



CCSBT-CC/2110/13

## Update on CCSBT's Compliance Relationships with Other Bodies and Organisations

### 1. Introduction

This paper updates Members on developments regarding its compliance relationships with the International Monitoring, Control and Surveillance Network (IMCSN) and its associated networks, as well as with RFBs<sup>1</sup>/ RFMOs<sup>2</sup>, including the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), the International Commission for the Conservation of Atlantic Tunas (ICCAT), the Indian Ocean Tuna Commission (IOTC), South East Atlantic Fisheries Organisation (SEAFO), the South Pacific Regional Fisheries Management Organisation (SPRFMO), the Western and Central Pacific Fisheries Commission (WCPFC) and the Pacific Community (SPC). It also includes updates on interactions with the PEW Charitable Trusts and the International Seafood Sustainability Foundation (ISSF).

### 2. IMCSN

The IMCSN is a non-profit and informal organisation, established to facilitate bilateral and multilateral co-operation to combat illegal, unreported and unregulated (IUU) fishing and associated activities. The CCSBT became a member of the IMCSN in November 2013. Executive Director, Mr. Mark Young, continued to lead the IMCSN during 2021. The Compliance Manager attended the IMCSN's Business Meeting on 13 January 2021. During the meeting the need for alternative/ additional funding sources<sup>3</sup> to be established post 2024 was raised. Potential funding options are being considered by a small working group of the IMCSN.

#### *GFETW*

The IMCSN organised and convened its first virtual Global Fisheries Enforcement Training Workshop (GFETW) during July 2021 which was attended by both CCSBT's Compliance Manager and Chair of the Compliance Committee. The IMCSN is planning to hold a seventh in-person GFETW in Halifax, Canada during August 2022, potentially in conjunction with INTERPOL, Tuna Compliance Network (TCN) and PPFCN<sup>4</sup> meetings.

#### *Tuna Compliance Network (TCN)*

TCN continues to function under the umbrella of the IMCSN, and Mr. Young is combining his role of IMCSN Executive Director with that of also being TCN Coordinator. Dr. Lara Manarangi-Trott, WCPFC Compliance Manager, continues as TCN Chair.

The TCN held several informal virtual meetings during 2021. These meetings were generally to discuss and provide input into a current two-part ABNJ-funded project (refer to

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<sup>1</sup> Regional Fisheries Bodies

<sup>2</sup> Regional Fisheries Management Organisations

<sup>3</sup> The IMCSN is currently funded by a grant from the USA's National Oceanic and Atmospheric Administration (NOAA) – the current funding period ends in 2024

<sup>4</sup> Pan-Pacific Fisheries Compliance Network

**Attachment A**) which is to conduct a comparative review of the different compliance assessment processes implemented by the various tuna RFMOs (tRFMOs).

Note that the informal IUU Vessel List update notification system<sup>5</sup> initiative set up by TCN during 2020 between all tuna and many non-tuna RFMO compliance colleagues, including all the organisations the CCSBT cross-lists with (as well as with the General Fisheries Commission for the Mediterranean - GFCM), continues to be used frequently, and has proven to be a useful forum for requesting supplementary details about (cross-)listed vessels as necessary.

### ***Pan-Pacific Fisheries Compliance Network (PPFCN)***

One suggestion that arose at the first virtual Pew Charitable Trusts/ International Seafood Sustainability Foundation (ISSF) joint Expert Workshop on ‘Best Practices in Compliance in RFMOs’ held in September 2020<sup>6</sup> was the potential formation of a an informal Pacific RFMO<sup>7</sup> Compliance Network group similar to the TCN.

The IMCSN followed up on this discussion and determined there was sufficient interest to convene an informal inaugural meeting of a Pacific group of RFMOs<sup>7</sup>. Mr. Randy Jenkins of SPRFMO was subsequently elected as the inaugural Chair and the group met informally several times during 2021. An Operational Framework was drafted and agreed and some interested organisations, including the CCSBT, advised they would present this Operational Framework to their Members. A copy of the PPFCN Operational Framework<sup>8</sup> is attached for CCSBT Members’ information (**Attachment B**<sup>9</sup>).

Confirmed participants of the PPFCN to date include the officers responsible for compliance of the CCAMLR, the North Pacific Anadromous Fish Commission (NPAFC), the North Pacific Fisheries Commission (NPFC), the Inter-American Tropical Tuna Commission (IATTC), SPRFMO and the WCPFC. There are no financial commitments associated with this group.

The CCSBT Secretariat requests that CC16 consider the attached Operational Framework and recommend whether it supports the CCSBT’s Compliance Manager participating in the informal, voluntary PPFCN.

### **3. CCAMLR, ICCAT, IOTC and SEAFO**

The CCSBT Secretariat has had regular interactions with CCAMLR, ICCAT, IOTC and SEAFO Secretariat compliance personnel since CC15, primarily concerning IUU Vessel Lists and cross-listing matters.

### **4. WCPFC/ SPC**

A Transshipment Memorandum of Cooperation<sup>10</sup> (MoC) with WCPFC was signed by both the CCSBT and WCPFC Chairs during 2017 but has not yet been operationalised. In relation to this, the Compliance Manager attended a virtual meeting of the Tuna Fishery Data Collection Committee (Longline Electronic Monitoring Compliance Data and Transshipment Standards Workshop<sup>11</sup>) hosted by the Pacific Community (New Caledonia) between 18 – 20 November 2020. Further details are provided in paper CCSBT–CC/2110/07.

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<sup>5</sup> To complement the already established formal notification systems such as formal letters to RFMOs and website postings

<sup>6</sup> Refer to section 5 of paper [CCSBT–CC/2010/13](#)

<sup>7</sup> Including organisations with a conservation agreement with some attributes of an RFMO

<sup>8</sup> Which is based on the TCN operational framework

<sup>9</sup> CCSBT is included in square brackets and highlighted in grey as its participation in the group has not yet been confirmed

<sup>10</sup> Memorandum of Cooperation (MoC) on the Endorsement of WCPFC Regional Observer Programme Observers for Observing Transshipments of Southern Bluefin Tuna on the High Seas of the WCPFC Convention Area

<sup>11</sup> The report is available [here](#)

## **5. Pew Charitable Trusts/ ISSF Workshop**

The Compliance Manager and Chair of the CCSBT Compliance Committee (CC) attended the second virtual Pew Charitable Trusts/ International Seafood Sustainability Foundation (ISSF) joint Expert Workshop on ‘Best Practices in Compliance in RFMOs’, held virtually during March 2021. The workshop theme was to examine the role of transparency in strengthening compliance in RFMOs<sup>12</sup>.

## **6. Seafood and Fisheries Emerging Technology (SAFET)**

The Compliance Manager attended two short virtual SAFET 2021 sessions: #4 Increasing the Transparency of the Seafood Supply Chain (19/02/2021) and #6 Technologies for Monitoring, Control, and Surveillance (MCS) on 09/04/2021.

## **7. Trygg Mat Tracking (TMT)**

TMT hosts a combined IUU Vessel List on its website<sup>13</sup> which it describes as, “*the best available, up to date information on all fishing vessels that appear on the IUU vessels lists published by Regional Fisheries Management Organisations (RFMOs) and related organisations.*”

The Compliance Manager had several interactions with TMT during early 2021 primarily to try to ensure that TMT’s website is displaying up-to-date information with respect to CCSBT and its relatively newly created IUU Vessel List<sup>14</sup>. The CCSBT is not currently included in the main search screen of RFMO<sup>15</sup> IUU Lists that can be searched directly on TMT’s website due to CCSBT’s IUU list consisting entirely of cross-listed vessels. However, CCSBT cross-listings are generally (but not always<sup>16</sup>) displayed in the TMT when searching for specific vessels.

During 2021 the TCN also had some discussions with TMT concerning the possibility of developing a process to assist RFMO personnel to cross-check whether authorised vessels being submitted to the RFMO<sup>15</sup> Secretariats are listed on other RFMOs’ IUU Lists. In addition, the possibility of sending automated de-listing alerts (when IUU vessels are de-listed by the source-listing organisation) to relevant cross-listing RFMOs was discussed. No progress was made on either of these proposals.

## **8. Recommendations**

CC16 is invited to:

- Note the CCSBT’s Compliance Relationships with other bodies and organisations; and
- Consider and decide whether to endorse the CCSBT’s Compliance Manager participating in the informal, voluntary PPFCN which is based on the existing TCN model.

## **Prepared by the Secretariat**

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<sup>12</sup> The workshop report is not yet available

<sup>13</sup> Available [here](#)

<sup>14</sup> Which currently only includes cross-listed IUU vessels

<sup>15</sup> Including organisations with a conservation agreement with some attributes of an RFMO

<sup>16</sup> The Secretariat plans to re-contact TMT to follow-up further

## Sustainable Management of Tuna Fisheries and Biodiversity Conservation in the ABNJ - Compliance Assessment Study

### Introduction

The five-year Sustainable Management of Tuna Fisheries and Biodiversity Conservation in the ABNJ Project (the Project), representing a second phase from an earlier project, is one of 5 projects to be funded by the Global Environment Facility (GEF) under the Common Oceans Sustainable Utilization and Conservation of Biodiversity in ABNJ Program with the Food and Agriculture Organization of the United Nations (FAO) as the implementing agency. The Project harnesses the efforts of a large and diverse array of partners, including the tuna Regional Fisheries Management Organizations (RFMOs), governments, inter-governmental and non-governmental organisations, and private sector.

The objective of the proposed project is to achieve responsible, efficient, and sustainable tuna production and biodiversity conservation in the ABNJ in face of a changing environment. The Project would have three technical components. These are: (i) strengthened management of tuna fisheries, (ii) new tools and improved capacities to tackle IUU fishing and improve compliance and (iii) reduction of environmental impacts of tuna fisheries. These technical components would be supported by a fourth component covering KM, Communication and M&E. The main expected project outcomes are the following: (i) major tuna stocks are increasingly managed according to the precautionary approach through the use of harvest strategies/management procedures; (ii) tuna RFMOs are progressively committed to EAFM through development/adoption of implementation plans that also consider climate change impacts; (iii) RFMOs are exchanging technical knowledge on topics of global relevance; (iv) fisheries are further incentivized to follow more sustainable practices; (v) human capacity for MCS in t-RFMO member states are strengthened for consistent application of fisheries control and enforcement; (vi) improved compliance monitoring processes using lessons learned and the sharing of experiences across t-RFMOs (vii) innovative tools are being used to strengthen fisheries monitoring and traceability of fisheries products; (viii) integrated fisheries and biodiversity tools are enhancing the sustainable management of sharks and rays; (ix) environmentally sound gear types are identified and progressively implemented; (x) appropriate mitigation techniques are widely and effectively applied to mitigate impacts to bycatch species; and (xi) new policies and standards contribute to the minimization of marine waste from fishing gear. The total cost of this 5-year project is USD 146.8 million of which the GEF grant represents USD 14.7 million. Key implementation partners include: the 5 t-RFMOs, World Wildlife Fund (WWF), International Seafood Sustainability Foundation (ISSF), Bird Wildlife International (BLI) and the US National Oceanic and Atmospheric Agency (NOAA).

### The Tuna Compliance Network

The Tuna Compliance Network (TCN) is comprised of a Core Group of officers responsible for compliance from the five tuna RFMOs (tRFMOs), as well as an Extended Group of invited officers responsible for compliance in non-tuna RFMOs and invited Monitoring, Control and Surveillance (MCS) experts. The stated objective of the TCN is to facilitate communication and cooperation between Network members with the objective of sharing best practice compliance processes associated mainly with, but not limited to, existing tRFMO conservation and management measures. Among the stated goals for the TCN are to facilitate communication and information exchange; foster joint efforts, including sharing the development of common tools and procedures and best practice compliance methodologies; and to improve awareness of new and existing measures, procedures, and technologies within RFMOs. Since the establishment of the TCN in 2016/17, it has been supported by the Common Oceans Areas Beyond National Jurisdiction (ABNJ) Tuna Project and is hosted within the International MCS Network.

## Compliance Assessment Study

With the recent submission and projected approval of the project's Child Project Concept (CPC) by the GEF Council (in early June 2020), the emphasis has now shifted from the development of the project's concept to detailed project design that in turn will provide the technical basis for the development of FAO's Project Document (PRODOC) and GEF's CEO Endorsement Template. The Compliance Assessment Study will contribute specifically to developing the concept for output (vi) referred above on improved compliance monitoring processes. The overall objective of the Compliance Assessment Study is to carry out a comparative assessment of compliance reviews in t-RFMOs, considering Conservation and Management Measures (CMMs) and compliance rates. FAO will support this work which is in line with agreed workplan of the Core Group of the TCN.

The Compliance Assessment Study is being progressed in two parts.

### Part 1<sup>1</sup> (in progress, finalisation pending)

The first part focused on several specific tasks including:

1. Identify and conduct a comparative analysis of (including tabulating) key commonalities between the different tRFMOs' active CMMs, compliance policies and/or guidelines such as, but not limited to, mandatory catch and fishing activity recording and submission (including Ecologically Related Species – ERS data), vessel authorisation, IUU listing and VMS, transshipment, port inspections, electronic monitoring, information sharing, compliance assessment, corrective actions, and sanctions. Ideally commonalities would be highlighted at both a very high level (*e.g.*, catch and vessel controls), as well as further broken down to commonalities between tRFMOs' individual CMMs/ policies/ guidelines within those broader high-level groupings.
2. Identify and conduct a comparative analysis of commonalities and "best practice" examples in the presentation of information conveying outcomes of compliance assessments in the tRFMOs, including in the preparation and promulgation of related reports by the respective Secretariats.
3. Identify and conduct a comparative analysis of any existing or new innovative compliance assessment processes used or being contemplated by any of the t-RFMOs which could be of potential benefit to the compliance work and effectiveness of the other tRFMOs, including annual monitoring systems and processes.
4. Identify and summarise CMMs and broad categories of CMMs which members/Contracting Parties or Cooperating non-Contracting Party (CPC) have historically had the most difficulty in demonstrating compliance with and identify any specific issues that appear to pose systemic problems.
5. Identify and describe commonalities in RFMO membership/CPCs broken down into broad categories such as, but not limited to; coastal/small island States, distant water fishing nations, developed/developing countries, etc.
6. Identify and describe any commonalities between CPCs/group(s) of CPCs related to difficulties in achieving compliance with existing CMMs and/or broad categories of CMMs.

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<sup>1</sup> Commenced in January 2021, awaiting finalisation pending the outcomes of Part 2 of the study

Part 2<sup>2</sup> (in progress)

The Second part of the study is focusing on several additional tasks including:

1. Undertake a detailed comparative analysis of commonalities and differences across existing tRFMO obligations focusing on the following broad categories:
  - target species management, catch and effort limits and reporting for target species;
  - reporting in respect of non-target species including Ecologically Related Species (ERS) and ecosystem impacts;
  - by-catch mitigation and non-target species conservation measures; and
  - key monitoring, control and surveillance (MCS) measures.
2. Undertake additional analysis of compliance trends across the tRFMOs including developing a standard and repeatable methodology to carry out this analysis.
3. Undertake an analysis of the size, composition and areas of operation and fishing effort of parties' fishing vessels and fleets authorized to operate in the tRFMOs to include any spatial and temporal characteristics.
4. Undertake research and analysis to identify specific issues that impact parties' ability to implement and comply with tRFMO obligations.
5. Undertake a comparative assessment of the tRFMO provisions relating to the special needs of developing states including how these have been applied for the last ten years. Identify specific benefits these provisions have provided developing states and how they can be strengthened and better applied.
6. Undertake a comparative assessment of the data confidentiality provisions of the tRFMOs and how these impact the compliance assessment processes. Identify specific provisions that create impediments to effective compliance assessment and how the provisions may be adapted and improved.
7. Outline the range of existing data sharing agreements, Memorandums of Cooperation (MoC), Memorandums of Understanding (MoU), the tRFMOs have established, both between themselves, as well as with other RFMOs or organizations, how these agreements are implemented to improve compliance assessments, and identify any specific provisions that could be included in them to improve their overall effectiveness.
8. Document the processes that relate to the development, adoption and review of obligations including the roles and responsibilities of parties, secretariats, other stakeholders and the tRFMO bodies (compliance committees, scientific committees and commissions).

The above tasks should be carried out in close coordination with the compliance managers of each t-RFMO and the Core Group of the TCN will be responsible for:

1. The respective compliance managers will provide relevant data and information<sup>3</sup> needed to carry out the analysis and provide guidance/inputs to FAO on how to address the various tasks;
2. The TCN will hold kick-off meetings for each part of the study with FAO to discuss methodology, approach, planning, and coordination to agree on an effective time plan for the work.
3. The TCN will review the interim reports for each part of the study at the mid-point of the work timetable to provide input and feedback that will help guide the work of FAO in meeting the overall goals, objectives, and interests of the TCN.
4. The TCN will review the draft final reports at the end of the work timetable to provide input and feedback on the work conducted which FAO can address and incorporate in the final draft prior to submission to FAO and acceptance of the study.

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<sup>2</sup> Commenced in July 2021

<sup>3</sup> Considering any confidentiality restrictions.

### Outputs

The findings resulting from the specific tasks identified above will either be presented in separate reports for Parts 1 and 2 of the study, and/or synthesised into a single final report for Parts 1 and 2 combined. The study findings will provide the basis for recommendations on any processes that could be implemented to assist parties, commissions, and secretariats to become more effective in achieving consistently high levels of compliance with their conservation and management objectives.

### Timelines

Part 1 of the Compliance Assessment Study commenced in January 2021 and is ongoing in parallel with the second part that commenced in July 2021. All work is expected to be finalised in January 2022.

# Pan-Pacific Fisheries Compliance Network

## Operational Framework

01 March 2021

### 1. Scope

The Pan-Pacific Fisheries Compliance Network (hereafter referred to as the “PPFCN”) is an informal, voluntary network comprised of a Core Group of officers responsible for compliance within the RFMO<sup>1</sup> Secretariats<sup>2</sup> that have overlapping waters or jurisdictions within the Pacific Ocean region. The PPFCN shall also consist of an Extended Group of invited officers responsible for compliance in other RFMOs, invited Monitoring, Control and Surveillance (MCS) experts, and any other relevant experts that may support the work and objectives of the PPFCN. From its inception, the PPFCN will be supported by the International MCS (IMCS) Network<sup>3</sup>.

### 2. Objective

The PPFCN is established to facilitate informal communication, collaboration, and cooperation between PPFCN Core Group members with the primary objective of sharing information about effective compliance processes associated mainly with, but not limited to, “best practice” processes and existing RFMO conservation and management measures, as well as enabling more effective and efficient means of sharing other relevant data and information between the Core Group RFMOs where appropriate<sup>4</sup>.

### 3. General Organization

The PPFCN shall consist of:

- a) A Core Group led by a Chairperson;
- b) An Extended Group; and
- c) An IMCS Network Coordinator who supports the work of the PPFCN.

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<sup>1</sup> Reference to RFMO also includes organizations with a conservation agreement with some attributes of an RFMO

<sup>2</sup> The initial RFMOs of the PPFCN consist of the Inter-American Tropical Tuna Commission (IATTC), Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), North Pacific Anadromous Fish Commission (NPAFC), North Pacific Fisheries Commission (NPFC), South Pacific Regional Fisheries Management Organization (SPRFMO), the Western and Central Pacific Fisheries Commission (WCPFC) **[and the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) ]**

<sup>3</sup> The IMCS Network has and continues to provide similar support to the Tuna Compliance Network, the model for an informal networking forum upon which the PPFCN was formed.

<sup>4</sup> Recognizing that the informal PPFCN is not the forum within which relevant information and/or data would be shared between RFMOs and does not replace formal mechanisms such as MOU/MOAs developed, agreed, and implemented in accordance with RFMO constructs and requirements.

### **3.1 Core Group**

The Core Group shall:

- a) Be composed of those officers responsible for compliance from each of the RFMO Secretariats that form the PPFCN;
- b) Participate voluntarily in all discussions and work related to the PPFCN and its goals and objectives; and
- c) Operate by consensus.

### **3.2 Chairperson**

The Chairperson shall be elected from among the members of the Core Group for a period of one year with the possibility of one re-appointment or any other period as agreed by consensus by the Core Group. The Chairperson shall have the following duties:

- a) Convene and Chair meetings of the Core Group or of the Core and Extended Groups combined. Note: To the extent possible, all meetings or workshops of the PPFCN will be coordinated in conjunction with, or in the margins of, other international meetings or workshops involving members of the Core Group and/or virtually so as to minimize costs to RFMOs;
- b) Prepare draft agendas for meetings of the PPFCN with assistance provided by the IMCS Network Coordinator;
- c) Approve a report of the proceedings of each meeting of the PPFCN; and
- d) Ensure, especially in the interval between meetings, that any Work Plan developed by the PPFCN is carried out efficiently and in accordance with PPFCN goals and objectives.

### **3.3 Extended Group**

The Core Group may invite experts to join the Extended Group, including:

- a) Officers responsible for compliance in the Secretariats of other RFMOs;
- b) External MCS experts as agreed upon by the Core Group;
- c) Other experts on a short-term basis (e.g. Compliance Committee Chair or Science, IT/Data Managers and Legal Advisors), who can inform and support the work of the PPFCN based on their experience and expertise; and
- d) Designated representatives from funding organizations that provide direct financial support to the work of the PPFCN.

### **3.4 IMCS Network Coordinator and associated support to the PPFCN**

The PPFCN shall be supported by a Coordinator and staff provided through the IMCS Network. The IMCS Network shall support the PPFCN and the implementation of its Work

Plan taking into account its own organizational budget and capacity limitations. The IMCS Network will investigate and secure funding support for the PPFCN to assist with the functioning of the PPFCN and implementation of any Work Plan as agreed upon by the Core Group.

#### **4. General goals**

In giving effect to its objectives, the PPFCN will, inter alia:

- a) Facilitate informal communication and information exchange;
- b) Identify where more formal mechanisms for sharing information and data between the Core Group RFMOs are relevant and/or needed and support the drafting of such arrangements as may be desired by the Core Group members involved;
- c) Build on the principles of RFMO “best practices” where possible;
- d) Identify and coordinate relevant MCS technical assistance and training opportunities;
- e) Foster joint efforts, including sharing the development of common MCS tools and procedures and best practice compliance methodologies;
- f) Enhance opportunities for sharing technology and technology transfer;
- g) Improve awareness of new and existing MCS and compliance policies, measures, processes, and technologies within RFMOs; and
- h) Action any other objectives identified by the Core Group.

#### **5. Activities of the PPRN**

Following establishment of the PPFCN, the Core Group shall:

- a) Determine the need and/or desire to develop a Work Plan to guide the work of the PPFCN;
- b) Any Work Plan agreed upon by the Core Group shall be reviewed and revised annually or on an as-needed basis;
- c) Work Plan activities will focus on the implementation of PPFCN objectives and will include PPFCN meetings, advancing cooperation and collaboration between the Core Group RFMOs as well as with other individuals, networks and organizations, and technical assistance activities;
- d) The Core Group will prioritize those activities that will help ensure the long-term functioning of the PPFCN; and
- e) Any Work Plan activities identified may include participation by some or all of the Core Group RFMOs on a voluntary basis.