will initially be one representative from the SIDS and one from the US. The co-leads (Republic of Marshall Islands and the United States) seek to ensure the workplan addresses the risks of climate change to CMMs and other obligations, taking into account relevant Scientific Committee recommendations and the results of the scoping exercise regarding the assessment of active CMMs' susceptibility to be impacted by climate change.
 26. In developing the Commission's Climate Change Work Plan, WCPFC20 requested that the co-leads work with members to incorporate ongoing efforts on climate change impact on fisheries from each of the subsidiary bodies and also provide a framework for coordinating Commission-wide work on climate change.

AGENDA 10 – HARVEST STRATEGY DEVELOPMENT FOR SP ALBACORE, SKIPJACK, YELLOWFIN, BIGEYE, NP ALBACORE AND PACIFIC BLUEFIN TUNAS.

AGENDA 10.1 – SOUTH PACIFIC ALBACORE

Agenda 10.1 (a) – Update on SPA-RM IWG

27. The Commission noted the Report of the Chair of the SPA Roadmap-IWG.

Agenda 10.1 (b) – TRP

28. The Commission noted with appreciation the presentation by the SSP on the target reference point for South Pacific albacore tuna.
29. The Commission agreed on an interim target reference point (iTRP) for south Pacific albacore specified as four percent below the estimated average spawning potential depletion of the stock over the period 2017-2019 ($0.96 \text{ SB}_{2017-2019} / \text{SB}_{F=0}$).¹ This supersedes an earlier decision of the Commission made at WCPFC 15 (paragraphs 207 to 212).

¹ Technical definitions:

Spawning potential depletion refers to the estimated South Pacific albacore spawning potential as a percentage of the estimated spawning potential in the absence of fishing (i.e., the unfished spawning potential). The metric is dynamic and is estimated for each model time step.

The method to be used in calculating spawning potential in the absence of fishing ($\text{SBF}=0$) shall be:

- a. $\text{SBF}=0$, t_1 - t_2 is the average of the estimated spawning potential in the absence of fishing for a time window of ten years based on the most recent South Pacific albacore stock assessment, where $t_1=y-10$ to $t_2=y-1$ where y is the year under consideration; and
- b. The estimation shall be based on the relevant estimates of recruitment that have been adjusted to reflect conditions without fishing according to the stock recruitment relationship.

30. The Commission shall amend or develop appropriate conservation and management measures to implement a management procedure, developed in accordance with CMM 2022-03, with the ultimate objective of maintaining the south Pacific albacore stock at the interim target reference point, on average.
31. The Scientific Committee shall refer to this iTRP in its assessment of the status of the WCPO south Pacific albacore tuna stock and in reporting to the Commission on management advice and implications for this stock.
32. In recognition of some outstanding scientific issues, this iTRP shall be subject to review by the Commission following the 2024 stock assessment and further development of candidate management procedures. Subsequent to this review, the confirmed or amended iTRP will again be adopted by the Commission within a Conservation and Management Measure that specifies a management procedure for South Pacific albacore tuna.
33. The Commission tasked the SSP to undertake:
 - a. evaluations of some selected candidate management procedures for SPA where the output of the HCR is total allowable effort and alternatively where the output of the same or similar HCR is total allowable catch;
 - b. evaluation of a range of alternative candidate SPA target reference points between $SB/SBF=0$ 0.42 – 0.56 (long-term average $SB/SBF=0$ (WCPF-CA), or preferably equivalent levels defined in terms of a reference period.) that will be considered in the context of the review of the adopted iTRP.

Agenda 10.1 (c) – Management Procedure and (d) – Management Strategy Evaluation

34. The Commission noted that SC will further develop the reference set of the Operating Model over the next year to allow the continued progress and evaluation of candidate Management Procedures for SPA, and SC20 will consider formally adopting the reference set of the Operating Model, noting the potential for other changes in light of the 2024 SPA stock assessment.
35. The Commission noted the importance and need for a Science-Management Dialogue to expedite the progress of implementation on the *Indicative Workplan for the Adoption of Harvest Strategies under CMM 2022-03*.
36. The Commission agreed to hold a Science-Management Dialogue in 2024 (SMD-02) focused on:
 - a. South Pacific albacore management procedures (including review of the iTRP);
 - b. Development of bigeye and yellowfin tuna TRPs;
 - c. Issues pertaining to the application of the skipjack tuna management procedure, and
 - d. Harvest strategies capacity building for CCMs (SPC-facilitated).
37. The Commission agreed that similar to SMD-01 (2022), SMD-02 would be co-chaired by the Commission and SC Chairs.

38. The Commission agreed that SMD-02 would be held online between SC20 and TCC20, with possible dates 10-12 September 2024 (Pohnpei time).
39. The Commission tasked the Commission and SC Chairs to develop an agenda based on the above-listed topics, in consultation with the Secretariat and the SSP.
40. Noting the importance of the application of compatible measures between WCPFC and IATTC to enhance the effectiveness of collective conservation and management efforts, the Commission agreed to invite representatives from the IATTC Secretariat, and CPCs² as appropriate, to participate as observers in SMD-02.
41. The Commission acknowledged that its management of the South Pacific albacore in the WCPF-CA would be enhanced by joint IATTC management in the EPO, and that cooperation between the two RFMOs should be encouraged.
42. The Commission tasked the Secretariat to strengthen its relations with the IATTC to foster closer cooperation, with the aim of enhancing cross-RFMO coordination in the development of the management strategy evaluation and management procedures for South Pacific albacore.

Agenda 10.1 (e) – Review of CMM 2015-02

43. The Commission agreed that the term “actively fishing for” used in CMM 2015-02 is applied to:
 - ‘Vessels fishing south of 20 degrees South with an annual catch of albacore in that area with South Pacific albacore greater than 50% of the catch of potential target tuna (albacore, yellowfin and bigeye, southern bluefin, skipjack) and swordfish.’

AGENDA 10.2 – TROPICAL TUNAS

Agenda 10.2(a) – Skipjack Tuna

Agenda 10.2 (a)(i) - Implement Management Procedure

44. The Commission noted the successful running of the skipjack management procedure as outlined in SC19- MI-WP-01.
45. The Commission also noted that a re-evaluation of the skipjack estimation method needs to be undertaken prior to the next implementation of the management procedure.

Agenda 10.2 (a)(ii) – Monitoring Strategy

46. The Commission noted that it was not in a position to adopt a monitoring strategy for skipjack tuna at this time but there was a need for intersessional work, led by the SC and TCC Chairs, to facilitate the development by SSP of a monitoring strategy for adoption at WCPFC21, using the information in Attachment B of WCPFC20-2023-14 as a reference.

² IATTC Parties, co-operating non-parties, co-operating fishing entities or regional economic integration organizations

Agenda 10.2(b) – Bigeye Tuna and (c) – Yellowfin Tuna**(i) and (ii) – TRP Develop management procedures Management strategy evaluation**

47. The Commission noted the progress to date on the development of the mixed fishery management strategy evaluation framework.

Agenda 10.2(d) – Development of CMM 2023-01 (Consultative Draft)**Agenda 10.2.(d)(i) – Evaluation of CMM 2021-01**

48. The Commission noted the report from the SSP on the evaluation and review of CMM 2021-01 (**WCPFC20-2023-15**).

Agenda 10.2.(d)(ii) – Additional analysis requested at TTMW4

49. The Commission noted with appreciation the additional analysis undertaken by the SSP as requested at TTMW4 (**WCPFC20-2023-16**).

Agenda 10.2(d)(iii) – Update on Progress in FADMO-IWG

50. The Commission noted the report and recommendations of the Chair of the FAD Management Options IWG (**WCPFC20-2023-FADMOIWG**).
51. The Commission considered outcomes of SC19 and TCC19 related to the updates of FAD Management Options IWG tasks in 2023 in the development of a revised tropical tuna conservation and management measure.
52. The Commission further tasked the FADMO-IWG to consider ways to implement FAD recovery programs/strategies, including economic aspects and standards required for programs to be effective, to be a standing agenda item for the FADMO-IWG in 2024.
53. In the development of 2024-2026 FADMO-IWG Workplan, the FADMO-IWG shall incorporate the following:
- a. Provide advice to WCPFC23 on the implementation of stepwise introduction of biodegradable dFADs;
 - b. Provide advice to WCPFC23 on the effectiveness of the limit on the number of dFADs deployed as set in paragraph 21 of the CMM 2023-01; and
 - c. To develop a FAD logbook for vessel operators and to review the IWG workplan accordingly to action recent developments.

Agenda 10.2.(d)(iv) – Indonesia large-fish handline limit

54. Commission noted Information Papers WCPFC20-2023-IP22, IP23 and IP24 submitted by Indonesia and the SSP on the Indonesian large-fish handline limit.

Adoption of CMM 2023-01

- 55. The Commission adopted CMM 2023-01, attached at **Attachment 3**.
- 56. The Commission tasked the FADMO-IWG to consider requirements for the transmission of satellite buoy data from drifting FADs in 2024 to promote effective and sustainable FAD management in the WCPFC.

AGENDA 10.3 – PROCESS TO DEVELOP AN ALLOCATION FRAMEWORK UNDER CMM 2021-01

- 57. The Commission noted the need to progress the development of allocation frameworks, particularly for the tropical tunas, and the time that will be required to conclude such efforts and agreed to a phased approach to the development of criteria for allocation, elements of an allocation framework, and implementation of the frameworks, commencing in 2026.

AGENDA 10.4 – UPDATE HARVEST STRATEGY WORK PLAN

- 58. The Commission adopted the updated *Indicative Workplan for the Adoption of Harvest Strategies under CMM 2022-03* (**Attachment 4**).

AGENDA 10.5 – INFORMATION AND DATA REQUIREMENTS TO SUPPORT MANAGEMENT DECISIONS

- 59. The Commission supported the need for further work on information and data requirements to support management decisions and referred the issue to TCC20 for further consideration.

Agenda 10.5a – At sea transshipment monitoring and management

- 60. The Commission requested the Secretariat 1) establish transshipment activity, observer reports, and carrier vessel data exchange arrangements with the following RFMOs: IATTC, IOTC, CCSBT, and NPFC and 2) provide an update to TCC20 seeking recommendations for WCPFC21.
- 61. The Commission noted the TS-IWG did not conclude its work and requested the TS-IWG meet in-person/hybrid for at least a one-day workshop in conjunction with TCC20 to continue its review of the measure. The workshop will evaluate the un-agreed provisions of WCPFC20-2023-TS-IWG01Rev2 and invite additional proposals from CCMs for text revisions to CMM 2009-06.
- 62. The Commission requested that after the TS-IWG meets in September 2024, the TS-IWG shall provide recommendations for further revisions to the transshipment CMM to WCPFC21.

Agenda 10.5b – Strengthening monitoring: observer coverage on LL fleets and development of electronic monitoring

- 63. The Commission noted the Report of the ERandEM IWG (WCPFC20-2023-ERandEM-IWG-02) and agreed to adopt the Schedule of Work set out in Appendix 1 of the report (**Attachment 5**).

- 64. The Commission tasked the ERandEM IWG to develop a set of interim EM standards for adoption at WCPFC21 in 2024.
- 65. The Commission noted the need for cooperation with IATTC in the development of EM procedures for WCPFC.
- 66. The Commission noted the report of the IWG-ROP Chair (WCPFC20-2023-IWGROP).

Agenda 10.5c – WPEA-ITM Project

- 67. The Commission noted the report on the progress of the 2023 activities of the Western Pacific East Asia – Improved Tuna Monitoring (WPEA-ITM) Project (**WCPFC20-2023-11**) and acknowledged the importance of improved data and reporting from the WPEA region of the WCPFC Convention Area.
- 68. The Commission endorsed the recommendations from SC19 to develop a new project proposal for the next phase of WPEA work, to begin immediately after the current WPEA-ITM project expires at the end of 2024.
- 69. The Commission noted with appreciation the decision by New Zealand to continue funding the WPEA-ITM project.

AGENDA 10.6 – NORTH PACIFIC ALBACORE

- 70. The Commission adopted the revised Harvest Strategy for North Pacific Albacore Fishery recommended by NC19 (Attachment A of WCPFC20-2023-19), as amended to refer to the Commission with respect to decision-making (**Attachment 6**).

AGENDA 10.7 – PACIFIC BLUEFIN TUNA

- 71. The Commission adopted amendments to CMM 2021-02 (Conservation and Management Measure for Pacific Bluefin Tuna) (Attachment B of WCPFC20-2023-20) (**Attachment 7**).
- 72. The Commission adopted the revised HS 2021-01 (Harvest Strategy for Pacific Bluefin Tuna Fisheries) recommended by NP19 (Attachment C of WCPFC20-2023-20) (**Attachment 8**).
- 73. The Commission noted the update from the Chair of the Joint IATTC-NC PBF CDS Technical Committee, Mr. Shingo Ota (Japan) on progress in 2023 to develop a catch documentation scheme for Pacific bluefin tuna.

AGENDA 11: BILLFISH STOCKS

a. North Pacific swordfish (CMM 2022-02)

- 74. The Commission adopted the amended Conservation and Management Measure for North Pacific Swordfish (Attachment A of WCPFC20-2023-20) (**Attachment 9**).
- 75. The Commission requested that the Northern Committee consider the deleted preambular paragraph of CMM 2022-02 at NC20 and provide a further recommendation to the Commission at WCPFC21.

b. South Pacific swordfish (CMM 2009-03) *No outcomes*

c. North Pacific striped marlin (CMM 2010-01)

76. The Commission noted the less than healthy state of North Pacific striped marlin, SC19s management advice and the precautionary approach, and the planned independent peer review of the North Pacific striped marlin stock assessment in 2024 and agreed to await the outcome of the peer review with a view to considering potential revisions to CMM 2010-01 at WCPFC21.

d. Southwest Pacific striped marlin (CMM 2006-04)

77. The Commission noted that SC20 would review the Southwest Pacific striped marlin stock assessment conducted by the SSP in 2024. The research schedule for other billfish is contained in the ISG-Billfish Report found in Attachment 2 of the SC19 Outcomes Document.

e. Information and data requirements to support management decisions

78. The Commission adopted the SC19 recommendations to address data gaps for billfish and billfish fisheries needed to support the Billfish Research Plan.
79. The Commission agreed that CCMs are expected and required to submit information about the date/time standard that can be linked back to GMT/UTC in their operational data, for future data submissions as soon as possible, and by 15 February 2024.
80. The Commission noted the offer of assistance from the SSP to assist Flag CCMs with understanding and submitting information in accord with this reporting requirement, and urged relevant Flag CCMs to contact the SSP as soon as practicable should assistance be needed.
81. Recognising the importance of catch and effort data related to short-billed spearfish and sailfish species, and the Commission tasked the Secretariat, with the assistance of the SSP, to make the necessary amendment to the *Scientific Data to be Provided to the Commission*.

AGENDA 12 – MITIGATING IMPACTS OF FISHING ON NON-TARGET AND ASSOCIATED OR DEPENDENT SPECIES (NTADS) IN THE WCPO**a. Sharks (CMM 2022-04)**

82. The Commission directed CCMs who utilize alternative measures to the prohibition on finning in paragraph 7 of CMM 2022-04, to provide detailed information on the implementation and monitoring of those alternative measures in advance of TCC20, as directed in paragraph 11 of CMM 2022-04. The Commission also encourages CCMs to report to TCC20 any enforcement difficulties that they encountered in the case of the alternative measures and how they have addressed risks such as monitoring at sea, species substitution, etc. The Commission tasks the Secretariat to compile information with regards to the application of the provisions in paragraphs 8 and 9 of CMM 2022-04. The information provided shall be used by TCC20 and WCPFC21 to review the implementation of alternative measures.

Silky shark stock assessment in the WCPO (Project 108)

83. The Commission endorsed that in 2024 an integrated assessment for silky shark be attempted and that alternative assessment methods such as data-limited methods or a risk analysis be developed concurrently.

Review of CMM for sharks

84. The Commission endorsed SC19's recommendation that it would be more effective to postpone the review of CMM 2022-04 to 2027.
85. The Commission noted a need to support better data collection, particularly for less commonly caught species interactions, and the utility of electronic technologies to complement monitoring and estimation of their interactions.
86. The Commission noted that limited information is currently available in regard to alternative measures currently implemented under paragraph 9 of the measure to inform the review of this measure, and TCC19 noted that it is not in a position to evaluate the effectiveness of such measures. TCC19 also noted that some CCMs have committed to provide additional information ahead of TCC20 on the implementation of alternative measures under paragraph 9 to inform the review of the measure in 2024.

Mid-term Review of 2021-2025 Shark Research Plan (Project 97b))

87. The Commission endorsed to the extent possible, that integrated shark assessment projects should also include a data-poor component so that advice on stock status can still be provided even if the integrated assessment approach fails.

b. Seabirds (CMM 2018-03)

88. The Commission noted that New Zealand will lead informal intersessional meetings with interested CCMs to review the latest scientific evidence on seabird bycatch mitigation and gather views on the review of CMM 2018-03 with an aim to draft a revision of CMM 2018-03 for submission to SC20, TCC20, and WCPFC21.

c. Sea Turtles (CMM 2018-04)

89. The Commission noted the need to develop best practices and guidelines to minimize the impact of FADs on sea turtles to inform CCMs of potential impacts, including detailed information on Fully Non-entangling FADs and ideas related to a "FAD WATCH" program.

d. Cetaceans (CMM 2011-03) *No outcomes***e. Information and data requirements to support management decisions *No outcomes*****AGENDA 13 – COMPLIANCE MONITORING SCHEME****Agenda 13.1 - CMS-IWG Workplan**

90. The Commission noted the information provided by the TCC Chair on the update on the CMS-IWG Workplan (**WCPFC20-2023-34**).

91. The Commission tasked the TCC Chair to develop an updated and consolidated TCC Workplan for 2024, to inform planning for TCC20, for circulation to CCMs in the first quarter of 2024.

Agenda 13.1a - Finalise audit points

92. The Commission noted the report of the CMS-IWG Audit Point Lead of adopted audit points set out in **Attachment 10**.
93. The Commission endorsed the following recommendations of the CMS-IWG drawn from its work developing audit points in 2023:
 - a. TCC, as a standing agenda item relating to the Special Requirements of Developing States, review and assess the Commission's implementation of, and compliance with, CMM 2013-06 for the previous calendar year.
 - b. The Commission consider the obligation outlined in paragraph 1, CMM 2013-06 and whether it is fit for purpose, including whether it requires CCMs to report information already reported in other CMMs or obligations.
 - c. TCC20 consider whether any amendments are required to VMS SSPs 7.2.4 to provide clearer language in relation to this reporting requirement (i.e. protocol for inspecting States to inspect ALCs/MTU of other CCMs vessels at sea, includes reporting requirements for inspecting States).
 - d. TCC20 consider how CCMs can monitor their vessels' compliance with CMM 2018-05 15 (g).
 - e. SC20 and TCC20 review the SciData requirements to capture turtle interaction reporting requirements under CMM 2018-04, paragraphs 5c and 7e.
 - f. TCC20 consider whether any adopted audit points for Quantitative Limit obligations require additional verification sources or processes to better facilitate compliance assessments.
 - g. TCC20 prepare new audit points for the revised catch and effort reporting CMM (CMM 2022-06), noting it enters into force on 1 January 2024.
 - h. The Commission task TCC to annually prepare a provisional list of obligations to be assessed in the following year's Compliance Monitoring Scheme (CMS). This will allow the Secretariat and TCC chair sufficient time to determine whether the Commission will need to adopt any additional audit points to inform the CMS process.
 - i. The Commission remind CCMs to use the audit point checklist adopted by WCPFC19 for any proposed new or amended obligations (Attachment R, WCPFC19 Summary Report). CCMs' use of this checklist will ensure that the development of audit points is embedded within the Commission's consideration of new proposals.

- j. The Commission will apply the following general approach when determining the particular category of obligations (i.e. implementation or reporting) and developing associated audit points:
 - i. obligations that require CCMs to take particular control or action over its vessels, operators, masters or crew (e.g. 'CCMs shall ensure that its flagged vessels...') are best treated as implementation obligations. This is because these obligations require CCMs to exercise control over its vessels, masters or crew – and require national binding measures to enable it to do so, along with appropriate monitoring controls.
 - ii. obligations that require specific action from a CCM authority or its officers (e.g. inspectors) are best treated as reporting obligations rather than implementation obligations. This is because CCMs do not generally have national binding measures requiring their CCM authority or officials to take specific action, and instead they implement or require such action as part of national procedures or policies.
 - iii. obligations that require CCMs to complete an action (e.g. 'CCMs shall...') but provide some qualification (e.g. 'to the extent practicable' or 'where possible' or when to use identified guidelines) are best treated as reporting obligations. This is because a CCM still has a binding obligation to take a particular action but has some discretion in light of particular circumstances.
 - iv. obligations requiring CCMs to cooperate are best treated as reporting obligations.
 - v. obligations may be categorised as both implementation and reporting obligations.
 - vi. audit points may not be required for:
 - 1. Convention obligations that are covered by specific CMMs or which are general in nature;
 - 2. non-binding obligations; and
 - 3. obligations that apply to the Commission (in relation to CCMs' compliance assessments).
- k. The Commission consider obligations that apply to it and how compliance with these obligations can be assessed.

Agenda 13.1b - Develop corrective actions

- 94. The Commission agreed to postpone the work on the development of corrective actions until some time in the future.

AGENDA 13.2 - COMPLIANCE MONITORING REPORT RY2021 AND RY2022

- 95. The Commission adopted the Compliance Monitoring Report RY2021 and RY2022 (**Attachment 11**).

AGENDA 13.3 - DEVELOP LIST OF OBLIGATIONS TO BE REVIEWED BY THE COMPLIANCE MONITORING SCHEME IN 2024

96. The Commission endorsed the list of obligations to be reviewed by the Compliance Monitoring Scheme in 2024 set out in WCPFC20-2023-26, Annex 1 (**Attachment 12**).
97. The Commission tasked the Secretariat working together with the TCC Chair and TCC Vice-Chair, to support a trial at TCC20 of the suggested approach for certain Implementation (IM) obligations where most applicable CCMs met the audit point, based on the obligations listed in paragraph 12 of **WCPFC20-2023-26**, and to request that TCC20 provide an update to WCPFC21.

AGENDA 13.4 - EXPIRY OF CMM 2021-03

98. The Commission adopted CMM 2023-04 on a Compliance Monitoring Scheme (**Attachment 13**).

AGENDA 14 – PROGRESS TOWARD DEVELOPMENT OF A CMM ON CREW LABOUR STANDARDS

99. The Commission noted with appreciation the Report of the Co-Chairs of the Crew Labour Standards IWG.
100. The Commission noted the overwhelming support of CCMs for further work in 2024 on crew labour standards and requested the co-Chairs to work with interested CCMs to progress this work in 2024 so that a CMM on Crew Labour Standards can be adopted at WCPFC21.

AGENDA 15 – REPORTS FROM SUBSIDIARY BODIES

Agenda 15.1 – NC19

101. The Commission adopted the report of NC19 (**WCPFC20-2023-NC19**).

Agenda 15.2 - SC19

102. The Commission adopted the report and recommendations of SC19 (**WCPFC20-2023-SC19**).

Agenda 15.3 - TCC19

103. The Commission adopted the report and recommendations of TCC19 (**WCPFC20-2023-TCC19**).
104. The Commission accepted the proposal from the Philippines (**WCPFC20-2023-DP11_Rev01**) agreed to the accreditation of the MTU/ALC VMS 100Si unit.

Agenda 15.4 - Consideration of changes to scheduling of SC20 and TCC20

105. The Commission agreed to retain the current scheduling of SC20 and TCC20 and requested that the Secretariat, SC Chair, SC Vice-Chair, SC Convenors, TCC Chair and TCC Vice-Chair further explore and consider options discussed at SC19 and TCC19 and report the intersessional discussions to WCPFC21 for its consideration.

106. The Commission agreed that in 2024, the deadlines for AR Pt 1 reports will be 7 July 2024 and AR Pt 2 reports will be 15 June 2024.

AGENDA 16 – REPORT OF FAC17

Agenda 16.1 - Report of the Seventeenth Finance and Administration Committee

107. The Commission accepted the audited financial statements for 2022 as set out in paper WCPFC20-2023-FAC17-05 and that the outstanding issue on the auditor's report be addressed and reported to FAC18.
108. The Commission supported the recommendations as proposed in **WCPFC20-2023-FAC17-09**. The Commission:
- a. approved placing all professional staff on one simplified salary scale (Table 4 of Attachment 1 of WCPFC20-2023-FAC17-09);
 - b. approved converting the professional staff salary scale from Special Drawing Rights (SDR) to USD, with a proposed initial conversion exchange rate from current salaries of 1 SDR=1.45 USD;
 - c. agreed to use the annual inflationary changes provided in the UN D1 salary scale to automatically include equivalent percentage increases (up to 5%) for all professional staff salaries in the proposed budget;
 - d. agreed to change the regular salary review to every 8 years or as needed/requested by the Commission or Secretariat, while recognizing the importance of ensuring those salary reviews are more comprehensive and provide benchmarks to the most relevant organizations and, where appropriate, information to support job-sizing exercises;
 - e. adopted the amendments to the staff regulations to give effect to these recommendations and make other technical or conforming edits (Attachment 2, **WCPFC-2023-FAC17-09**).
109. The Commission noted with concern that the SRF was fully depleted ahead of WCPFC20 and that insufficient funds were available to meet the requests made by Small Island Developing States to support their participation in WCPFC20 and agreed to transfer USD100,000 from CNM Fund to the SRF and encouraged CCMs to make voluntary contributions to the SRF for 2024.
110. The Commission agreed to adopt a sustainable funding mechanism for the SRF as matter of urgency. The Commission tasked the FAC Co-Chairs, along with interested CCMs, to convene an intersessional working group to consider revisions to the Financial Regulations and conduct further work to support the proposed implementation of a sustainable funding mechanism for the SRF to be considered at FAC18 and WCPFC21.68.
111. The Commission tasked the Secretariat to review the Staff Regulations and report back to FAC18 with draft recommended changes to those regulations.

112. The Commission adopted the report of FAC17 and the recommendations in the FAC17 Report (**Attachment 14**).

AGENDA 16.2 - BUDGET FOR 2024 AND INDICATIVE BUDGETS FOR 2025 AND 2026

113. The Commission adopted the final adopted 2024 budget of USD9,308,383 and Annexes (**Attachment 15**).

AGENDA 17: ADMINISTRATIVE MATTERS

Agenda 17.1 - Secretariat's Updated Corporate Plan 2024-2027

114. The Commission noted that the Secretariat will not update the Corporate Plan covering the period 2024-2027.

Agenda 17.2 - Relationships with Other Organizations

Agenda 17.2a - MOU with NPFC

115. The Commission approved the signature of the MoU with NPFC in Attachment 1 of WCPFC20-2023-30 (**Attachment 16**).

Agenda 17.2b - MOU renewal with SPRFMO

116. The Commission approved the signature of the MoU with SPRFMO, with necessary changes as in Attachment 2 of WCPFC20-2023-30 (**Attachment 17**).

Agenda 17.2c - Relations with IATTC

117. The Commission noted the status of cooperation between WCPFC and IATTC and requested the WCPFC Secretariat to provide an annual update of collaboration between the two organisations.

AGENDA 17.3 - ELECTION OF OFFICERS

118. The Commission made the following appointments to Commission positions commencing after the end of WCPFC20 (8 December 2023):
- a. SC Chair: Ms Emily Crigler (United States)
 - b. FAC Co-Chairs: Mr David Power (Australia) and Ms Putuh Suadela (Indonesia)
119. The Commission invited nominations for SC Vice-Chair and NC Vice-Chair to be made intersessionally.

AGENDA 17.4 - FUTURE MEETINGS

120. The Commission agreed on the following meeting venues and dates for 2024:
- a. Ninth Joint IATTC-NC Working Group Meeting on the Management of Pacific Bluefin Tuna (JWG-09) to be held 10-13 July 2024 in Kushiro City, Hokkaido, Japan.
 - b. NC20 to be held 15-16 July 2024 in Kushiro City, Hokkaido, Japan.
 - c. SC20 to be held 14-21 August 2024 in the Philippines.
 - d. TCC20 to be held 25 September – 1 October 2024 in Pohnpei, Federated States of Micronesia.
 - e. Annual meeting (WCPFC21) and FAC18 to be held 1-6 December 2024 in Fiji.

AGENDA 18 – OTHER MATTERS

AGENDA 20 – CLOSE OF MEETING



CONSERVATION AND MANAGEMENT MEASURE FOR BIGEYE, YELLOWFIN AND SKIPJACK TUNA IN THE WESTERN AND CENTRAL PACIFIC OCEAN

Conservation and Management Measure 2023-01

PREAMBLE

The Western and Central Pacific Fisheries Commission (WCPFC):

Recalling that the objective of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Convention) is to ensure through effective management, the long-term conservation and sustainable use of the highly migratory fish stocks of the Western and Central Pacific Ocean in accordance with the 1982 Convention and the Agreement;

Recalling further the final statement of the Chairman of the Multilateral High Level Conferences in 2000 that: “It is important to clarify, however, that the Convention applies to the waters of the Pacific Ocean. In particular, the western side of the Convention Area is not intended to include waters of South-East Asia which are not part of the Pacific Ocean, nor is it intended to include waters of the South China Sea as this would involve States which are not participants in the Conference” (Report of the Seventh and Final Session, 30th August- 5 September 2000, p.29);

Recognizing that the Scientific Committee has:

- (a) advised that the interim management objective for bigeye tuna in CMM 2021-01, to maintain the spawning biomass depletion ratio at or above the average $SB/SB_{F=0}$ for 2012-2015, is being achieved;
- (b) advised that the interim management objective for yellowfin tuna in CMM 2021-01, to maintain the spawning biomass depletion ratio at or above the average $SB/SB_{F=0}$ for 2012-2015, is being achieved; and
- (c) determined that the first run of the skipjack management procedure was successfully carried out and its output scalar of 1, indicates that catch and effort be maintained at baseline levels and recommended that the Commission take appropriate management action to ensure that the biomass depletion level fluctuates around the target reference point (TRP).

Recognizing further the interactions that occur between the fisheries for bigeye, yellowfin, and skipjack tuna;

Noting that Article 30(1) of the Convention requires the Commission to give full recognition to the special requirements of developing States that are Parties to the Convention, in particular small

island developing States and Territories and possessions, in relation to the conservation and management of highly migratory fish stocks in the Convention Area and development of fisheries on such stocks, including the provision of financial, scientific, and technological assistance;

Noting further that Article 30(2) of the Convention requires the Commission to take into account the special requirements of developing States, in particular Small Island developing States and Territories. This includes ensuring that conservation and management measures adopted by it do not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto developing States, Parties, and Territories;

Noting that Article 8(1) of the Convention which requires compatibility of conservation and management measures established for the high seas and those adopted for areas under national jurisdiction;

Recalling Article 8(4) of the Convention which requires the Commission to pay special attention to the high seas in the Convention Area that are surrounded by exclusive economic zones (EEZs);

Noting that the Parties to the Nauru Agreement (PNA) have adopted and implemented “A Third Arrangement Implementing The Nauru Agreement Setting Forth Additional Terms And Conditions Of Access To The Fisheries Zones Of The Parties”;

Noting further that the Parties to the Nauru Agreement have adopted and implemented a Vessel Day Scheme for the longline fishery, a Vessel Day Scheme for the purse seine fishery and a registry for FADs in the zones of the Parties, and may establish longline effort limits, or equivalent catch limits for longline fisheries within their exclusive economic zones;

Noting furthermore that the Members of the Pacific Islands Forum Fisheries Agency have indicated their intention to adopt a system of zone-based longline limits to replace the current system of flag-based bigeye catch limits within their EEZs;

Acknowledging that the Commission has adopted a limit reference point (LRP) for bigeye, skipjack, and yellowfin tuna of 20% of the estimated recent average spawning biomass in the absence of fishing;

Acknowledging that the Commission has adopted CMM 2022-03 on Establishing a Harvest Strategy for Key Fisheries and Stocks in the Western and Central Pacific Ocean and a Work Plan to guide the development of key components of a Harvest Strategy, including the recording of management objectives, adoption of reference points, and development of harvest control rules;

Acknowledging that the Commission has adopted CMM 2022-01 which established an interim Management Procedure for WCPO Skipjack Tuna;

Recognizing the United Nations’ Climate Change Sustainable Development Goal number 13 to “take urgent action to combat climate change and its impacts”, and that climate change has particularly negative impacts on Small Island Developing States and Territories; and noting that Article 5 (c) of the Convention requires the application of the precautionary approach , and Article 5 (d) of the Convention requires the Commission to assess the impacts of fishing, other human activities and

environmental factors on target stocks, non-target species, and species belonging to the same ecosystem or depend upon or associated with the target stocks and that WCPFC Resolution 2019-01 mandates the integration of climate change into the decision making processes of WCPFC, including into the management of fish stocks in the Convention Area;

Noting the SEAPODYM analyses presented to SC11, SC12 and SC13 on the projected impacts climate change will have on tuna distribution, larval numbers and stock biomass, the WCPFC needs to build resilience into the medium and long-term planning and manage WCPO fish stocks in a precautionary manner, as mandated in WCPFC Resolution 2019-01 and Article 30(2)(c) of the Convention requires the Commission to ensure there is no disproportionate burden of conservation action on developing States, Parties and Territories;

Adopts in accordance with Article 10 of the Convention, the following Conservation and Management Measure with respect to the skipjack (*Katsuwonus pelamis*), yellowfin (*Thunnus albacares*) and bigeye (*Thunnus obesus*) tuna stocks in the Western and Central Pacific Ocean:

PURPOSE

1. This measure is intended and designed to support fisheries for skipjack tuna, bigeye tuna, and yellowfin tuna in the Convention Area that benefit CCMs and their communities, and to do so in a way that is fair to all Members and addresses the special requirements of developing States and Participating Territories. The measure's provisions are based on the interim stock-specific objectives below, the interim management procedure for WCPO skipjack tuna established in CMM 2022-01 as well as other relevant provisions of the Convention and decisions of the Commission. As the harvest strategies for the tropical tuna stocks and/or their associated fisheries are developed, the objectives and provisions of the Measure will be amended accordingly.

PRINCIPLES FOR APPLICATION OF THE MEASURE

Compatibility

2. Conservation and management measures established for the high seas and those adopted for areas under national jurisdiction shall be compatible in order to ensure conservation and management of bigeye, skipjack, and yellowfin tuna stocks in their entirety. Measures shall ensure, at a minimum, that stocks are maintained at levels capable of producing maximum sustainable yield, pending agreement on target reference points as part of the harvest strategy approach, as qualified by relevant environmental and economic factors including the special requirements of developing States in the Convention Area as expressed by Article 5 of the Convention.

Area of Application

3. This Measure applies to all areas of high seas and all EEZs in the Convention Area except where otherwise stated in the Measure.

4. Coastal states are encouraged to take measures in archipelagic waters and territorial seas which are consistent with the objectives of this Measure and to inform the Commission Secretariat of the relevant measures that they will apply in these waters.

Small Island Developing States

5. With the exception of paragraphs 13-24, 30, 32-37 and 48-51, nothing in this Measure shall prejudice the rights and obligations of those small island developing State Members and Participating Territories in the Convention Area seeking to develop their domestic fisheries.

6. For the avoidance of doubt, where the term “SIDS” is used throughout this measure, the term includes Participating Territories. The term “CCM” means Members, Cooperating Non-Members and Participating Territories.

7. In giving effect to this CMM, the Commission shall pay attention to:

- (a) the geographical situation of a small island developing State which is made up of non-contiguous groups of islands having a distinct economic and cultural identity of their own but which are separated by areas of high seas;
- (b) the special circumstances of a State which is surrounded by the exclusive economic zones of other States and has a limited exclusive economic zone of its own; and
- (c) the need to avoid adverse impacts on subsistence, small-scale and artisanal fishers.

GENERAL PROVISIONS

Charter Arrangements

8. For the purposes of paragraphs 38-39 and 43-47, attribution of catch and effort shall be to the flag State, except that catches and effort of vessels notified as chartered under CMM 2021-04 or its replacement shall be attributed to the chartering Member, or Participating Territory. Attribution for the purpose of this Measure is without prejudice to attribution for the purposes of establishing rights and allocation.

Overlap Area

9. Where flag CCMs choose to implement IATTC measures in the overlap area, any calculation of limits for the Convention Area (excluding the overlap area) that are done on the basis of historical catch or effort levels, shall exclude historical catch or effort within the overlap area. Notwithstanding decisions on application of catch and/or effort limits, all other provisions of this measure apply to all vessels fishing in the overlap area.

HARVEST STRATEGIES AND INTERIM OBJECTIVES FOR BIGEYE, SKIPJACK, AND YELLOWFIN TUNA

Bigeeye

10. Pending agreement on a target reference point the spawning biomass depletion ratio ($SB/SB_{F=0}$) is to be maintained at or above the average $SB/SB_{F=0}$ for 2012-2015.

Skipjack

11. The spawning biomass of skipjack tuna is to be maintained on average at a level consistent with the target reference point contained in CMM 2022-01 on an interim Management Procedure for Skipjack Tuna.

Yellowfin

12. Pending agreement on a target reference point the spawning biomass depletion ratio ($SB/SB_{F=0}$) is to be maintained at or above the average $SB/SB_{F=0}$ for 2012-2015.

PURSE SEINE FISHERY**FAD Set Management**

13. A one and a half (1 1/5) months (July to mid-August) prohibition of deploying, servicing or setting on FADs shall be in place between 0001 hours UTC on 1 July and 2359 hours UTC on 15 August each year for all purse seine vessels, tender vessels, and any other vessels operating in support of purse seine vessels fishing in exclusive economic zones and the high seas in the area between 20°N and 20°S.¹

14. In addition to the one and a half month FAD closure in paragraph 13, except for those vessels flying the Kiribati flag when fishing in the high seas adjacent to the Kiribati exclusive economic zone, and Philippines' vessels operating in HSP1 in accordance with **Attachment 2**, it shall be prohibited to deploy, service or set on FADs in the high seas for one additional month of the year. Each CCM shall decide which one month (either April, May, November or December) shall be closed to setting on FADs by their fleets in the high seas for 2024, 2025, 2026 and notify the Secretariat of that decision by March 1, each year. In case a CCM decides to change the notified period at any given year of the application of this CMM this shall be notified to the Secretariat before 1st March of that year.

15. The provisions of paragraphs 3 to 7 of CMM 2009-02 apply to the high seas FAD closures.

¹ Members of the PNA may implement the FAD set management measures consistent with the Third Arrangement Implementing the Nauru Agreement of May 2008. Members of the PNA shall provide notification to the Commission of the domestic vessels to which the FAD closure will not apply. That notification shall be provided within 15 days of the arrangement being approved. The Secretariat shall provide each year to the Scientific Services Provider and TCC the list of fishing vessels that have not applied the FAD closure in the previous year, as well as, their respective numbers of FADs sets during the FADs closure.

Non-entangling FADs

16. To reduce the risk of entanglement of sharks, sea turtles or any other species, CCMs shall ensure that the design and construction of any new FAD to be deployed in the WCPFC Convention Area from 1 January 2024 shall comply with the following specifications:

- (a) The use of mesh net shall be prohibited for any part of a FAD.
- (b) If the raft is covered, only non-entangling material and designs shall be used.
- (c) The subsurface structure shall only be made using non-entangling materials.

17. To reduce the amount of synthetic marine debris, CCMs shall encourage vessels flying their flag to use, or transition towards using, non-plastic and biodegradable materials in the construction of FADs.

18. No later than 2026, the Commission shall take a decision on the implementation of biodegradable FAD requirements.

19. The Scientific Committee shall continue to review research results on the use of biodegradable material on FADs, and shall provide specific recommendations to the Commission no later than 2026 including on a timeline for the stepwise introduction of biodegradable FADs, potential gaps/needs and any other relevant information. The definition for biodegradable is non-synthetic materials and/or bio-based alternatives that are consistent with international standards for materials that are biodegradable in marine environments. The components resulting from the degradation of these materials should not be damaging to the marine and coastal ecosystems or include heavy metals or plastics in their composition. CCMs are encouraged to communicate and disseminate information on the development of biodegradable FADs.

20. The Commission no later than its 2026 annual session, based on specific guidelines defined by the FAD Management Options Intersessional Working Group and advice from SC and TCC, shall consider the adoption of measures on the implementation of biodegradable material on FADs.

Instrumented Buoys

21. A flag CCM shall ensure that each of its purse seine vessels shall have deployed at sea, at any one time, no more than 350 drifting Fish Aggregating Devices (FADs) with activated instrumented buoys. An instrumented buoy is defined as a buoy with a clearly marked reference number allowing its identification and equipped with a satellite tracking system to monitor its position. The buoy shall be activated exclusively on board the vessel. A flag CCM shall ensure that its vessels operating in the waters of a coastal State comply with the laws of that coastal State relating to FAD management, including FAD tracking.

22. (1) CCMs shall also encourage their flag vessels to:

- (a) responsibly manage the number of drifting FADs deployed each year;
- (b) carry equipment on board to facilitate the retrieval of lost drifting FADs;

- (c) make reasonable efforts to retrieve lost drifting FADs;
- (d) report the loss of drifting FADs to CCM fisheries authorities, and if the loss occurred in the EEZ of a coastal State, also report the loss to the coastal State concerned; and
- e) initiate retrieval programs for lost, abandoned or stranded FADs through cooperative initiatives among fishing vessels or other vessels implementing programmes for the recovery of such FADs.

(2) CCMs are encouraged to report annually to the Commission on the effort to implement each item of this paragraph 22(1).

(3) The FADMO IWG shall consider any information provided by CCMs on their implementation of paragraph 22(1) to enable the development of recommendations to TCC and the Commission on lost, abandoned, or stranded dFADs in 2025.

23. The Commission no later than 2026 based on consideration of the FAD Management Options Working Group shall review the effectiveness of the limit on the number of FADs deployed as set out in paragraph 21 and whether the current limit of 350, or any limit, is appropriate and provide advice on the monitoring of FADs.

Zone-based purse seine effort control

24. Coastal CCMs within the Convention Area shall restrict purse seine effort and/or catch of skipjack, yellowfin and bigeye tuna within their EEZs in accordance with the effort limits established and notified to the Commission and set out in **Table 1 of Attachment 1**. Those coastal CCMs that have yet to notify limits to the Commission shall do so by 29 February 2024.²

High seas purse seine effort control³

25. CCMs that are not SIDS shall restrict the level of purse seine effort on the high seas in the area 20°N to 20°S to the limits set out in **Attachment 1, Table 2**, except that the Philippines shall take measures on the high seas in accordance with **Attachment 2**.

26. CCMs shall ensure that the effectiveness of these effort limits for the purse seine fishery are not undermined by a transfer of effort in days fished into areas within the Convention Area south of 20°S and/or north of 20°N.

27. The limits set out in **Attachment 1, Table 2** do not confer the allocation of rights to any CCM and are without prejudice to future decisions of the Commission. The Commission commits to transitioning to a more equitable allocation framework for high seas fishing opportunities that takes into account Articles 8, 10 (3) and 30 of the Convention. The Commission will commence a process

² The provision of this paragraph do not apply to those CCMs who do not have established purse seine fisheries taking skipjack, yellowfin or bigeye tuna within their EEZs and have notified the Secretariat accordingly.

³ Throughout this measure, in the case of small purse seine fleets, of five vessels or less, the baseline level of effort used to determine a limit shall be the maximum effort in any period and not the average.

to develop that framework in 2026, to enable the Commission to reach agreement in 2026 on hard effort or catch limits in the high seas of the Convention Area and a framework for the allocation of those limits in the high seas amongst all Members and Participating Territories that adequately takes into account Articles 8, 10 (3) and 30 of the Convention. The Commission shall also consider options as to how CCMs would use their limits.

28. Where the catch and effort limits in paragraphs 24 and 25 have been exceeded, any overage of the annual limits by a CCM or the collective annual limits of a group of CCMs shall be deducted from the limits for the following year for that CCM or group of CCMs.

29. Notwithstanding paragraphs 24, 25 and 48, in each of the years 2024-2026, if any of the baseline fishing conditions specified in 1.b) of the Harvest Control Rules of the Skipjack Tuna Management Procedure are exceeded, the CMM will be amended to make sure they are maintained.

Catch retention: Purse Seine Fishery

30. To create an incentive to reduce the non-intentional capture of juvenile fish, to discourage waste and to encourage an efficient utilization of fishery resources, CCMs shall require their purse seine vessels fishing in EEZs and on the high seas within the area bounded by 20°N and 20°S to retain on board and then land or transship at port all bigeye, skipjack, and yellowfin tuna. (Paragraphs 8 to 12 of CMM 2009-02 set out the Commission's rules for catch retention in the high seas.) The only exceptions to this paragraph shall be:

- (a) when, in the final set of a trip, there is insufficient well space to accommodate all fish caught in that set, noting that excess fish taken in the last set may be transferred to and retained on board another purse seine vessel provided this is not prohibited under applicable national law; or
- (b) when the fish are unfit for human consumption for reasons other than size; or
- (c) when serious malfunction of equipment occurs.

31. Nothing in paragraphs 13-15 and 30 shall affect the sovereign rights of coastal States to determine how these management measures will be applied in their waters, or to apply additional or more stringent measures.

Monitoring and Control: Purse Seine Fishery

32. Notwithstanding the VMS SSP, a purse seine vessel shall not operate under manual reporting during the FADs closure periods, but the vessel will not be directed to return to port until the Secretariat has exhausted all reasonable steps to re-establish normal automatic reception of VMS positions in accordance with the VMS SSPs. The flag State shall be notified when VMS data is not received by the Secretariat at the interval specified in CMM 2014-02 or its replacement, and paragraph 36.

33. CCMs shall ensure that purse seine vessels entitled to fly their flags and fishing within the area bounded by 20°N and 20°S exclusively on the high seas, on the high seas and in waters under

the jurisdiction of one or more coastal States, or vessels fishing in waters under the jurisdiction of two or more coastal States, shall carry an observer from the Commission's Regional Observer Program (ROP) (CMM 2018-05).

34. Each CCM shall ensure that all purse seine vessels fishing solely within its national jurisdiction within the area bounded by 20°N and 20°S carry an observer. These CCMs are encouraged to provide the data gathered by the observers for use in the various analyses conducted by the Commission, including stock assessments, in such a manner that protects the ownership and confidentiality of the data.

35. ROP reports for trips taken during FADs closure period shall be given priority for data input and analysis by the Secretariat and the Commission's Science Provider.

36. VMS polling frequency shall be increased to every 30 minutes during the FAD closure period. The increased costs associated with the implementation of this paragraph will be borne by the Commission.

Research on Bigeye and Yellowfin

37. CCMs and the Commission are encouraged to conduct and promote research to identify ways for purse seine vessels to minimize the mortality of juvenile bigeye tuna and yellowfin tuna, particularly in accordance with any research plans adopted by the Commission.

LONGLINE FISHERY

38. As an interim measure, CCMs listed in **Attachment 1, Table 3** shall restrict the level of bigeye catch to the levels specified in **Table 3**. Where the limits in **Table 3** have been exceeded, any overage of the catch limit by a CCM listed in **Table 3** shall be deducted from the catch limit for the following year for that CCM.

39. CCMs listed in **Attachment 1, Table 3** shall report monthly the amount of bigeye catch by their flagged vessels to the Commission Secretariat by the end of the following month. The Secretariat shall notify all CCMs when 90% of the catch limits for a CCM is exceeded.

40. The limits set out in **Attachment 1, Table 3** do not confer the allocation of rights to any CCM and are without prejudice to future decisions of the Commission.

41. Subject to paragraph 5, each Member that caught less than 2,000 tonnes in 2004 shall ensure that its bigeye catch does not exceed 2,000 tonnes annually.

42. The Commission commits to transitioning to a more equitable allocation framework for fishing opportunities that takes into account Articles 8, 10 (3) and 30 of the Convention. The Commission will commence a process to develop that framework in 2026, to enable the Commission to reach agreement in 2026 on hard limits for bigeye amongst all Members and Participating Territories.

CAPACITY MANAGEMENT FOR PURSE SEINE AND LONGLINE VESSELS

Purse Seine Vessel Limits

43. CCMs, other than Small Island Developing States and Indonesia⁴, shall keep the number of purse seine vessels flying their flag larger than 24m with freezing capacity operating between 20°N and 20°S (hereinafter “LSPSVs”) to the applicable level under CMM 2013-01.

44. The concerned CCMs shall ensure that any new LSPSV constructed or purchased to replace a previous vessel or vessels, shall have a carrying capacity or well volume no larger than the vessel(s) being replaced, or shall not increase the catch or effort in the Convention Area from the level of the vessels being replaced. In such case, the authorization to fish in the Convention Area of the replaced vessel shall be immediately revoked by the flag CCM.

Limits on Longline Vessels with Freezing Capacity

45. CCMs, other than Small Island Developing States and Indonesia⁵, shall not increase the number of their longline vessels with freezing capacity targeting bigeye tuna above the applicable level under CMM 2013-01.⁶

Limits on ice-chilled longline vessels landing fresh fish

46. CCMs, other than Small Island Developing States and Indonesia⁷ shall not increase the number of their ice-chilled longline vessels targeting bigeye tuna and landing exclusively fresh fish above the applicable level under CMM 2013-01, or above the number of licenses under established limited entry programmes applying during the operation of CMM 2013-01.⁸

47. Nothing in this measure shall restrict the ability of SIDS or Participating Territories to construct or purchase vessels from other CCMs for their domestic fleets.

OTHER COMMERCIAL FISHERIES

48. CCMs shall take necessary measures to ensure that the total catch of their respective other commercial tuna fisheries for bigeye, yellowfin or skipjack tuna, but excluding those fisheries taking less than 2,000 tonnes of tropical tunas (bigeye, yellowfin and skipjack), shall not exceed either the average level for the period 2001-2004 or the level of 2004.

⁴ This paragraph shall not create a precedent with respect to application of exemptions to non-SIDS CCMs.

⁵ This paragraph shall not create a precedent with respect to application of exemptions to non-SIDS CCMs.

⁶ The provisions of this paragraph do not apply to those CCMs who apply domestic quotas, including individual transferable quotas, within a legislated/regulated management framework.

⁷ This paragraph shall not create a precedent with respect to application of exemptions to non-SIDS CCMs.

⁸ The provisions of this paragraph do not apply to those CCMs who apply domestic quotas, including individual transferable quotas, within a legislated/regulated management framework.

DATA PROVISION REQUIREMENTS

49. Operational level catch and effort data in accordance with the *Standards for the Provision of Operational Level Catch and Effort Data* attached to the Rules for *Scientific Data to be Provided to the Commission* relating to all fishing in EEZs and high seas south of 20N subject to this CMM except for artisanal small-scale vessels shall be provided to the Commission not only for the purpose of stocks management but also for the purpose of cooperation to SIDS under Article 30 of the Convention.^{9 10}

50. The Commission shall ensure the confidentiality of those data provided as non-public domain data.

51. CCMs whose vessel fish in EEZs and high seas north of 20N subject to this CMM shall ensure that aggregated data by 1 x 1 in that area be provided to the Commission, and shall also, upon request, cooperate in providing operational level data in case of Commission's stock assessment of tropical tuna stocks under a data handling agreement to be separately made between each CCM and the Scientific Provider. Those CCMs shall report such agreement to the Commission.

REVIEW AND FINAL PROVISIONS

52. The Commission shall review this CMM annually to ensure that the various provisions are having the intended effect.

53. This measure replaces CMM 2021-01. This measure shall come into effect on 16 February 2024 and remain in effect until 15 February 2027 unless earlier replaced or amended by the Commission.

⁹ CCMs which had domestic legal constraints under CMM 2014-01 shall provide operational level data as of the date on which those domestic legal constraints were lifted.

¹⁰ This paragraph shall not apply to Indonesia, until it changes its national laws so that it can provide such data. This exception shall expire when such changes take effect but in any event no later than 31 December 2025. Indonesia will, upon request, make best effort to cooperate in providing operational level data in case of Commission's stock assessment of those stocks under a data handling agreement to be separately made with the Scientific Provider.

Table 1: EEZ purse seine effort limits [paragraph 24]*(Table updated with information provided to Secretariat)*

Coastal CCMs' EEZ/Group	Effort in Vessel days/Catch limit	Comment
PNA	44,033 days	This limit will be managed cooperatively through the PNA Vessel Day Scheme.
Tokelau	1000 days	
Cook Islands	1,250 days	
Fiji	300 days	
Niue	200 days	
Samoa	150 days	
Tonga	250 days	
Vanuatu	200 days	
Australia	30,000 mt SKJ 600 mt BET 600 mt YFT	
French Polynesia	0	
Indonesia	70,820 mt	
Japan	1500 days	
Korea	*	
New Zealand	40,000 mt SKJ	
New Caledonia	20,000 mt SKJ	
Philippines	*	
Chinese Taipei	59 days (~34 purse seine vessels)	
United States **	558 days	
Wallis and Futuna	*	

* Limits not notified to the Commission

** The United States notified the Secretariat of the combined US EEZ and high seas effort limits on 1 July 2016 (1828 fishing days on the high seas and in the U.S. EEZ (combined)). The US EEZ limit is understood to be this notified limit minus the high seas effort limit for the United States set out in **Table 2 of Attachment 1.**

Table 2. High seas purse seine effort control [paragraphs 25-27]

CCM		EFFORT LIMIT (DAYS)
CHINA		26
ECUADOR		**
EL SALVADOR		**
EUROPEAN UNION		403
INDONESIA		(0)
JAPAN		121
NEW ZEALAND		160
PHILIPPINES		#
REPUBLIC OF KOREA		207
CHINESE TAIPEI		95
USA		1270
** subject to CNM on participatory rights		
# The measures that the Philippines will take are in Attachment 2 .		

Table 3. Bigeye Longline Catch Limits [paragraphs 37-39]

Bigeye catch limits by flag	
CCMs	Catch Limits
CHINA	8,224
INDONESIA	5,889*
JAPAN	18,265
KOREA	13,942
CHINESE TAIPEI	10,481
USA	6,554

*Provisional and maybe subject to revision following data analysis and verification

**For the United States and those who maintain a 5% observer coverage level, no catch increase is allowed.

Any increase in BET tuna catch limit, up to 10%, by a CCM in table 3 shall correspond with a proportional increase of observer coverage, (eg observer + Electronic Monitoring (EM) coverage increases from 5% to 10%; and for example, a 2.5 percentage point increase in observer + EM coverage corresponds with a 5% increase in the catch limit; and a 5 percentage point increase in observer + EM coverage corresponds with a 10% increase in the catch limit.) A minimum level of 5% ROP coverage shall be maintained. Any CCM who wants such an increase shall notify the Secretariat by the end of February of the year of fishing operations. If such CCM fails to achieve the required observer coverage level assessed for the year of increase of catch limits, then it will be subject to a payback penalty of 110% of the increased portion of the catch limit that can be repaid in either of the next two years, and will be assigned a status of priority non-compliant through the CMR process for this obligation.

***Any observer coverage above 5% can be achieved by human observer and/or EM coverage

In accordance with the deletion of paragraph 9 of CMM 2021 01, catch and effort of U.S. flagged Hawaii based longline vessels will no longer be attributed to US Participating Territories, future attribution for the US territories shall remain separate.

Japan will make an annual one-off transfer of 500 metric tonnes of its bigeye tuna catch limit to China.

Measure for Philippines

1. This Attachment shall apply to Philippine traditional fresh/ice chilled fishing vessels operating as a group.

AREA OF APPLICATION

2. This measure shall apply only to High Seas Pocket no. 1 (HSP-1), which is the area of high seas bounded by the Exclusive Economic Zones (EEZs) of the Federated States of Micronesia to the north and east, Republic of Palau to the west, Indonesia and Papua New Guinea to the south. For the purposes of this measure, the exact coordinates for the area shall be those used by the WCPFC vessel monitoring system (VMS). A map showing the HSP-1 Special Management Area (SMA) is attached.

REPORTING

3. Philippines shall require its concerned vessels to submit reports to the Commission at least 24 hours prior to entry and no more than 6 hours prior to exiting the HSP-1 SMA. This information may, in turn, be transmitted to the adjacent coastal States/Territories.

The report shall be in the following format:

VID/Entry or Exit: Date/Time; Lat/Long

4. Philippines shall ensure that its flagged vessels operating in the HSP-1 SMA report sightings of any fishing vessel to the Commission Secretariat. Such information shall include: vessel type, date, time, position, markings, heading and speed.

OBSERVER

5. The fishing vessels covered by this measure shall employ a WCPFC Regional Observer on board during the whole duration while they operate in HSP-1 SMA in accordance with the provisions of CMM 2018-05.

6. Regional Observers from other CCMs shall be given preference/priority. For this purpose, the Philippines and the Commission Secretariat shall inform the CCMs and the Adjacent Coastal State of the deployment needs and requirements at 60 days prior expected departure. The Secretariat and the CCM that has available qualified regional observer shall inform the Philippines of the readiness and availability of the Regional Observer at least 30 days prior to the deployment date. If none is available, the Philippines is authorized to deploy regional observers from the Philippines.

VESSEL LIST

7. The Commission shall maintain an updated list of all fishing vessels operating in HSP-1 SMA based on the foregoing vessel's entry and exit reports submitted to the Commission. The list will be made available to Commission Members through the WCPFC website.

MONITORING OF PORT LANDINGS

8. The Philippines shall ensure that all port landings of its vessels covered by this decision are monitored and accounted for to make certain that reliable catch data by species are collected for processing and analysis.

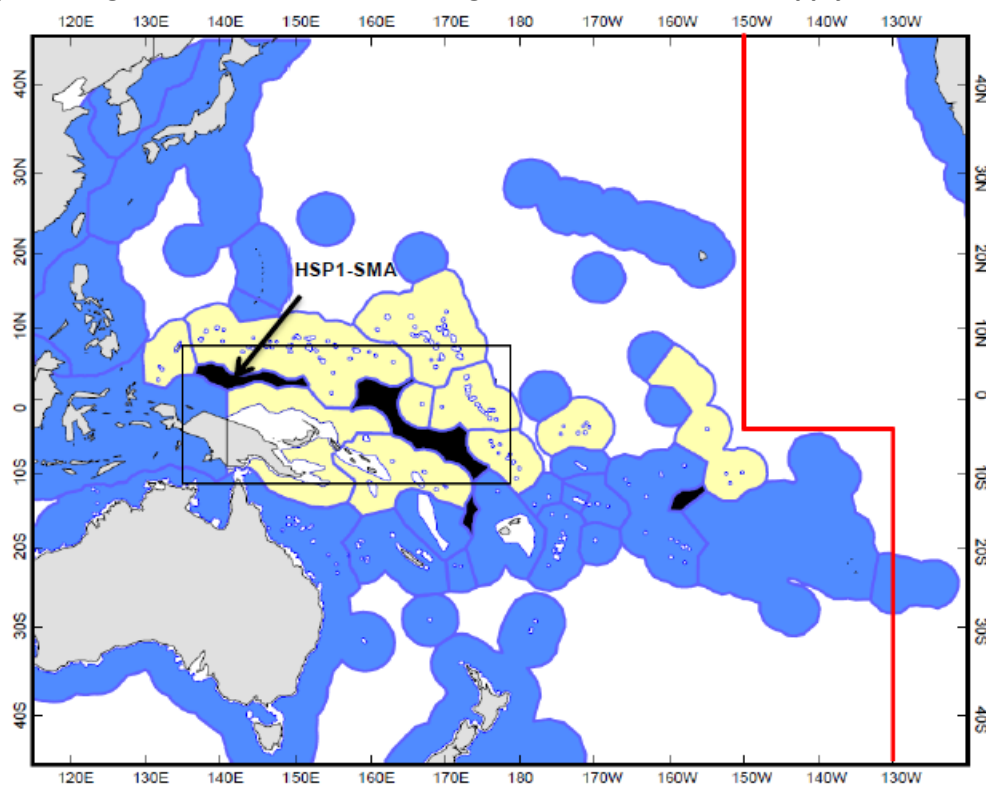
COMPLIANCE

9. All vessels conducting their fishing activities pursuant to this Attachment to CMM 2021-01 shall comply with all other relevant CMMs. Vessels found to be non-complaint with this decision shall be dealt with in accordance with CMM 2019-07 or its replacement CMM, and any other applicable measure adopted by the Commission.

EFFORT LIMIT

10. The total effort of these vessels shall not exceed 4,659¹⁴ days. The Philippines shall limit its fleet to 36 fishing vessels (described by the Philippines as catcher fishing vessels) in the HSP-1 SMA.

Map showing HSP-1 SMA where the Arrangements in Attachment 2 apply



This map displays indicative maritime boundaries only. It is presented without prejudice to any past, current or future claims by any State. It is not intended for use to support any past, current or future claims by any State or territory in the western and central Pacific or east Asian region. Individual States are responsible for maintaining the coordinates for their maritime claims. It is the responsibility of flag States to ensure their vessels are informed of the coordinates of maritime limits within the Convention Area. Coastal States are invited to register the coordinates for their negotiated and agreed maritime areas with the Commission Secretariat.

¹⁴ Reference Table 2(b), WCPFC9-2012-IP09_rev3



HARVEST STRATEGY FOR NORTH PACIFIC ALBACORE FISHERY

Harvest Strategy 2023-01

Introduction and scope

This Harvest Strategy, applicable to all fisheries that harvest North Pacific albacore, was developed based on the results of the Management Strategy Evaluation (MSE) completed by the International Scientific Committee for Tuna and Tuna-Like Species in the North Pacific Ocean (ISC) in 2021.

1. Management objectives

Considering the overarching objective of ensuring the sustainability of North Pacific albacore tuna and current fisheries supported by the stock in the Western and Central Pacific Ocean, the following management objectives are established:

- (a) Maintain Spawning Stock Biomass (SSB) above the Limit Reference Point (LRP), with a probability of at least 80% over the next 10 years.
- (b) Maintain depletion of total biomass around historical (2006-2015) average depletion over the next 10 years.
- (c) Maintain fishing intensity (F) at or below the target reference point with a probability of at least 50% over the next 10 years.
- (d) To the extent practicable, management changes (e.g., catch and/or effort) should be relatively gradual between years.

2. Reference points

For the purpose of the North Pacific albacore tuna harvest strategy, the following reference points are established.:

- (a) Target reference point (TRP) = $F_{45\%}$, which is the fishing intensity (F) level that results in the stock producing 45% of spawning potential ratio (SPR)
- (b) Threshold reference point ($SSB_{threshold}$) = $30\%SSB_{current, F=0}$, which is 30% of the dynamic unfished spawning stock biomass
- (c) Limit reference point (LRP) = $14\%SSB_{current, F=0}$, which is 14% of the dynamic unfished spawning stock biomass.

3. Acceptable levels of risk

The risk of breaching the Limit Reference Point based on the most current estimate of SSB shall be no greater than 20%.

4. Monitoring strategy

The ISC will conduct a stock assessment every three years, at which time the status relative to the reference points established under paragraph 2 will be evaluated.

When performing a stock assessment, the ISC will consider the criteria for identification of exceptional circumstances developed by the ISC, and notify the Northern Committee if these exceptional circumstances have occurred.

5. Harvest Control Rules (HCR)

The harvest control rules apply to all fisheries harvesting albacore in the EEZ and high seas in the Convention Area north of the equator.

The harvest control rule parameters produce a relationship between stock status and fishing intensity as shown in Figure 1 and are as follows with the minimum allowed fishing intensity (F_{min}) equal to $F_{87\%}$, which is the fishing intensity (F) level that results in the stock producing 87% of spawning potential ratio (SPR). $SSB_{current}$ refers to spawning stock biomass in the terminal year of the assessment and $SSB_{current, F=0}$ to the terminal year dynamic unfished spawning stock biomass.

- If $SSB_{current}/SSB_{current, F=0}$ is above or equal to $SSB_{threshold}$ with a probability of at least 50%, fishing intensity shall be maintained at or below the TRP on average over 10 years.
- If $SSB_{current}/SSB_{current, F=0}$ is below $SSB_{threshold}$ with a probability greater than 50%, and is above the LRP with a probability of at least 50%, fishing intensity shall be reduced¹ to a level in accordance with following formula:

$$F = \frac{TRP - F_{min}}{SSB_{threshold} - LRP} * (SSB_{current}/SSB_{current, F=0} - LRP) + F_{min}$$

- If $SSB_{current}/SSB_{current, F=0}$ is at or below the LRP with a probability greater than 50%, the WCPFC shall, in collaboration with the IATTC, consult with the ISC and adopt rebuilding measures that will rebuild SSB to levels of at least the $SSB_{threshold}$ with a probability of at least 65 % within 10 years of $SSB_{current}/SSB_{current, F=0}$ having been identified to be at or below the LRP with a probability greater than 50%. In the absence of such rebuilding measures, fishing intensity shall be set at F_{min} ².

If $SSB_{current}/SSB_{current, F=0}$ is above the LRP and below $SSB_{threshold}$ the maximum increase or decrease in catch or effort between the three-year management periods shall be 20% relative to the catch and effort levels specified for the previous year.

In the year following the relevant ISC stock assessment, the Northern Committee will recommend adjustment to the existing CMM for North Pacific Albacore to ensure fishing intensity is at or below the level set forth by this HCR using the latest ISC stock assessment. Changes to fishing intensity in accordance with the harvest control parameters shall apply between assessments starting the year after the stock assessment was completed, until the year following the next stock assessment that provides an estimate of unfished SSB .

Other Provisions

The Commission shall promote compatibility between the harvest strategy adopted herein and the

¹ When adopting proposed revisions to the conservation and management measures proposed, which may include inter alia reductions in fishing effort, CCMs will take into account historical fishing activity and the source of increased fishing mortality in reference to the average effort referenced in CMM 2019 -03.

² Ibid.

harvest strategy adopted by the Inter-American Tropical Tuna Commission with respect to North Pacific albacore tuna.

This Harvest Strategy replaces the “Harvest Strategy for North Pacific Albacore Fishery” adopted as Harvest Strategy 2022-01.

A review of the performance of the Harvest Strategy by the Northern Committee and the ISC shall be completed by 2030 and 2033. The aim of the review is to ensure the Harvest Strategy is performing as expected and to determine whether there are conditions that justify its continuation, or that warrant: reconditioning the MSE operating models; retuning the existing Harvest Strategy; including new indices into a new Harvest Strategy; and/or considering alternate candidate management procedures or development of a new MSE framework. Based on those reviews and subsequent ISC advice, the Commission in 2030 and 2033 shall decide on the future of the Harvest Strategy.

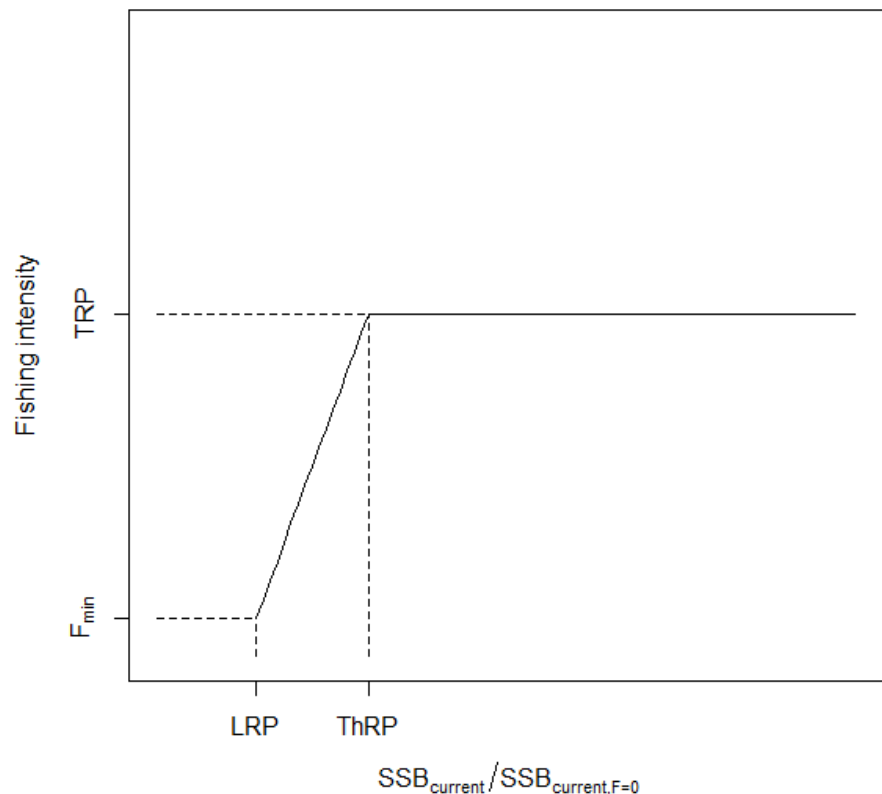


Figure 1. Illustration of the harvest control rules with target reference point (TRP), threshold reference point (ThRP), limit reference point (LRP), and the minimum allowed fishing intensity (F_{min}). The harvest control rules include the triggering of a rebuilding measure if the $SSB_{current} / SSB_{current,F=0}$ falls below the LRP.



CONSERVATION AND MANAGEMENT MEASURE FOR PACIFIC BLUEFIN TUNA

Conservation and Management Measure 2023-02

The Western and Central Pacific Fisheries Commission (WCPFC):

Recognizing that WCPFC6 adopted Conservation and Management Measure for Pacific bluefin tuna (CMM 2009-07) and the measure was revised ten times since then (CMM 2010-04, CMM 2012-06, CMM 2013-09, CMM 2014-04, CMM 2015-04, CMM 2016-04, CMM 2017-08, CMM 2018-02, CMM 2019-02 and CMM 2020-02) based on the conservation advice from the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC) on this stock;

Noting the latest stock assessment provided by ISC Plenary Meeting in July 2020, indicating the following:

- (1) spawning stock biomass (SSB) fluctuated throughout the assessment period (fishing years 1952- 2018), (2) the SSB steadily declined from 1996 to 2010, (3) the slow increase in the stock biomass has been continuing since 2011, (4) total biomass in 2018 exceeded the historical median with an increase in immature fish; and (5) fishing mortality (F%SPR) declined from a level producing about 1% of SPR in 2004-2009 to a level producing 14% of SPR in 2016-2018;
- A substantial decrease in estimated F has been observed in ages 0-2 in 2016-2018 relative to the previous years;
- Since the early 1990s, the WCPO purse seine fisheries, in particular those targeting small fish (age 0-1) have had an increasing impact on the spawning stock biomass, and in 2016 had a greater impact than any other fishery group;
- Harvesting small fish has a greater impact on future spawning stock biomass than harvesting large fish of the same amount;
- The projection results indicate that, under all the examined scenarios, the initial goal of rebuilding the stock to SSB_{MED} by 2024 with at least 60% probability, is reached with 99% or 100% probability, and that the risk of SSB falling below SSB_{loss} is negligible; and
- The projection results also indicate that, under all the examined scenarios, the estimated probability of achieving the second biomass rebuilding target (20% of SSB_{F=0}) 10 years after the achievement of the initial rebuilding target or by 2034, whichever is earlier, is greater than 90%.

Recalling that paragraph (4) of the Article 22 of the WCPFC Convention, which requires cooperation between the Commission and the IATTC to reach agreement to harmonize CMMs for fish stocks such as Pacific bluefin tuna that occur in the convention areas of both organizations;

Adopts, in accordance with Article 10 of the WCPFC Convention that:

General Provision

1. This conservation and management measure has been prepared to implement the Harvest Strategy for Pacific Bluefin Tuna Fisheries (Harvest Strategy 2017-02), and the Northern Committee shall

periodically review and recommend revisions to this measure as needed to implement the Harvest Strategy.

Management measures

2. CCMs shall take measures necessary to ensure that total fishing effort by their vessel fishing for Pacific bluefin tuna in the area north of the 20° N shall stay below the 2002–2004 annual average levels.
3. Japan, Korea and Chinese Taipei shall, respectively, take measures necessary to ensure that its catches of Pacific bluefin tuna less than 30 kg and Pacific bluefin tuna 30 kg or larger shall not exceed the annual catch limits in the tables below. The basis for the limits is as follows; annual catch limits for Pacific bluefin tuna less than 30 kg are 50% of the 2002-2004 average annual levels and annual catch limits for Pacific bluefin tuna 30 kg or larger are 115% of the 2002-2004 average annual levels or 30 metric tons for a CCM who does not have an initial catch limit for Pacific bluefin tuna 30 kg or larger before 2022.

Pacific Bluefin tuna less than 30kg

	2002-2004 average annual level	Annual initial catch limit
Japan	8,015 metric tons	4,007 metric tons
Korea	1,435 metric tons	718 metric tons

Pacific Bluefin tuna 30kg or larger

	2002-2004 average annual level	Annual initial catch limit
Japan	4,882 metric tons	5,614 metric tons
Korea	0 metric tons	30 metric tons
Chinese Taipei	1,709 metric tons	1,965 metric tons

4. CCMs, not described in paragraph 3, may increase their catch of Pacific bluefin tuna 30kg or larger by 15% above their 2002-2004 annual average levels. CCMs with a base line catch of 10 tons or less of Pacific bluefin tuna 30 kg or larger may increase their catch as long as it does not exceed 10 metric tons per year.
5. Any overage or underage of the catch limit shall be deducted from or may be added to the catch limit for the following year. The maximum underage that a CCM may carry over in any given year shall not exceed 5% of its annual initial catch limit¹.
6. CCMs described in paragraph 3 may use part of the catch limit for Pacific bluefin tuna smaller than 30kg stipulated in paragraph 3 above to catch Pacific bluefin tuna 30kg or larger in the same year. In this case, the amount of catch 30kg or larger shall be counted against the catch limit for Pacific bluefin tuna smaller than 30kg². CCMs shall not use the catch limit for Pacific bluefin tuna 30kg or larger to catch Pacific bluefin tuna smaller than 30kg.

¹ Notwithstanding paragraph 5, a CCM may carry over up to 17% of its initial catch limits in 2021, 2022 and 2023, which remain uncaught, to 2022, 2023 and 2024, respectively.

² In 2022, 2023 and 2024, a CCM may count the amount of catch 30kg or larger adjusted with the conversion factor 0.68 (catch 30kg or larger multiplied by 0.68) against the catch limit for Pacific bluefin tuna smaller than 30kg up to

7. All CCMs except Japan shall implement the limits in paragraph 3 on a calendar-year basis. Japan shall implement the limits using a management year other than the calendar year for some of its fisheries and have its implementation assessed with respect to its management year. To facilitate the assessment, Japan shall:
 - a. Use the following management years:
 1. For its fisheries licensed by the Ministry of Agriculture, Forestry and Fisheries, use the calendar year as the management year.
 2. For its other fisheries, use 1 April – 31 March as the management year³.
 - b. In its annual reports for PBF, for each category described in a.1 and a.2 above, complete the required reporting template for both the management year and calendar year clearly identifying fisheries for each management year.
8. CCMs shall report to the Executive Director by 31 July each year their fishing effort and <30 kg and ≥30 kg catch levels, by fishery, for the previous 3 year, accounting for all catches, including discards. CCMs shall report their annual catch limits and their annual catches of PBF, with adequate computation details, to present their implementation for paragraph 5 and 6, if the measures and arrangements in the said paragraphs and relevant footnotes applied. The Executive Director will compile this information each year into an appropriate format for the use of the Northern Committee.
9. CCMs shall intensify cooperation for effective implementation of this CMM, including juvenile catch reduction.
10. CCMs, in particular those catching juvenile Pacific bluefin tuna, shall take measures to monitor and obtain prompt results of recruitment of juveniles each year.
11. Consistent with their rights and obligations under international law, and in accordance with domestic laws and regulations, CCMs shall, to the extent possible, take measures necessary to prevent commercial transaction of Pacific bluefin tuna and its products that undermine the effectiveness of this CMM, especially measures prescribed in the paragraph 3 above. CCMs shall cooperate for this purpose.
12. CCMs shall cooperate to establish a catch documentation scheme (CDS) to be applied to Pacific bluefin tuna in accordance with the **Attachment** of this CMM.
13. CCMs shall also take measures necessary to strengthen monitoring and data collecting system for Pacific bluefin tuna fisheries and farming in order to improve the data quality and timeliness of all the data reporting.
14. CCMs shall report to Executive Director by 31 July annually measures they used to implement paragraphs 2, 3, 4, 7, 8, 10, 11 13 and 16 of this CMM. CCMs shall also monitor the international trade

30% of its initial catch limit for Pacific bluefin tuna smaller than 30kg. Notwithstanding the first sentence of this footnote, a CCM who does not have an initial catch limit for Pacific bluefin tuna 30kg or larger before 2022 may apply the conversion factor 0.68 up to 40% instead of 30% of its initial catch limit for Pacific bluefin tuna less than 30kg for the same period.

³ For the category described a.2 of paragraph 7, the TCC shall assess in year 20XX its implementation during the management year that starts 1 April 20XX-1 (e.g., in the 2020 compliance review, the TCC will assess Japan's implementation for its fisheries licensed by the Ministry of Agriculture, Forestry and Fisheries during calendar-year 2019 and for its other fisheries during 1 April 2019 through 31 March 2020)

of the products derived from Pacific bluefin tuna and report the results to Executive Director by 31 July annually. The Northern Committee shall annually review those reports CCMs submit pursuant to this paragraph and if necessary, advise a CCM to take an action for enhancing its compliance with this CMM.

15. The WCPFC Executive Director shall communicate this CMM to the IATTC Secretariat and its contracting parties whose fishing vessels engage in fishing for Pacific bluefin tuna in EPO and request them to take equivalent measures in conformity with this CMM.
16. To enhance effectiveness of this measure, CCMs are encouraged to communicate with and, if appropriate, work with the concerned IATTC contracting parties bilaterally.
17. The provisions of paragraphs 2 and 3 shall not prejudice the legitimate rights and obligations under international law of those small island developing State Members and participating territories in the Convention Area whose current fishing activity for Pacific bluefin tuna is limited, but that have a real interest in fishing for the species, that may wish to develop their own fisheries for Pacific bluefin tuna in the future.
18. The provisions of paragraph 17 shall not provide a basis for an increase in fishing effort by fishing vessels owned or operated by interests outside such developing coastal State, particularly Small Island Developing State Members or participating territories, unless such fishing is conducted in support of efforts by such Members and territories to develop their own domestic fisheries.
19. This CMM replaces CMM 2021-02. On the basis of stock assessment conducted by ISC in 2024, and other pertinent information, this CMM shall be reviewed and may be amended as appropriate in 2024.

Development of a Catch Document Scheme for Pacific Bluefin Tuna

Background

At the 1st joint working group meeting between NC and IATTC, held in Fukuoka, Japan from August 29 to September 1, 2016, participants supported to advance the work on the Catch Documentation Scheme (CDS) in the next joint working group meeting, in line with the development of overarching CDS framework by WCPFC and taking into account of the existing CDS by other RFMOs.

1. Objective of the Catch Document Scheme

The objective of CDS is to combat IUU fishing for Pacific Bluefin Tuna (PBF) by providing a means of preventing PBF and its products identified as caught by or originating from IUU fishing activities from moving through the commodity chain and ultimately entering markets.

2. Use of electronic scheme

Whether CDS will be a paper based scheme, an electronic scheme or a gradual transition from a paper based one to an electronic one should be first decided since the requirement of each scheme would be quite different.

3. Basic elements to be included in the draft conservation and management measure (CMM)

It is considered that at least the following elements should be considered in drafting CMM.

- (1) Objective
- (2) General provision
- (3) Definition of terms
- (4) Validation authorities and validating process of catch documents and re-export certificates
- (5) Verification authorities and verifying process for import and re-import
- (6) How to handle PBF caught by artisanal fisheries
- (7) How to handle PBF caught by recreational or sport fisheries
- (8) Use of tagging as a condition for exemption of validation
- (9) Communication between exporting members and importing members
- (10) Communication between members and the Secretariat
- (11) Role of the Secretariat
- (12) Relationship with non-members
- (13) Relationship with other CDSs and similar programs
- (14) Consideration to developing members
- (15) Schedule for introduction
- (16) Attachment
 - (i) Catch document forms
 - (ii) Re-export certificate forms
 - (iii) Instruction sheets for how to fill out forms
 - (iv) List of data to be extracted and compiled by the Secretariat

4. Work plan

The following schedule may need to be modified, depending on the progress on the WCPFC CDS for tropical tunas.

- 2017 The joint working group will submit this concept paper to the NC and IATTC for endorsement. NC will send the WCPFC annual meeting the recommendation to endorse the paper.
- 2018 The joint working group will hold a technical meeting, preferably around its meeting, to materialize the concept paper into a draft CMM. The joint working group will report the progress to the WCPFC via NC and the IATTC, respectively.
- 2019 The joint working group will hold a second technical meeting to improve the draft CMM. The joint working group will report the progress to the WCPFC via NC and the IATTC, respectively.
- 20XX The joint working group will hold a third technical meeting to finalize the draft CMM. Once it is finalized, the joint working group will submit it to the NC and the IATTC for adoption. The NC will send the WCPFC the recommendation to adopt it.



HARVEST STRATEGY FOR PACIFIC BLUEFIN TUNA FISHERIES

Harvest Strategy 2023-02

Introduction and scope

This harvest strategy has been prepared in accordance with the Commission's Conservation and Management Measure on Establishing a Harvest Strategy for Key Fisheries and Stocks in the Western and Central Pacific Ocean.

Although the provisions of this harvest strategy are expressed in terms of a single stock, they may be applied to multiple stocks as appropriate and as determined by the Northern Committee.

1. Management objectives

The management objectives are, first, to support thriving Pacific bluefin tuna fisheries across the Pacific Ocean while recognizing that the management objectives of the WCPFC are to maintain or restore the stock at levels capable of producing maximum sustainable yield, second, to maintain an equitable balance of fishing privileges among CCMs and, third, to seek cooperation with IATTC to find an equitable balance between the fisheries in the western and central Pacific Ocean (WCPO) and those in the eastern Pacific Ocean (EPO).

2. Reference points

Because steepness in the stock-recruitment relationship is not well known but the key biological and fishery variables are reasonably well estimated¹, the stock of PBF is to be treated as a Level 2 stock under the Commission's hierarchical approach for setting biological limit reference points.

2.1 Rebuilding targets

Initial rebuilding target:

The initial rebuilding target for the PBF stock size is the median SSB estimated for the period 1952 through 2014, to be reached by 2024 with at least 60% probability.

Recruitment scenario during initial rebuilding period:

The low recruitment scenario (resampling from the relatively low recruitment period (1980-1989)) or the recent recruitment scenario (resampling from the last 10 years), whichever is lower, will be used for the ISC's SSB projections until 2024 or until the SSB reaches the initial rebuilding target, whichever is earlier.

¹ See the information provided by the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (WCPFC-NC9-2013/IP-03) in response to a request made by the Northern Committee at its Eighth Regular Session (Attachment F of the report of NC8).

The ISC is requested to periodically evaluate whether the recruitment scenario used during the initial rebuilding period is reasonable given current conditions, and to make recommendations on whether a different scenario should be used. If ISC recommends a different scenario, this will be considered by the NC.

Second rebuilding target:

The second rebuilding target for the PBF stock size is $20\%SSB_{F=0}^2$, to be reached by 2034, or 10 years after reaching the initial rebuilding target, whichever is earlier, with at least 60% probability.

However, if: (1) the SSB reaches the initial rebuilding target earlier than 2024; (2) ISC recommends a recruitment scenario lower than the average recruitment scenario; and (3) the SSB projections indicate that the second rebuilding target will not be achieved on this schedule, the deadline for rebuilding may be extended to 2034 at the latest.

Also, if there is a recommendation from the Northern Committee that $20\%SSB_{F=0}$ is not appropriate as the second rebuilding target, taking into account consideration from IATTC, scientific advice from ISC, IATTC or WCPFC SC, and socioeconomic factors, another objective may be established.

Recruitment scenario during second rebuilding period:

After the initial rebuilding target is reached and until the second rebuilding target is reached, the recruitment scenario to be used for the SSB projections will tentatively be the average recruitment scenario (resampling from the entire recruitment period).

The ISC is requested to periodically evaluate whether the recruitment scenario used during the second rebuilding period is reasonable given current conditions, and to make recommendations on whether a different scenario should be used. If ISC recommends a different scenario, this will be considered by the NC.

2.2 Development of reference points

The Northern Committee will develop more refined management objectives as well as limit reference point(s) and target reference point(s) through MSE process specified in Section 6.

3. Acceptable levels of risk

Until the stock is rebuilt, the Northern Committee will recommend conservation and management measures as needed to ensure rebuilding in accordance with the probabilities specified in sections 2.1 and 5 for each of the two rebuilding targets.

Once the stock is rebuilt, in accordance with Article 6.1(a) of the Convention, the Northern Committee will recommend conservation and management measures as needed to ensure that any target reference point(s) (once adopted) are achieved on average in the long term, and ensure that the risk of the stock size declining below the B-limit (once adopted) is very low.¹²³

² $SSB_{F=0}$ is the expected spawning stock biomass under average recruitment conditions without fishing.

³ WCPFC13 agreed that any risk level greater than 20 percent to be inconsistent with the limit reference point related principles in UNFSA (as references in Article 6 of the Convention) including that the risk of breaching limit reference points be very low.

4. Monitoring strategy

The ISC will periodically evaluate the stock size and exploitation rate with respect to the established reference points and the report will be presented to the Scientific Committee. Until 2024, while the MSE is being developed (see section 6), the ISC is requested to conduct stock assessments in 2018, 2020 and 2022.

In order to cope with the adverse effects on the rebuilding of the stock due to drastic drops of recruitment: (1) all the available data and information will be reviewed annually, including recruitment data provided by the ISC and in National Reports; and (2) the ISC is requested to conduct in 2019, and periodically thereafter as resources permit and if drops in recruitment are detected, projections to see if any additional measure is necessary to achieve the initial rebuilding target by 2024 with at least 60% probability.

5. Decision rules

Harvest control rules during initial rebuilding period:

The interim harvest control rules below will be applied based on the results of stock assessments and SSB projections to be conducted by ISC.

- a. If the SSB projection indicates that the probability of achieving the initial rebuilding target by 2024 is less than 60%, management measures will be modified to increase it to at least 60%. Modification of management measures may be (1) a reduction (in %) in the catch limit for fish smaller than 30 kg (hereinafter called “small fish”) or (2) a transfer of part of the catch limit for small fish to the catch limit for fish 30 kg or larger (hereinafter called “large fish”). For this purpose, ISC will be requested, if necessary, to provide different combinations of these two measures so as to achieve 60% probability.
- b. If the SSB projection indicates that the probability of achieving the initial rebuilding target by 2024 is at 75% or larger, the WCPFC may increase their catch limits as long as the probability is maintained at 70% or larger, and the probability of reaching the second rebuilding target by the agreed deadline remains at least 60%. For this purpose, ISC will be requested, if necessary, to provide relevant information on potential catch limit increases.

Harvest control rules during second rebuilding period:

The harvest control rules during the second rebuilding period below will be applied based on the results of stock assessments and SSB projections to be conducted by ISC.

- a. If the SSB projection indicates that the probability of achieving the second rebuilding target by 2034 or 10 years after reaching the initial rebuilding target, whichever is earlier, is less than 60%, management measures shall be modified to increase it to at least 60%. For this purpose, the ISC will be requested, if necessary, to provide information on possible management measures to achieve 60% probability.
- b. If the SSB projection indicates that the probability of achieving the second rebuilding target by 2034, or 10 years after reaching the initial rebuilding target, whichever is earlier, is at 75% or larger, fishery controls may be changed, including adjustment of catch limits, as long as the probability is maintained at 70% or larger. For this purpose, ISC will be requested, if necessary, to provide relevant information on potential fishery controls.

- c. Any adjustments to management measures shall be considered in cooperation between the two RFMOs taking into account historical and future projected proportional fishery impacts on SSB between fisheries in the EPO and fisheries in the WCPO. For this purpose, ISC will be requested, if necessary, to provide relevant information, including projected proportional fishery impact of potential management measures changes.
- d. This harvest control rule will be reviewed and modified, as necessary, if depletion estimates across the time-series have been adjusted due to changes in assumptions and/or settings of the stock assessment model.

Harvest control rules post second rebuilding period:

The following harvest control rules shall be applied based on the results of stock assessments and SSB projections to be conducted by the ISC during the period from the year in which the stock is projected to achieve the second rebuilding target of 20%SSB₀ to the year a long-term harvest strategy based on an MSE process is implemented.

- a. If the SSB projection indicates that SSB will be below 20%SSB₀ with a probability of 60%, management measures shall be modified to increase the SSB to at least 20%SSB₀ with 60% probability. For this purpose, the ISC is requested to provide information on possible management measures to achieve 60% that the stock is above 20%SSB₀ after 10 years of the latest stock assessment.
- b. If the SSB projection indicates that SSB will be greater than 20%SSB₀ with a probability of 60%, management measures should be adjusted so long as any changes maintain SSB greater than 20%SSB₀ with a probability of 60%. For this purpose, the ISC is requested to provide information on possible management under which the stock is maintained above 20%SSB₀ with a probability of 60%.
- c. Any adjustments to management measures shall be considered in cooperation between the two RFMOs taking into account historical and future projected proportional fishery impacts on SSB between fisheries in the EPO and fisheries in the WCPO. For this purpose, ISC is requested, to provide relevant information, including projected proportional fishery impact of potential management measures changes.
- d. This harvest control rule will be reviewed and modified, as necessary, if depletion estimates across the time-series have been adjusted due to changes in assumptions and/or settings of the stock assessment model.

The Northern Committee will, through MSE development process, develop decision rules related to the limit reference points once adopted including for the case of their being breached.

6. Performance evaluation

Until the stock is rebuilt, the Northern Committee will work with the ISC and the Scientific Committee and consult with the IATTC to identify and evaluate the performance of candidate rebuilding strategies with respect to the rebuilding targets, schedules, and probabilities.

The ISC is requested to start the work to develop a management strategy evaluation (MSE) for Pacific bluefin tuna fisheries in 2019 and have a goal of completing it by 2024.

To support development of the MSE, ISC is encouraged to identify at least two experts and NC members are encouraged to provide additional funds for the ISC's work on the MSE.

The Joint WG will start to discuss in 2018, and aim to finalize no later than 2019, guidelines for the MSE, including at least one candidate long-term target reference point (TRP), two candidate limit reference points (LRPs) and candidate harvest control rules (HCRs), which will be provided to the ISC. Those candidate TRPs, LRPs and HCRs will be tested and changed if appropriate during the MSE development process.

In preparation for the Joint WG meeting in 2019, the ISC is requested to organize workshops in early 2018 and 2019 to support the identification of specific management objectives, including level of risks and timelines. The workshops will include managers, scientists and stakeholders, taking into account any recommendations of the Joint WG, and the number of representatives should be relatively small, as it was for the MSE workshop for North Pacific albacore.

In evaluating the performance of candidate target reference points, limit reference points, and harvest control rules, the Northern Committee, in consultation with the ISC and the Scientific Committee, should consider the following criteria:

- 1) Probability of achieving each of the rebuilding targets within each of the rebuilding periods (if applicable).
- 2) Time expected to achieve each of the rebuilding targets (if applicable).
- 3) Expected annual yield, by fishery.
- 4) Expected annual fishing effort, by PBF-directed fishery.
- 5) Inter-annual variability in yield and fishing effort, by fishery.
- 6) Probabilities of SSB falling below the B-limit and the historical lowest level.
- 7) Probability of fishing mortality exceeding FMSY or an appropriate proxy, and other relevant benchmarks.
- 8) Expected proportional fishery impact on SSB, by fishery and by WCPO fisheries and EPO fisheries.

Recognizing that developing the operating model and other aspects of the MSE will take time and additional resources, and might require further dialogue between the Northern Committee, the ISC, and the IATTC, while the MSE is in development the ISC is requested to perform this work using the best means at its disposal.



CONSERVATION AND MANAGEMENT MEASURE FOR NORTH PACIFIC SWORDFISH

Conservation and Management Measure 2023-03

The Western and Central Pacific Fisheries Commission (WCPFC),

Noting that Harvest Strategy for North Pacific Swordfish Fisheries was adopted at WCPFC16, which established the Limit Reference Point for the exploitation rate (F-limit) of F_{MSY} ;

Observing that the best scientific evidence on Western and Central North Pacific Swordfish from the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC) indicates that the species is not likely overfished and is not likely experiencing overfishing relative to MSY-based or 20% of unfished spawning biomass-based reference points;

Also observing that the best scientific evidence on Eastern Pacific Swordfish from the ISC indicates that the species is not likely overfished but is likely experiencing overfishing some of the recent years relative to MSY-based reference points, and there is an uncertainty in stock boundary between Western Central North Pacific stock and Eastern Pacific stock that are being reviewed by the ISC toward the stock assessment scheduled in 2023; and

Recalling Article 5(c) of the WCPFC Convention that requires application of the precautionary approach for the conservation and management of highly migratory fish stocks in the WCPF Convention Area;

Adopts, in accordance with the Article 10 of the WCPFC Convention that:

1. This measure shall apply in the high seas and EEZs within the Convention Area north of 20° N (hereinafter referred to as “the Area”).
2. The Members, Cooperating Non-Members and participating territories (hereinafter referred to as CCMs) shall take necessary measures to ensure that the level of fishing effort of their fisheries taking more than 200 metric tons per year of North Pacific swordfish in the Area is not increased beyond 2008-2010 average annual levels^{1,2},
3. Paragraphs 2 and 4 shall not be applied to those fisheries taking less than 200 metric tons of North Pacific swordfish in the Area per year. However, if the catches of such fisheries exceed 200 metric tons in any given year, the Commission shall adopt appropriate management measure for such fisheries.

¹ For the US swordfish longline fishery, the level of fishing effort shall not be increased beyond the maximum number of limited entry permits available during 2008-2010.

² For the Chinese Taipei’s coastal artisanal longline fishery, the level of fishing effort shall not be increased beyond the number of vessels licensed during 2008-2010.

4. All CCMs shall report annually to the WCPFC Commission all catches of North Pacific swordfish in the Area and all fishing effort in those fisheries as well as catch and effort across the North Pacific subject to the measures in paragraph 2, by gear type using the template provided in Annex 1.
5. The provisions of paragraph 2 shall not prejudice the legitimate rights and obligations under international law of those small island developing State Members and participating territories in the Convention Area whose current fishing activity for North Pacific swordfish is limited, but that have a real interest in, and history of, fishing for the species, that may wish to develop their own fisheries for North Pacific swordfish in the future.
6. The provisions of paragraph 5 shall not provide a basis for an increase in fishing effort by fishing vessels owned or operated by interests outside such small island developing State Members or participating territories, unless such fishing is conducted in support of efforts by such Members and territories to develop their own domestic fisheries.

Annex 1. Average annual fishing effort for 2008-2010 and annual fishing effort for subsequent years for fisheries taking North Pacific swordfish

CCM	Area ³	Fishery (gear type)	2008-2010 Average			Year			Year			Year		
			Catch (t)	No. of vessels	Fishing days ⁴	Catch (t)	No. of vessels	Fishing days	Catch (t)	No. of vessels	Fishing days	Catch (t)	No. of vessels	Fishing days

³ If collective effort limits across the North Pacific Ocean, report the Area and North Pacific Ocean separately.

⁴ Fishing days shall be the total days of fishing (both targeting and bycatch). CCMs can consider the plural effort metrics in Annex 1 to this CMM in their entirety and in the case of fisheries that take NPS as bycatch, the metric of “fishing days” may not be appropriate for assessing the compliance with the effort control provision.



CONSERVATION AND MANAGEMENT MEASURE FOR COMPLIANCE MONITORING SCHEME

Conservation and Management Measure 2023-04

PREAMBLE

The Western and Central Pacific Fisheries Commission (WCPFC)

In accordance with the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Convention):

Recalling that the Commission has adopted a wide range of conservation and management measures to give effect to the objective of the Convention,

Noting that, in accordance with Article 25 of the Convention, Members of the Commission have undertaken to enforce the provisions of the Convention and any conservation and management measures adopted by the Commission,

Noting also that, in accordance with international law, Members, Cooperating Non-Members of the Commission and Participating Territories have responsibilities to effectively exercise jurisdiction and control over their flagged vessels and with respect to their nationals,

Acknowledging that Article 24 of the Convention obliges Members of the Commission to take the necessary measures to ensure that fishing vessels flying their flag comply with the provisions of the Convention and the conservation and management measures adopted pursuant thereto, as well as the obligations of chartering States with respect to chartered vessels operating as an integral part of their domestic fleets,

Noting that, in a responsible, open, transparent and non-discriminatory manner, the Commission should be made aware of any and all available information that may be relevant to the work of the Commission in identifying and holding accountable instances of non-compliance by Members, Cooperating Non-Members and Participating Territories with management measures,

Committed to Article 30 of the Convention which requires the Commission to give full recognition to the special requirements of developing States, in particular SIDS and territories, which may include the provision of financial, technical and capacity development assistance,

Committed to the implementation of Conservation and Management Measure 2013-07 to give operational effect to the full recognition of the special requirements of SIDS and territories in the Convention Area, in particular such assistance as may be needed to implement their obligations,

Further committed to the implementation of Conservation and Management Measure 2013-06 by applying the criteria to determine the nature and extent of the impact of a proposal on SIDS and territories in the Convention Area, in order to ensure that they can meet their obligations, and to ensure that any measure does not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto SIDS and territories,

Recalling the specific function of TCC under Article 14(1)(b) of the Convention to monitor and review compliance by CCMs with conservation and management measures adopted by the

Commission and make such recommendations to the Commission as may be necessary,

Recognising the responsibility of Members, Cooperating Non-Members and Participating Territories to fully and effectively implement the provisions of the Convention and the conservation and management measures adopted by the Commission, and the need to improve such implementation and ensure compliance with these commitments,

Recalling the recommendation of the second joint meeting of the tuna Regional Fisheries Management Organizations (RFMOs) that all RFMOs should introduce a robust compliance review mechanism by which the compliance record of each Member is examined in depth on a yearly basis,

Cognisant of the MCS and enforcement framework developed by the Commission, *inter alia* the 2010-06 *Conservation and Management Measure to Establish a List of Vessels Presumed to have carried out Illegal, Unreported and Unregulated Fishing activities in the WCPO*, the online Compliance case file system, Article 25 of the Convention, which considers the compliance by individual vessels,

Adopts the following conservation and management measure in accordance with Article 10 of the Convention, establishing the WCPFC Compliance Monitoring Scheme:

SECTION I – PURPOSE

1. The purpose of the WCPFC Compliance Monitoring Scheme (CMS) is to ensure that Members, Cooperating Non-Members and Participating Territories (CCMs) implement and comply with obligations arising under the Convention and conservation and management measures (CMMs) adopted by the Commission. The purpose of the CMS is also to assess flag CCM action in relation to alleged violations by its vessels, not to assess compliance by individual vessels.
2. The CMS is designed to:
 - (i) assess CCMs' compliance with their WCPFC obligations;
 - (ii) identify areas in which technical assistance or capacity building may be needed to assist CCMs to attain compliance;
 - (iii) identify aspects of CMMs which may require refinement or amendment for effective implementation;
 - (iv) respond to non-compliance by CCMs through remedial and/or preventative options that include a range of possible responses that take account of the reason for and degree, the severity, consequences and frequency of non-compliance, as may be necessary and appropriate to promote compliance with CMMs and other Commission obligations;¹ and
 - (v) monitor and resolve outstanding instances of non-compliance by CCMs with their WCPFC obligations.

¹ In accordance with the process for identifying corrective action, as provided for in paragraph 48(ii).

SECTION II – PRINCIPLES

3. The implementation of the CMS and its associated processes shall be conducted in accordance with the following principles for the purpose of the application of this measure:

- (i) Effectiveness: Effectively serve the purpose of this CMM to assess compliance by CCMs and assist the TCC in fulfilling the provisions of Article 14(1)(b) of the Convention;
- (ii) Efficiency: Avoid unnecessary administrative burden or costs on CCMs, the Commission or the Secretariat and assist TCC in identifying and recommending removal of duplicative reporting obligations;
- (iii) Fairness: Promote fairness, including by: ensuring that obligations and performance expectations are clearly specified, that assessments are undertaken consistently and based on a factual assessment of available information; that CCMs are given the opportunity to participate in the process; and that there is a reasonable balance between fisheries and CCMs in the assessment process; and
- (iv) Cooperation towards Compliance: Promote a supportive, collaborative, and non-adversarial approach where possible, with the aim of ensuring long-term compliance, including considering capacity assistance needs or other quality improvement and corrective action.

SECTION III – SCOPE AND APPLICATION

4. The Commission, with the assistance of the Technical and Compliance Committee (TCC) shall evaluate CCMs' compliance with the obligations arising under the Convention and the CMMs adopted by the Commission and identify instances of CCM non-compliance, in accordance with the approach set out in this section.

5. The CMS shall not prejudice the rights, jurisdiction, and duties of any CCM to enforce its national laws or to take more stringent measures in accordance with its national laws, consistent with that CCM's international obligations.

6. TCC shall annually prepare a provisional list of obligations to be assessed in the following year's CMS referring to a risk-based approach as a possible guidance. This will allow the Secretariat and TCC Chair sufficient time to determine whether the Commission will need to adopt any additional audit points to inform the next year's CMS process.

7. Each year, the Commission shall update what obligations shall be assessed in the following year upon consideration of the provisional list provided by TCC. Each year, the Commission shall adopt audit points for any obligations on the updated list of obligations that do not have adopted audit points.

8. The Commission shall undertake an annual assessment of compliance by CCMs during the previous calendar year with the priority obligations identified under paragraph 6. Such assessment shall be determined based on the following criteria:

- (i) For a CCM-level quantitative limit or collective CCM quantitative limit, such as a limit on fishing capacity, fishing effort, or catch, verifiable data indicating that the limit has not been exceeded.

(ii) For other obligations:

- a. Implementation – where an obligation applies, the CCM is required to provide information showing that it has adopted, in accordance with its own national policies and procedures, binding measures that implement that obligation; and
- b. Monitor and ensure compliance – the CCM is required to provide information showing that it has a system or procedures to monitor compliance of vessels and persons with these binding measures, a system or procedures to respond to instances of non-compliance and has taken action in relation to potential infringements.

9. The preparation, distribution and discussion of compliance information pursuant to the CMS shall be in accordance with all relevant rules and procedures relating to the protection and dissemination of, and access to, public and non-public domain data and information compiled by the Commission. In this regard, Draft and Provisional Compliance Monitoring Reports shall constitute non-public domain data, and the Final Compliance Monitoring Report shall constitute public domain data.

SECTION IV – WCPFC ONLINE COMPLIANCE CASE FILE SYSTEM

10. The Secretariat shall maintain the WCPFC online compliance case file system as a secure, searchable system to store, manage and make available information to assist CCMs with tracking alleged violations by their flagged vessels.

11. For each case in the online system, the following information shall be provided by the flag CCM:

- (a) Has an investigation been started? (Yes/No)
- (b) If yes, what is the current status of the investigation? (Ongoing, Completed)
- (c) If the alleged violations stem from an observer report, have you obtained the observer report? (Yes/No)
- (d) If no, what steps have you taken to obtain the observer report?
- (e) What was the outcome of the investigation? (Closed – no violation; Infraction – not charged; Infraction – charged)
- (f) If no violation, provide brief explanation
- (g) If infraction, but not charged, provide brief explanation
- (h) If infraction charged, how was it charged (e.g., penalty/fine, permit sanction, verbal or written warning, etc.) and level of charged (e.g., penalty amount, length of sanction, etc.)

12. A flag CCM shall provide updates into the online system on the progress of an investigation until its conclusion.

13. CCMs that are relevant to a case shall be allowed to view those cases for vessels flying other flags. Relevant CCMs shall comprise the CCM that notified the case to the flag CCM, and where applicable, the coastal CCM, the ROP observer provider and the chartering CCM.

14. The Secretariat shall notify relevant CCMs when a case is entered into the online system.

15. In order to address the imbalance in observer coverage between the longline and purse seine fisheries in the online compliance case file:

- a) Each year, the Science Service Provider shall determine the level of observer coverage of fishing on ROP longline trips in the most recent year for which this data is available.
- b) The Secretariat, in consultation with the Scientific Services Provider, shall develop and utilise a scheme for randomly sampling observer-related cases from the online compliance case file system for the purse seine fishery on a trip basis designed to achieve the level of coverage in the CMR for ROP purse seine trips determined for the longline fishery under paragraph a).
- c) Observer-related cases from the sample of trips by purse seine vessels identified under sub-paragraph (b) above will be used for the CMR, including for the purposes of paragraphs 25 and 28.

SECTION V – SPECIAL REQUIREMENTS OF DEVELOPING STATES

16. Notwithstanding paragraph 4, where a SIDS or Participating Territory, or Indonesia or the Philippines cannot meet a particular obligation that is being assessed, due to a lack of capacity², that CCM shall provide a Capacity Development Plan to the Secretariat with their draft Compliance Monitoring Report (dCMR), that:

- (i) clearly identifies and explains what is preventing that CCM from meeting that obligation;
- (ii) identifies the capacity assistance needed to allow that CCM to meet that obligation;
- (iii) estimates the costs and/or technical resources associated with such assistance, including, if possible, funding and technical assistance sources where necessary;
- (iv) sets out an anticipated timeframe in which, if the identified assistance needs are provided, that CCM will be able to meet that obligation.

17. The CCM may work together with the Secretariat to draft the Capacity Development Plan. This plan shall be attached to that CCM's comments to the dCMR.

18. Where a capacity assistance need has been identified, through the preparation of a Capacity Development Plan, in a dCMR by a SIDS, Participating Territory, Indonesia or the Philippines, which has prevented that CCM from fulfilling a particular obligation, and TCC has confirmed that all of the elements of the Capacity Development Plan as stated in paragraph 16 are included, TCC shall assess that CCM as "Capacity Assistance Needed" for that obligation. TCC shall recommend to the Commission that it allow the Capacity Development Plan to run until the end of the anticipated timeframe and assistance delivery set out therein.

² Any CCM may identify a capacity assistance need through the CMS process; however, the application of paragraphs 16-18 is limited to those CCMs identified in the paragraph.

19. That CCM shall report its progress under the Capacity Development Plan every year in its Annual Report Part II. That CCM shall remain assessed as “Capacity Assistance Needed” against that particular obligation until the end of the timeframe in the plan.

20. Where the Commission is identified in the Capacity Development Plan to assist that CCM, the Secretariat shall provide an annual report of such assistance to TCC.

21. If a CCM notifies the Commission that its capacity needs have been met, the Capacity Development Plan for that obligation shall be deemed completed and the CCM’s compliance with that obligation shall then be assessed in accordance with Annex I.

22. Unless the SIDS, Participating Territory, Indonesia or Philippines amends the Capacity Development Plan that it submitted under paragraph 16 in its dCMR and TCC has confirmed that all the elements of that Plan as stated in paragraph 16 are included, once the timeframe in that original Plan has passed, that CCM’s compliance with that obligation shall be assessed in accordance with Annex I.

23. The Commission recognises the special requirements of developing State CCMs, particularly SIDS and Participating Territories, and shall seek to actively engage and cooperate with these CCMs and facilitate their effective participation in the implementation of the CMS including by:

- (i) ensuring that inter-governmental sub-regional agencies which provide advice and assistance to these CCMs, are able to participate in the processes established under the CMS, including by attending any working groups as observers and participating in accordance with Rule 36 of the Commission’s Rules of Procedure, and having access to all relevant information, and
- (ii) providing appropriately targeted assistance to improve implementation of, and compliance with, obligations arising under the Convention and CMMs adopted by the Commission, including through consideration of the options for capacity building and technical assistance.

SECTION VI – PRIOR TO TCC

24. Prior to the annual meeting of the TCC, the Executive Director shall prepare a Draft Compliance Monitoring Report (the Draft Report) that consists of individual draft Compliance Monitoring Reports (dCMRs) concerning each CCM and a section concerning collective obligations arising from the Convention or CMMs related to fishing activities managed under the Convention.

25. Each dCMR shall reflect information relating to the relevant CCM’s implementation of obligations as identified under paragraph 6 as well as any potential compliance issues, where appropriate. Such information shall be sourced from reports submitted by CCMs as required in CMMs and other Commission obligations, such as:

- i. information available to the Commission through data collection programmes, including but not limited to, high seas transshipment reports, Regional Observer Programme data and information, Vessel Monitoring System information, High Seas Boarding and Inspection Scheme reports, and charter notifications;

- ii. information contained in an Annual Report which is not available through other means; and
 - iii. where appropriate, any additional suitably documented information regarding compliance during the previous calendar year.
- 26. The Draft Report shall present all available information relating to each CCM's implementation of obligations for compliance review by TCC.
- 27. At least 55 days prior to TCC each year, the Executive Director shall transmit to each CCM its dCMR.
- 28. At the same time, the Executive Director shall draw from the online case file system and transmit to:
 - (i) each flag CCM, the infringement identification relating to alleged violations by its flagged vessels on the online system for the previous year, for that CCM to review with its dCMR. Relevant CCMs, as described in paragraph 13, shall also be provided this same information; and
 - (ii) all CCMs, aggregated information across all fleets based on the information reported by CCMs pursuant to paragraph 10, for the previous 5 years. The templates attached as Annex II will serve as the basis for the data fields that will be included. This will be used to provide an indicator of potential anomalies in the implementation of obligations by a CCM, with a view towards identifying implementation challenges for that CCM and identifying systemic failures to take flag state action in relation to alleged violations. This information shall be considered by TCC alongside the Draft Report.
- 29. Upon receipt of its dCMR, each CCM may, where appropriate, reply to the Executive Director no later than 28 days prior to TCC each year to:
 - (i) provide additional information, clarifications, amendments or corrections to information contained in its dCMR;
 - (ii) identify any particular difficulties with respect to implementation of any obligations; or
 - (iii) identify technical assistance or capacity building needed to assist the CCM with implementation of any obligations.
- 30. Relevant CCMs may continue to provide additional information or clarification into the online compliance case file system. Where such additional information or clarification is provided, at least fifteen days in advance of the TCC meeting, the Executive Director shall circulate an updated version of the documents referred to under paragraph 28.
- 31. To facilitate meeting obligations under paragraphs 29 and 30, active cooperation and communication between a flag CCM and other relevant CCMs is encouraged.
- 32. At least fifteen days in advance of the TCC meeting, the Executive Director shall compile and circulate to all CCMs the full Draft Report that will include any potential compliance issues and requirements for further information to assess the relevant CCM's compliance status, in a form to be agreed to by the Commission, including all information that may be provided under paragraph 29.
- 33. TCC shall review the Draft Report and identify any potential compliance issues for each CCM, based on information contained in the dCMRs, as well as any information provided by

CCMs in accordance with paragraph 29 of this measure. CCMs may also provide additional information to TCC with respect to implementation of its obligations.

SECTION VII – DEVELOPMENT OF THE PROVISIONAL COMPLIANCE MONITORING REPORT AT TCC

34. (i) Taking into account any Capacity Development Plans developed pursuant to paragraphs 14-16, reports and other information described in paragraph 28(ii), any additional information provided by CCMs, and, where appropriate, any additional information provided by non-government organisations or other organisations concerned with matters relevant to the implementation of this Convention, TCC shall develop a Provisional Compliance Monitoring Report (the Provisional Report) that includes a compliance status with respect to all applicable individual obligations as well as recommendations for any corrective action(s) needed by the CCM or action(s) to be taken by the Commission, based on potential compliance issues it has identified in respect of that CCM and using the criteria and considerations for assessing Compliance Status set out in Annex I of this measure.

(ii) In the development of the Provisional Report, TCC shall not assess compliance by individual vessels.

35. When considering the aggregated report described in paragraph 28(ii), alongside the Draft Report, and where an implementation challenge has been identified by a CCM, the TCC shall, in consultation with the CCM:

- a. Identify any targeted assistance that might be required to address the challenge;
- b. Determine a timeframe for the resolution of the challenge;
- c. Report to the Commission on how that CCM will be able to satisfactorily meet its obligations; and
- d. Where the CCM is a SIDS or Participating Territory or Indonesia or the Philippines, Section V of this measure shall apply.

36. When considering the aggregated report described in 28(ii), alongside the Draft Report, and where cases have been in the compliance case file system for two or more years, remains open, and are not subject to paragraph 35, TCC shall, in consultation with the CCM:

- a. Identify what is needed to progress or resolve these cases;
- b. Determine a timeframe for resolution of the cases; and
- c. Report to the Commission on how that CCM will be able to satisfactorily meet its obligation.

37. A provisional assessment of each CCM's Compliance Status shall be decided by consensus. If every effort to achieve consensus regarding a particular CCM's compliance with an individual obligation has failed, the Provisional Report shall indicate the majority and minority views. A provisional assessment shall reflect the majority view and the minority view shall also be recorded.

38. Notwithstanding paragraph 37 above, a CCM shall not block its own compliance assessment if all other CCMs present have concurred with the assessment. If the assessed CCM

disagrees with the assessment, its view shall be reflected in the Provisional Report or the final Compliance Monitoring Report.

39. Where a CCM has missed a reporting deadline,³ but has submitted the required information, this obligation will be accepted by TCC, unless a CCM has a specific concern or if there are updates from the Secretariat based on new information received.

40. The Provisional Report shall also comprise an executive summary, as well as tables including aggregated data (templates attached in Annex III) relating to the information provided in paragraph 11, including recommendations or observations from TCC regarding:

(i) identification of any CMMs or obligations that should be reviewed to address implementation or compliance difficulties experienced by CCMs, particularly when TCC has identified ambiguity in the interpretation of or difficulty in monitoring and implementing that measure or obligation, including any specific amendments or improvements that have been identified,

(ii) capacity building assistance or other obstacles to implementation identified by CCMs, in particular SIDS and Participating Territories,

41. The Provisional Report shall be finalised at TCC and forwarded to the Commission for consideration at the annual meeting.

42. CCMs may provide additional information up to 21 days after TCC. Additional information is restricted to that which only requires administrative consideration by the Secretariat to fill an information gap. This paragraph shall not apply to substantive issues. TCC shall consider whether a particular obligation may be met with the provision of additional information.

43. The Secretariat shall update the compliance status of CCMs, 21 days after the deadline to submit additional information, based on the additional information provided by CCMs as outlined in paragraph 42. A summary of these updates shall be submitted to the Commission for their consideration, along with the pCMR.

SECTION VIII – PROCESS AT THE COMMISSION

44. At each annual Commission meeting, the Commission shall consider the Provisional Report recommended by the TCC, as well as any submission from a CCM indicating that its compliance assessment for a specific obligation at TCC was undertaken in a manner that the CCM deems to be procedurally unfair.

45. Taking into account any reviews undertaken after TCC under paragraph 44, the Commission shall adopt a final Compliance Monitoring Report.

46. The final Compliance Monitoring Report shall include a Compliance Status for each CCM against each assessed obligation and any corrective action needed, and also contain an executive summary setting out any recommendations or observations from the Commission regarding the issues listed in paragraph 40 of this measure, and include tables of aggregated data relating to the information provided in paragraph 11, as referenced in paragraph 40.

³ For the purposes of the Compliance Monitoring Scheme, all reporting deadlines will be based on Universal Time Code (UTC) time unless the CMM establishing the deadline specifies otherwise.

47. Each CCM shall include, in its Part II Annual Report, any actions it has taken to address non-compliance identified in the Compliance Monitoring Report from previous years.

SECTION IX – FUTURE WORK

48. The Commission hereby commits to a multi-year workplan of tasks to enhance the CMS, with the aim of making it more efficient and effective by streamlining processes. This workplan should include the development of guidelines and operating procedures to support the implementation of the Compliance Monitoring Scheme, and shall include *inter alia*:

- (i) explore investment in technology solutions to facilitate improvements to the compliance case file system.
- (ii) the development of corrective actions to encourage and incentivise CCMS' compliance with the Commission's obligations, where non-compliance is identified
- (iii) the development of the guidelines for participation of observers in closed meetings of the Commission and its subsidiary bodies which consider the Compliance Monitoring Report. TCC shall consider any workplan and resourcing requirements to facilitate the work of the Secretariat in this regard.

SECTION X – APPLICATION AND REVIEW

49. This measure shall expire 31st December 2026.

COMPLIANCE STATUS TABLE

Compliance Status ⁴	Criteria	Response
Compliant	Compliance with the audit points	None
Non-Compliant	Failure to meet the audit points	Each CCM shall include, in its Part II Annual Report, any actions it has taken to address non-compliance identified in the Compliance Monitoring Report. Actions may include, one or more of the following: a. A CCM must address the issue to gain compliance by the next compliance assessment; or b. A CCM shall provide a Status Report to the Secretariat; or c. Other response as determined by the Commission.
Priority Non-Compliant	a. non-compliance with high-risk priority obligations and associated audit points b. repeated non-compliance with an obligation for two or more consecutively assessed years; or c. any other non-compliance identified as Priority Non-Compliant by the Commission.	Each CCM shall include, in its Part II Annual Report, any actions it has taken to address non-compliance identified in the Compliance Monitoring Report. Actions may include, one or more of the following: a. A CCM must address the issue to gain compliance by the next compliance assessment; b. Other response as determined by the Commission.
Capacity Assistance Needed	When a SIDS or Participating Territory or Indonesia or the Philippines cannot meet an obligation that is being assessed due to a lack of capacity, that CCM shall provide a Capacity Development Plan to the Secretariat with the dCMR prior to TCC.	(i) The CCM shall complete the steps of the Capacity Development Plan for that obligation in order to become compliant with the obligation, and (ii) report progress against that plan every year in its Annual Report Part II until the end of the timeframe specified in that Plan.
CMM Review or Audit Point Review	There is a lack of clarity on the requirements of an obligation.	The Commission shall review that obligation and clarify its requirements.

⁴ This annex applies to compliance statuses assigned for each individual obligation.

TWO PART TEMPLATE FOR THE AGGREGATED REPORT DESCRIBED IN PARAGRAPH 26(II)**PART A:-Template for Summary Tables related to each list in the
WCPFC Online Compliance Case File System⁵**

Summary tables derived from the online compliance case file system and intended to provide summaries by topic of flag CCMs responses to compliance cases in the online compliance case file system.

Annex 1:- Summary Tables of Flag CCM responses to Article 25(2) requests for investigation notified in the WCPFC online Compliance Case File System

Data is based on High Seas Boarding and Inspection Report, Aerial Surveillance or Port Inspection Reports, and Reports on Observer Safety Incidents

Table 1A: Counts of all Article 25(2) cases by CCM by Investigation Status

		Flag CCM Notified	Flag CCM Investigation Completed				Total Compliance cases
			Infraction- no sanction	Infraction- sanction	Infraction - warning	No infraction	
CCMxx	Year 2017						
	Year 2018						
...	...						

Table 1B-1X: Summary Tables of Article 25(2) alleged infringements grouped by topic* and by CCM by year showing counts of cases by Investigation Status

**eg bycatch-related, vessel-related, VMS-reporting, others*

			Flag CCM Notified	Flag CCM Investigation Completed				Total Compliance cases
				Infraction- no sanction	Infraction- sanction	Infraction - warning	No infraction	
CMM / CMM para A	Year 2017	CCMxx						
		CCMxy						
	Year 2018	CCMxx						
...	...							

Annex 2: Summary Tables of Flag CCM responses to FAD Sets Alleged Infringements notified in the WCPFC online Compliance Case File System based on ROP data

⁵ Update of **WCPFC-TCC15-2019-dCMR02_rev1** Summary Tables of Flag CCM responses to alleged infringements notified in the WCPFC online compliance case file system 2019 (17 September 2019)

Includes cases where ROP data indicates setting on FADs during a specified time period and/or in specific waters in the Convention Area, when the prohibition on setting on FADs was in effect.

Table 2A: Counts of all FAD Sets Alleged infringement cases by CCM by year showing counts of cases by Investigation Status and counts of cases where ROP Observer Report was received

		Flag CCM Notified	Flag CCM investigation in Progress	Flag CCM Investigation Completed	Total Compliance cases	ROP_rpt received count
CCMxx	Year 2017					
	Year 2018					
...						

Table 2B-2X: Summary Tables of FAD closure Tropical Tunas alleged infringements grouped by topic* and by CCM by year showing counts of cases by Investigation Status

**eg 3 month FAD closure (1 July – 30 Sept), 4th Month FAD closure (1 – 31 Oct), High Seas FAD closure*

		Flag CCM Notified	Flag CCM investigation in Progress	Flag CCM Investigation Completed				Total Compliance cases
				Infraction- no sanction	Infraction- sanction	Infraction - warning	No infraction	
Year 2017	CCMxx							
	CCMxy							
...								

Annex 3: Summary Tables of Flag CCM responses to Observer Obstruction Alleged Infringements notified in the WCPFC online Compliance Case File System based on ROP data
Includes cases where ROP data reports observer obstruction incidents

Table 3A: Counts of all Observer Obstruction Alleged infringement cases by CCM by year showing counts of cases by Investigation Status and counts of cases where ROP Observer Report was received

		Flag CCM Notified	Flag CCM investigation in Progress	Flag CCM Investigation Completed	Total Compliance cases	ROP_rpt received count
CCMA	Year 2017					
	Year 2018					
...						

Table 3B-3D: Summary Tables of Observer Obstruction alleged infringements grouped by topic and by CCM by year showing counts of cases by Investigation Status

RS-A: *Did the operator or any crew member assault, obstruct, resist, delay, refuse boarding to, intimidate or interfere with observer in the performance of their duties*

RS-B: *Request that an event not be reported by the observer;*

RS-D: *Did the operator fail to provide the observer, while on board the vessel, at no expense to the observer or the observer's government, with food, accommodation and medical facilities of a reasonable standard equivalent to those normally available and medical facilities of a reasonable standard equivalent to those normally available to an officer on board the vessel;*

		Flag CCM Notified	Flag CCM investigation in Progress	Flag CCM Investigation Completed				Total Compliance cases
				Infraction- no sanction	Infraction- sanction	Infraction - warning	No infraction	
Year 2017	CCMxx							
	CCMxy							
...								

Annex 4: Summary Tables of Flag CCM responses to Shark catch Alleged Infringements notified in the WCPFC online Compliance Case File System based on ROP data

Includes cases where ROP data indicates retention in part or whole of catches by vessels of shark species that are prohibited or a fate code that may indicate shark finning activities.

Table 4A: Counts of all Shark Catch Alleged infringement cases by CCM by year showing counts of cases by Investigation Status and counts of cases where ROP Observer Report was received

		Flag CCM Notified	Flag CCM investigation in Progress	Flag CCM Investigation Completed	Total Compliance cases	ROP_rpt received count
CCMxx	Year 2017					
	Year 2018					
...						

Table 4B-4D: Summary Tables of Shark Catch Alleged Infringements grouped by topic and by CCM by year showing counts of cases by Investigation Status

CMM 2010-07 09: *CCMs shall take measures necessary to prohibit their fishing vessels from retaining on board, transshipping, landing, or trading any fins harvested in contravention of this Conservation and Management Measure (CMM).*

CMM 2011-04: *1. Members, Cooperating Non-Members and Participating Territories (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. 2. CCMs shall require all vessels flying their flag and vessels under charter arrangements to the CCM to release any oceanic whitetip shark that is caught as soon as possible after the shark is brought alongside the vessel, and to do so in a manner that results in as little harm to the shark as possible.*

CMM 2013-08: *1. Commission Members, Cooperating Non-Members and Participating Territories (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 silky shark caught in the Convention Area, in whole or in part, in the fisheries covered by the Convention. 2. CCMs shall require all vessels flying their flag and vessels under charter arrangements to the CCM to release any silky shark that is caught in the Convention Area as soon as possible after the shark is brought alongside the vessel, and to do so in a manner that results in as little harm to the shark as possible.*

		Flag CCM Notified	Flag CCM investigation in Progress	Flag CCM Investigation Completed				Total Compliance cases
				Infraction- no sanction	Infraction- sanction	Infraction - warning	No infraction	
Year 2017	CCMxx							
	CCMxy							
...								

Table 5A-5B: Summary Tables of Purse Seine Alleged Infringements grouped by topic and by CCM by year showing counts of cases by Investigation Status

CMM 2011-03: 1. CCMs shall prohibit their flagged vessels from setting a purse seine net on a school of tuna associated with a cetacean in the high seas and exclusive economic zones of the Convention Area, if the animal is sighted prior to commencement of the set.

CMM 2012-04: 1. This measure shall apply to the high seas and exclusive economic zones of the Convention Area. CCMs shall prohibit their flagged vessels from setting a purse seine on a school of tuna associated with a whale shark if the animal is sighted prior to the commencement of the set.

		Flag CCM Notified	Flag CCM investigation in Progress	Flag CCM Investigation Completed				Total Compliance cases
				Infraction-no sanction	Infraction-sanction	Infraction - warning	No infraction	
Year 2017	CCMxx							
	CCMxy							
...								

Annex 5. Summary Table of Flag CCM responses to ROP Pre-Notification Issues, other than alleged observer obstruction, presently notified in WCPFC online Compliance Case File System

Includes notifications to aggregated across all CCMs of those data elements (other than alleged observer obstruction incidents) that were answered in the affirmative by a ROP observer on the WCPFC Observer Trip Monitoring Summary, or which are included in SPC/FFA General Form 3.

***WCPFC14 accepted the TCC13 recommendation that the process of not considering the information contained in the ROP Pre-notification List, for the purpose of assessing any obligations for which it was relevant, with the exception of those cases related to observer interference or obstruction be followed in future years (WCPFC14 final CMR).*

WCPFC ROP Pre-notification codes

LC-A	inaccurately record retained “target species” in the vessel log
LC-B	inaccurately record “target species” discards
LC-C:	record species inaccurately
LC-E	inaccurately record bycatch species discards
LC-F	inaccurately record retained bycatch species
LP-A	inaccurately record vessel positions on vessel log sheet for sets, hauling and catch
WC-a	Fail to comply with any Commission Conservation and Management Measures
NR-a	Fish in any areas where the vessel is not permitted to fish
NR-c	Use a fishing method other than the method the vessel was designed or licensed
NR-e	Transfer or transship fish from or to another vessel
NR-g	Fail to stow fishing gear when entering areas where vessel is not authorised to fish
LP-b	Fail to report vessel positions to countries, where required when entering and leaving an EEZ(crossing to or from an EEZ into or out of the High Seas)
PN-a	Dispose of any metals, plastics, chemicals or old fishing gear
SS-a	Fail to monitor international safety frequencies

		Flag CCM Notified	Flag CCM investigation in Progress	Flag CCM Investigation Completed				Total Compliance cases
				Infraction- no sanction	Infraction- sanction	Infraction - warning	No infraction	
Pre-notification code	Year							
...								

PART B:-Template for Summary Tables related to each CCM on cases in the WCPFC Online Compliance Case File System

Summary tables derived from the online compliance case file system and intended to provide summaries of an individual flag CCMs responses to compliance cases in the online compliance case file system.

CCMxx

Table 1:- Counts of all Alleged Infringement cases in the compliance case file system by year showing count of cases for each CCM by Investigation Status and where applicable counts of cases where ROP Observer Report was received

A25: Article 25(2)

FAI: FAD Sets Alleged infringements **OAI:** Observer Obstructions Alleged Infringements

SHK: Shark Catch Alleged Infringements

		Flag CCM Notified	Flag CCM investigation in Progress	Flag CCM Investigation Completed	Total Compliance cases	ROP_rpt received count
FAI	Year 2017					
	Year 2018					
...						

Table 2:- Summary Tables of Flag CCM responses to compliance cases notified in WCPFC online Compliance Case File System that were based on ROP data

		Flag CCM Notified	Flag CCM investigation in Progress	Flag CCM Investigation Completed				Total Compliance cases
				Infraction- no sanction	Infraction- sanction	Infraction - warning	No infraction	
CMM / CMM para A	Year 2017							
	Year 2018							

Table 3:- Summary Tables of Flag CCM responses to Article 25(2) requests for investigations notified in WCPFC online Compliance Case File System

		Flag CCM Notified	Flag CCM investigation in Progress	Flag CCM Investigation Completed				Total Compliance cases
				Infraction- no sanction	Infraction- sanction	Infraction - warning	No infraction	
CMM / CMM para A	Year 2017							
	Year 2018							

ANNEX III

TEMPLATE FOR AGGREGATED TABLES TO BE APPENDED TO THE PROVISIONAL CMR

[Note: the aggregated tables are those from the previous reports and included summary by obligation (and not CCM) and include information on: Flag CCM notified; Flag CCM investigation in progress; Flag CCM investigation completed (including infraction – no sanction, infraction – sanction, infraction – warning, no infringement); total.]

Table I: Counts of all Alleged Infringement cases based on ROP observer data by year showing count of cases by Investigation Status and counts of cases where ROP Observer Report was received

FAI: FAD Sets Alleged infringements

OAI: Observer Obstructions Alleged Infringements

SHK: Shark Catch Alleged Infringements

		Flag CCM Notified	Flag CCM investigation in Progress	Flag CCM Investigation Completed	Total Compliance cases	ROP_rpt received count
Year 2015	FAI					
Year 2016						
...						

Table II-xx: Summary Tables of outcome of flag CCM investigations of alleged infringements that were notified to WCPFC as Article 25(2) matters or in ROP observer data grouped by CMM/obligation and by year showing counts of cases by Investigation Status

**For ease of readability, groups of CMM/obligations may be presented by tables of similar topic eg alleged FAD sets, bycatch-related, observer obstruction and safety incidents, vessel-related, VMS-reporting, others*

		Flag CCM Notified	Flag CCM Investigation in Progress	Flag CCM Investigation Completed				Total Compliance cases
				Infraction-no sanction	Infraction-sanction	Infraction - warning	No infraction	
CMM / CMM para A	Year 2017							
	Year 2018							
...	...							