



CCSBT-CC/1810/12

Draft Revised Minimum Performance Requirements (Compliance Policy 1)

1. Introduction

The CCSBT has a Minimum Performance Requirements (MPRs) policy document¹ which sets out the minimum requirements that need to be met by Members to fulfil their obligations with respect to each of CCSBT's Conservation and Management Measures (CMMs).

The Compliance Committee's three-year Action Plan (CAP) includes an action item (13b) that tasks the Secretariat with regularly reviewing these MPRs to ensure they reflect any updates or additions to CCSBT's adopted set of Resolutions, Decisions or Recommendations.

This paper proposes revisions to current sections 1.1 and 6.6 of the MPRs document:

- 1.1 Compliance with National Allocations, and
- 6.6 Annual reporting to the Compliance Committee.

It also proposes deleting current section 6.5 of the MPRs and amalgamating it with current section 6.6, so as to prevent unnecessary duplication.

2. Background

The Minimum Performance Requirements (MPRs) policy document lists a set of obligations on the left-hand side of the document which are derived from relevant Decisions, Resolutions or Recommendations. The corresponding minimum performance requirements are specified opposite each of these obligations.

The MPRs document is important not only because it sets out Members' obligations, but also because it is the key reference document against which the CCSBT's programme of Quality Assurance Reviews (QARs) are conducted. As such, it's essential that it is kept up-to-date and appropriately reflects all current CCSBT obligations.

3. Draft Revised MPRs

Proposed draft revisions to the MPRs are provided at **Attachment A** for Members' consideration.

1.1 Compliance with National Allocations

Proposed amendments to this section are numerous and so are not tracked in order to make the text easier to read. However, text that remains substantially unchanged is highlighted in grey.

The proposed revisions reflect that:

- updated Effective Catch Limits are now in place;
- a standard definition of 'Attributable Catch' has been agreed; and
- the Resolution on Limited Carry-forward of Unfished Annual Total Available Catch of Southern Bluefin Tuna has been revised.

¹ ["Minimum Performance Requirements to Meet CCSBT Obligations"](#) ("Compliance Policy Guideline 1").

6.5 National Report to the Extended Commission

It is proposed that this section is deleted and amalgamated with current section 6.6.

6.6 Annual Reporting to the Compliance Committee

The revisions to this section are tracked and reflect that:

- It is proposed that section 6.5 (Annual reporting to the EC) is amalgamated with section 6.6; section 6.6's title has been updated accordingly;
- Paragraph 66 of the EC20 report is now outdated (a common definition of Attributable Catch has been agreed) and so has been deleted from the introductory reference information; it is also proposed that the associated current obligation vi) be deleted;
- The Resolution on Reporting all Sources of Mortality on Southern Bluefin Tuna was adopted after section 6.6 of the MPRs was originally agreed. A link to this Resolution has therefore been added to the introductory reference information for this section, and some small associated changes have been made to the text in revised obligation vi)².

4. Summary

CC13 is invited to consider whether to agree to the revisions presented at **Attachment A**.

Prepared by the Secretariat

² Revised obligation vi) was previously numbered as obligation vii)

1.1 Compliance with National Allocations (Decisions)

Title: There is no official title for this measure, so “Compliance with National Allocations” will be used.

Links: https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs_english/operational_resolutions/Resolution_Allocation.pdf

https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs_english/operational_resolutions/Resolution_Limited_Carry_forward.pdf

Details of the decision on the common definition of the Attributable SBT Catch and on the Principle and Action points in relation to implementing the Attributable SBT Catch definition are at paragraphs 50 - 53 of the CCSBT 21 report:

https://www.ccsbt.org/sites/default/files/userfiles/file/docs_english/meetings/meeting_reports/ccsbt_21/report_of_CCSBT21.pdf

Note: Obligations relating to this measure are subject to regular allocation decisions of the Extended Commission (EC). The limited carry-forward process can only be utilised by Members and not by CNMs.

CCSBT has agreed that the “catch” of a Member/CNM that is to be counted against its allocation of the global SBT Total Allowable Catch is called the “Attributable SBT Catch” and that the Attributable SBT Catch is defined as follows:

A Member or CNM’s attributable catch against its national allocation is the total Southern Bluefin Tuna mortality resulting from fishing activities within its jurisdiction or control¹ including, inter alia, mortality resulting from:

- *commercial fishing operations whether primarily targeting SBT or not;*
- *releases and/or discards;*
- *recreational fishing;*
- *customary and/or traditional fishing; and*
- *artisanal fishing.*

¹ Except where a vessel is chartered to a person or entity of another Member or CNM, and if a catch is attributable to that Member or CNM

1.1 Compliance with National Allocations	
Obligations	Minimum performance requirements
<p>i. Each Member and CNM shall ensure that its total Attributable SBT Catch for a quota year shall not exceed its Effective Catch Limit² as prescribed by the EC for that quota year, plus any amount of unfished allocation formally carried forward by the Member/CNM to that quota year (<i>i.e.</i> shall not exceed its total available catch).</p>	<ol style="list-style-type: none"> 1. Rules in place to ensure that the total “Attributable SBT Catch” of each Member/ CNM does not exceed the Member’s/ CNM’s Total Available Catch Limit³ for the relevant period. 2. Operating systems and processes established to: <ol style="list-style-type: none"> a. implement annual catching arrangements, including: <ol style="list-style-type: none"> i. Specification of allocations by company, quota holder or vessel; ii. Arrangements for daily recording of all catches; and iii. Weekly reporting of catches by large scale tuna longliners and monthly reporting of catches by coastal fishing vessels. b. Monitor all fishing-related mortality of SBT. c. Ensure accuracy of the “Attributable SBT Catch”, including: <ol style="list-style-type: none"> i. For fishing Members/CNMs, a physical inspection regime of SBT caught by the Member’s/CNM’s fishing vessel; and ii. For farming Members/CNMs, monitoring the method used for estimating the weight of the SBT catch and adjusting/ re-calibrating where necessary. 3. All fishing-related SBT mortality is reported annually to the Extended Scientific Committee, for incorporation into stock assessment analysis, and to the Commission. 4. Operating systems and processes applied to: <ol style="list-style-type: none"> a. monitor compliance with annual catching arrangements; and b. impose sanctions or remedies where necessary.

² The Effective Catch Limit is the Member’s National Allocation plus or minus any agreed short-term changes to that allocation, for example temporary transfers

³ Total Available Catch Limit means a Member’s Effective Catch Limit allocation for that quota year plus any amount of unfished allocation carried forward to that quota year.

1.1 Compliance with National Allocations	
Obligations	Minimum performance requirements
<p>ii. Except in some situations when carry-forward procedures shall not be applied⁴ unless decided otherwise by the Extended Commission, if a Member's annual total available catch is under-caught, that Member may carry forward the unfished quota to the following quota year. However, the total quota carried forward from one year to the next shall not exceed 20% of that Member's Effective Catch Limit for the year from which the quota is being carried forward.</p> <p>iii. A Member's total available catch for a quota year shall not exceed the sum of its national allocation for that year plus an amount equal to 20% of its national allocation for the previous quota year.</p> <p>iv. Members that have elected to carry forward unfished quota shall provide confirmation to the Secretariat within 90 days of receipt of its confirmation request⁵, and shall include a</p>	<p>1. For Members that decide to adopt the carry-forward procedure (regardless of whether carry-forward was used in a particular year):</p> <p>a. Operating systems and processes must be in place to ensure that:</p> <p>i. an accurate, verified and robust figure for the final Attributable Catch is available before the Secretariat is notified of the carry-forward,</p> <p>ii. a report on the adoption and use of the carry-forward procedure, together with documentation on quantification and verification of the total Attributable SBT catch is included in each annual report to the Extended Commission;</p> <p>b. For Members intending to carry forward unfished quota to the next quota year, the Executive Secretary is formally notified of that Member's Total Attributable SBT Catch (in whole weight) for the concluded quota year together with the revised Total Available Catch Limit³ for the new quota year within 90 days of receiving the Secretariat's confirmation request.</p>

⁴ These include cases where: a) 'exceptional circumstances' exist and the Extended Commission (EC) agrees to reduce the global total allowable catch within a three year quota block, or b) the EC agrees within a three year quota block to reduce the national allocation of one or more Members (the Members concerned cannot carry-forward), or c) the Management Procedure recommends or the EC decides on a lower Global TAC, or d) a Member exceeds its national allocation for the 2017 fishing season or later without paying back its excess catch for those seasons

⁵ The Secretariat is required to seek confirmation from Members at the end of each quota year as to whether they intend to carry forward unfished quota to the next quota year

1.1 Compliance with National Allocations	
Obligations	Minimum performance requirements
<p>revised Total Available Catch Limit³ for the new quota year.</p> <p>v. Members shall report on their use of the procedure in their annual reports to the Extended Commission, regardless of whether the procedure was in fact used by the Member during that quota year.</p>	

~~6.5 National Report to the Extended Commission (Decision)~~

~~**Title:** Annual Review of Fisheries for the Annual Commission Meeting~~

~~**Notes:** This review must also be submitted to the Compliance Committee, which meets prior to the Extended Commission.~~

6.5 National Report to the Extended Commission	
Obligations	Minimum performance requirements
i. Prior to the annual meeting of the Extended Commission, each Member shall submit the annual review of fisheries in accordance with the agreed Annual National Report template for the annual review.⁶	1. Submit report electronically to Executive Secretary at least 4 weeks before annual meeting of Compliance Committee (which precedes the annual EC meeting), with responses provided for every section of the template.

⁶The reporting template can be found at the following link: https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/templates/Annual_CC_EC_Reporting_Template.docx

6.56 Annual Reporting to the Compliance Committee and the Extended Commission (Suite of Decisions/Resolutions/Recommendations)

Title: Template for the Annual Report to the Compliance Committee and Extended Commission⁷

Links: The following points provide the source of the associated obligations within this measure:

- i. Procedural Rule 10 of the Terms of Reference of the Compliance Committee:-
https://www.ccsbt.org/sites/default/files/userfiles/file/docs_english/basic_documents/terms_of_reference_for_subsidary_bodies.pdf
- ii. Paragraph 26 (and Attachment 5) of the CC7 report:-
https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/templates/Annual_CC-EC_Reporting_Template.docx
- iii. Paragraph 5 (a) of the Resolution on establishing the CCSBT vessel monitoring system:-
https://www.ccsbt.org/sites/default/files/userfiles/file/docs_english/operational_resolutions/Resolution_VMS.pdf
- iv. Paragraph 31 of the Resolution on establishing a program for transshipment by large-scale fishing vessels:-
https://www.ccsbt.org/sites/default/files/userfiles/file/docs_english/operational_resolutions/Resolution_Transshipment.pdf
- v. Paragraph 4 of the Recommendation to mitigate the impact on ecologically related species of fishing for southern bluefin tuna:-
https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs_english/operational_resolutions/Recommendation_ERS.pdf
- ~~vi. Paragraphs 1 and 2 of the Resolution on Reporting all Sources of Mortality of Southern Bluefin Tuna
https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/docs_english/operational_resolutions/Resolution_Reporting_on_all_Sources_of_Mortality.pdf
Paragraph 66 of the EC20 report (Attributable Catch):-
https://www.ccsbt.org/userfiles/file/docs_english/meetings/meeting_reports/ccsbt_20/report_of_CCSBT20.pdf~~
- ~~vi.vii.~~ Paragraph 25 (and Attachment 5) of the CC7 report (best estimates of all sources of mortality):-
https://www.ccsbt.org/sites/default/files/userfiles/file/docs_english/meetings/meeting_reports/ccsbt_19/report_of_CC7.pdf

⁷ The reporting template can be found at the following link: https://www.ccsbt.org/sites/ccsbt.org/files/userfiles/file/templates/Annual_CC-EC_Reporting_Template.docx

6.56 Annual Reporting to the Compliance Committee <u>and the Extended Commission</u>	
Obligations	Minimum performance requirements
i. Each Member shall submit the above Annual Report to the Compliance Committee (CC) and Extended Commission (EC) in accordance with the agreed format for the template of the annual Report to the CC and EC ⁷ four weeks prior to the convening of the Compliance Committee meeting.	1. The report is submitted electronically to Executive Secretary at least 4 weeks before the annual meeting of <u>the</u> Compliance Committee. No sections of the template should be left empty. If the required information is not collected, this should be stated rather than leaving a section empty. Similarly, if a section is not applicable to a particular fishery, this should be stated instead of leaving that section empty.
ii. Each Member should continue to improve the detail in its report to the Compliance Committee and Extended Commission ⁷ , and the report should be kept up to date and submitted to future annual meetings of the Compliance Committee.	
iii. Members shall provide VMS summary reports in advance of the Compliance Committee meeting.	1. Complete section II(1)(d): VMS of the Annual National Report template. ⁷
iv. Members shall report the following to the Executive Secretary 4 weeks prior to the Annual <u>Compliance Committee Meeting</u> of the Commission : <ul style="list-style-type: none"> ○ The quantities of SBT transhipped at sea and in port during the previous fishing season; ○ The list of the LSTLVs registered in the CCSBT Authorised Vessel List which have transhipped at sea and in port during the previous fishing season, and ○ A comprehensive report assessing the content and conclusions of the reports of the observers assigned to Carrier Vessels which have received at-sea transhipments from their LSTLVs during the previous fishing season. 	1. Complete sections II(3)(a) i – iii of the Annual National Report template. ⁷

6.56 Annual Reporting to the Compliance Committee <u>and the Extended Commission</u>	
Obligations	Minimum performance requirements
v. Members will report annually to the Compliance Committee on the action they have taken pursuant to paragraphs 1, 2 and 3 of the Recommendation to mitigate the impact on ecologically related species of fishing for SBT.	1. Complete sections III(2)(a) – (d) of the Annual National Report template. ⁷
vi. Members will report annually on the details of their implementation timetable and implementation progress with respect to the development of a common definition of Attributable SBT Catch that takes into account the importance of including all sources of mortality.	1. Complete section I(3) of the Annual National Report template.²⁵
vii. <u>All Members will report complete and accurate data on the quantity of all sources of southern bluefin tuna mortality. If the Member is unable to provide complete and accurate data, it will report annually on their best estimates of all sources of <u>Southern Bluefin Tuna</u> mortality including recreational catch and discards.</u>	1. Complete section III(3) of the Annual National Report template. ⁷