



North Pacific Fisheries Commission

NPFC-2024-TCC07-Final Report

7th Technical and Compliance Committee Meeting REPORT

9-12 April 2024

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North Pacific Fisheries Commission
7th Meeting of the Technical and Compliance Committee

9-12 April 2024
Osaka, Japan (hybrid)

FINAL REPORT

Agenda Item 1. Opening of Meeting

1a. Welcome to Participants

1. The 7th Meeting of the Technical and Compliance Committee (TCC) was held in a hybrid format, with participants attending in-person in Osaka, Japan, or online via WebEx, on 9-12 April 2024, and was attended by Members from Canada, China, the European Union (EU), Japan, the Republic of Korea, the Russian Federation, Chinese Taipei, the United States of America (USA), and Vanuatu. Panama attended as a Cooperating Non-Contracting Party (CNCPP). The meeting was opened by Ms. Alisha Falberg (USA), who served as the TCC Chair.
2. Ms. Mana Kumagai, President of the Japan Konamon Association, welcomed the participants to Osaka and introduced Osaka's food culture, particularly *konamon*, which are flour-based foods such as *okonomiyaki* and *takoyaki*, and the importance of *dashi* or seafood-based soup stocks to *konamon* and other Japanese cuisine.

1b. Appointment of Rapporteur

3. Mr. Alexander Meyer was appointed as the Rapporteur.

1c. Introduction of Observers

4. The Chair introduced approved observers permitted to be present. The meeting was attended by the Australian National Centre for Ocean Resources and Security (ANCORS), the Deep Sea Conservation Coalition (DSCC), Global Fishing Watch, the IMCS Network, the Pew Charitable Trusts (Pew), and the Ocean Foundation. The observers were admitted without objection.

1d. Adoption of Agenda

5. The provisional agenda was adopted (Annex A). The List of Documents and List of Participants are attached (Annexes B, C).

1e. Meeting Arrangements

6. The Compliance Manager, Ms. Judy Dwyer, outlined the meeting arrangements.

Agenda Item 2. Report from Secretariat

2a. Fisheries Overview

7. The Compliance Manager presented the overview of NPFC fisheries from 2018 to 2023 (NPFC-2024-TCC07-IP03). The Secretariat intends to review the annual reporting format to enable easier reporting, clearer reporting requirements, and more accurate data reporting.
8. The TCC thanked the Secretariat for preparing the new fisheries overview format and noted that this was more informative than previous versions.
9. The TCC noted several uncertainties and inaccuracies in the figures presented in NPFC-2024-TCC07-IP03, particularly the numbers for authorized vessels and active vessels. The TCC noted that some figures require further verification and reconciliation and some Members insisted that they must not be cited in any way. The TCC requested that the Secretariat, after consultation with Members, add a disclaimer to that effect at the beginning of the paper before making it public. Some Members were of the view that this is a fundamental document and should be made publicly available, as is the practice at other regional fisheries management organizations (RFMOs). Other Members expressed concern about the risks of publishing a document that contains inaccurate and misleading information, but agreed that the fisheries overview could be made publicly available with the inclusion of an appropriate disclaimer.
10. The TCC also requested Members to work with the Secretariat to revise the document intersessionally and to improve the accuracy of the reported figures to the extent possible, by correcting faulty data in the Vessel registry, and updating the Annual Report template to align the reporting of authorized and active vessels within their respective fisheries.
11. The TCC agreed that there are underlying issues with the data reporting process and format, and the information in the NPFC Vessel Registry, that need to be corrected to enable the Secretariat to compile more accurate information. The TCC encouraged Members to work intersessionally with the Secretariat to identify these issues and potential solutions.
12. The EU noted that the information presented in the overview of fisheries raised some concerns about the effectiveness of some of the NPFC's Conservation and Management Measures (CMMs). For example, the TAC for Pacific saury seems to be much higher than the actual catch. In addition, CMM 2023-07 for Chub Mackerel requires Members to refrain from

increasing the number of fishing vessels authorized to fish for chub mackerel, but this number appears to have increased steeply.

13. Japan pointed out that there are significant discrepancies in Pacific saury CPUEs among Members. The TCC agreed to seek views from the SC on potential reasons for these discrepancies.
14. The TCC suggested that the presentation of effort information in the overview of fisheries could be further improved by breaking down effort by size/type of vessel and requested that the Secretariat include this information in next year's overview.

2b. Data Management System Update and Initiatives for 2024

15. The Data Coordinator, Mr. Sungkuk Kang, presented a summary of the status of all TCC-related data management systems update and new initiatives for further development in 2024 by the Secretariat (NPFC-2024-TC07-IP02). Updates have been made to the Transshipment, Annual Reports, Vessel Registry, HSBI Events, e-IUU, Pacific Saury Weekly Report, Collaboration, Members Home, and Significant dates/Events sections. In 2024, the Secretariat intends to advance the following key initiatives: transition from a PDF High Seas Boarding and Inspection (HSBI) boarding form to an electronic high seas boarding and inspection (HSBI) boarding form, make various improvements to the transshipment reporting system, and update e-Annual Report submission forms to align with the latest CMM revisions.
16. The TCC thanked the Secretariat for continuing to develop the NPFC data management system and improve its functionality and usability.
17. The TCC suggested potential further improvements to the data management system, including:
 - (a) The consideration of enabling batch uploading of information for transshipment and vessel registration;
 - (b) Enabling Member administrators to approve annual reports themselves, rather than requiring the Secretariat to do so;
 - (c) Enabling Members to update and revise annual reports after submission;
 - (d) Enabling users or Member administrators to create their own user ID names and passwords.
18. The TCC requested that the Secretariat also include a section with the Secretariat's recommendations for improvements to the NPFC website and data management system in next year's summary.

19. The TCC noted the convenience and value of the newly established NPFC Transshipment Reporting System. The TCC noted that its increased use would reduce the administrative burden of the Secretariat and encouraged Members to promote the use of the system by its vessels, while noting that such a transition to a new technology often takes time. The TCC noted that the transition could be facilitated by translating the relevant information about the new system into Members' respective languages and encouraged Members to accelerate such efforts, as was previously requested by the Secretariat. The TCC also noted that workshops and other educational opportunities would support the increased uptake of the new system, encouraged Members to conduct such efforts, and requested that the Secretariat provide support for those efforts.
20. The TCC requested the Secretariat to create a summary document that sets out which data need to be submitted by Members for each stock/species, with the corresponding purposes and submission deadlines.
21. China and Chinese Taipei explained that they each have internal systems for managing information related to transshipment activities. They suggested that it could reduce their administrative burden, as well as that of the Secretariat, if their systems could be integrated with the NPFC system, and requested the Secretariat to explore the feasibility of doing so.

Agenda Item 3. Review of MCS related Issues from SC

22. The Science Manager, Dr. Aleksandr Zavolokin, provided a summary of monitoring, control and surveillance (MCS) matters for coordination between the Scientific Committee (SC) and the TCC (NPFC-2024-TCC07-IP01). These included support and coordination for addressing the ambiguity around the referenced effort limits in CMM 2023-05 for Bottom Fisheries and Protection of Vulnerable Marine Ecosystems in the Northwestern Pacific Ocean, CMM 2023-06 for Bottom Fisheries and Protection of Vulnerable Marine Ecosystems in the Northeastern Pacific Ocean, and CMM 2023-11 for Japanese Sardine, Neon Flying Squid and Japanese Flying Squid; ongoing discussions about data needs and data gaps that could be filled by a regional observer program; plans to develop a key for shark identification with assistance from the United Nations Food and Agriculture Organization (FAO); and the proposed holding of periodic meetings between the SC Chair and the TCC Chair, including, as appropriate, the Science Manager, the Compliance Manager, and the Chairs and leads of the subsidiary bodies of the SC and the TCC.

23. The TCC noted the information provided by the Science Manager and welcomed the continued coordination and collaboration between the TCC and the SC.
24. Several Members emphasized the importance of clarifying the effort limits in CMM 2023-05, CMM 2023-06, CMM 2023-07, CMM 2023-08, and CMM 2023-11, and the TCC held further discussions of this issue under Agenda Item 5.
25. The TCC noted and supported the ongoing discussions by the SC of the scientific aspects of a regional observer program. The TCC agreed that it would be valuable to receive clear guidance on what level of observer coverage would be needed on fishing vessels and what kinds of data would need to be collected to achieve the scientific objectives of an observer program, and requested that the SC continue its discussions towards providing such guidance to the TCC.
26. The TCC expressed support for the SC's plans to develop a key for shark identification with assistance from the FAO.
27. The TCC expressed support for the holding of periodic meetings between the SC Chair and the TCC Chair, including, as appropriate, the Science Manager, the Compliance Manager, and the Chairs and leads of the subsidiary bodies of the SC and the TCC.
28. The EU reminded the TCC that it had presented templates for the collection of standardized biological data to the SC and that the SC has tasked working groups to review these templates and provide feedback. The EU hoped that, following the SC's review, the TCC would also review these templates with the aim of adopting them or encouraging broader use of them individually or under any future regional observer program.

Agenda Item 4. SWG Reports on Progress, Priorities and Recommendations

4a. SWG Planning and Development Report - Report and Recommendations

29. Ms. Amber Lindstedt (Canada), Co-Lead of the SWG on Planning and Development (SWG PD), presented a summary of the work conducted by the SWG PD in 2023-2024. This work focused mainly on developing a proposal to improve CMM 2023-13 For the Compliance Monitoring Scheme as tasked by COM07 and developing a proposal for the establishment of a regional observer program for transshipment. The SWG developed language to incorporate the observer program into the transshipment measure, but later decided it should be developed as a standalone measure. Preliminary costing estimates and design elements were considered. Several uncompleted tasks included reviewing the recommendations from the NPFC

Performance Review, reviewing the draft memorandums of understanding (MoUs) with South Pacific Regional Fisheries Management Organisation (SPRFMO) and Western and Central Pacific Fisheries Commission (WCPFC), and developing minimum standards for port State measures.

4b. SWG Operations Report - Report and Recommendations

30. Ms. Megan Willmann (USA), Co-Lead of the SWG on Operations (SWG Ops) presented a summary of the work conducted by the SWG Ops in 2023-2024. This work mainly focused on developing a proposal to clearly include aerial surveillance in CMM 2023-12 On the Vessel Monitoring System (VMS), developing a proposal to require the provision of safe boarding ladders and to reflect the adoption of an NPFC inspection flag in CMM 2023-09 For High Seas Boarding and Inspection Procedures for the NPFC, reviewing Annex II of CMM 2023-13 For the Compliance Monitoring Scheme and prioritizing the obligations to be assessed, and continued work on coordination of a comprehensive list of serious violations.

Agenda Item 5. Conservation and Management Measures – Amendments or new CMMs

31. Japan presented a proposed amendment to CMM 2023-12 On the Vessel Monitoring System (VMS) to remove the expiry provision for research vessels to report positional data through AIS instead of VMS (NPFC-2024-TCC07-WP01).
32. The TCC reviewed and updated the proposal, and endorsed a revised proposal to extend the expiry date of the provision to the end of the 9th Commission meeting.
Recommendation: That the Commission adopt the proposed amendments to CMM 2023-12 .
33. The Co-Lead of the SWG Ops, Ms. Willmann, presented proposed amendments to CMM 2023-12 On VMS to include aerial surveillance in the definition of inspection presence and amend paragraph 14(b) of Annex 2 (NPFC-2024-TCC07-WP15).
34. The TCC reviewed and endorsed the proposed amendments.
Recommendation: That the Commission adopt the proposed amendments to CMM 2023-12 .
35. The two proposals to amend the VMS CMM were merged into one paper, which also included the deletion of paragraph 14(c) of the VMS Data Sharing and Data Security Protocol described under Agenda Item 8b, paragraph 80.

36. Japan presented proposed amendments to CMM 2023-03 On Transshipment to add a clarifying footnote concerning the definition of “fishing vessel,” and clarification of the definition of transshipment records (NPFC-2024-TCC07-WP02).
37. Chinese Taipei presented proposed amendments to CMM 2023-03 On Transshipment to expand the timeframe and acceptable area for fishing vessels to engage in transshipment and other transfer activities related to advance notification requirements (NPFC-2024-TCC07-WP03).
38. Korea presented proposed amendments to CMM 2023-03 On Transshipment that are aimed at alleviating administrative burdens related to advance notification while upholding the integrity and effectiveness of the CMM (NPFC-2024-TCC07-WP07).
39. The TCC considered the three proposals that concern CMM 2023-03 On Transshipment together (NPFC-2024-TCC07-WP02, NPFC-2024-TCC07-WP03 and NPFC-2024-TCC07-WP07) and combined them into one proposal (NPFC-2024-TCC07-WP02 Rev.1). The TCC reviewed the combined proposal but was unable to resolve some sections that remain in square brackets concerning the timeframe within which, and the distance from the estimated start location within which, Members shall modify submitted advance notifications of transshipments and other transfer activities. Some Members preferred longer timeframes and larger distances in light of practical difficulties resulting from the Convention Area’s harsh and unpredictable weather and sea conditions. Other Members preferred shorter timeframes and shorter distances from an MCS standpoint.
- Recommendation:** That the Commission further consider the proposed amendments to CMM 2023-03 in NPFC-2024-TCC07-WP02 Rev.1, recognizing that some sections remain in square brackets.
40. The Co-Lead of the SWG PD, Ms. Lindstedt, presented a proposal for the establishment of a regional observer program for transshipment (NPFC-2024-TCC07-WP05).
41. The TCC discussed the proposal, noting that many sections remain in square brackets, and agreed that these would require further discussion in the intersessional period. The TCC further noted that paragraph 26 of CMM 2023-03 stipulates that the Commission shall establish a regional observer and/or electronic monitoring program no later than its 9th Commission meeting. China suggested a regional observer program should include national observer programs and may table an amendment proposal at the 9th Commission meeting.

Japan suggested that observers should be sourced from an independent observer provider to monitor transshipment activities.

Recommendation: That the Commission task the TCC to continue to work intersessionally to develop a proposal for the establishment of a regional observer program for transshipment and present it to the Commission for consideration at COM09.

42. The TCC agreed to prioritize the development of the regional observer program for transshipment and noted that work to develop the broader regional observer program could be conducted in parallel, through a step-wise approach, including developing the scientific aspects of the regional observer program based on the advice of the SC regarding types of data that should be collected and appropriate coverage rates.

Recommendation: That the Commission task the SC to provide data on what information scientific observers need to collect to help inform development of a regional observer program for NPFC.

43. The Co-Lead of the SWG PD, Ms. Lindstedt, presented proposed amendments to CMM 2023-13 For the Compliance Monitoring Scheme to lay out a more comprehensive CMS process to assess Member compliance with Commission obligations (NPFC- 2024-TCC07-WP04).

44. The TCC considered and updated the proposal, and endorsed the proposed amendments. The TCC noted that one section, concerning the Implementation Questionnaire, remained in square brackets, as some Members wished to review the actual Implementation Questionnaire before agreeing to this section, although they were generally supportive of the concept. The TCC noted that Members were working in the margins to prepare a draft Implementation Questionnaire and would present it at COM09, which would facilitate the Commission's consideration of the proposed amendments to the CMM.

Recommendation: That the Commission adopt the proposed amendments to CMM 2023-13 (Annex D).

45. The USA presented proposed amendments to CMM 2019-02 To Establish a List of Vessels Presumed to Have Carried Out IUU Activities in the NPFC Convention Area aimed primarily at clarifying the process for technical updates to the NPFC IUU Vessel List to be made intersessionally by the Executive Secretary when information is provided by Members and can be verified by the Secretariat (NPFC-2024-TCC07-WP06).

46. The TCC reviewed and endorsed the proposed amendments.

Recommendation: That the Commission adopt the proposed amendments to CMM 2019-02.

47. Korea presented proposed amendments to CMM 2023-15 on the Prevention, Reduction and Elimination of Marine Pollution to propose that vessels maintain a voluntary record of waste/garbage management and treatment and to include a force majeure clause concerning the implementation of paragraph 8 on the release of plastics (NPFC- 2024-TCC07-WP08 Rev5).
48. The TCC reviewed and updated the proposal, and endorsed the proposed amendments.
Recommendation: That the Commission adopt the proposed amendments to CMM 2023-15 (Annex E).
49. The EU presented proposed amendments to CMM 2023-07 For Chub Mackerel that are aimed at clarifying some key obligations, in particular those related to the effort management requirements established by the CMM, as well as their application to relevant NPFC Members (NPFC-2024-TCC07-WP10).
50. The TCC held a preliminary review of the proposal but was unable to make substantial progress during the meeting.
Recommendation: That the Commission further consider the proposed amendments to CMM 2023-07 in NPFC-2024-TCC07-WP10, recognizing that no consensus was reached at the TCC.
51. The EU presented proposed amendments to CMM 2023-11 For Japanese Sardine, Neon Flying Squid and Japanese Flying Squid that are aimed at clarifying some key obligations, in particular those related to the effort management requirements established by the CMM, as well as their application to relevant NPFC Members (NPFC-2024-TCC07-WP12).
52. The TCC held a preliminary review of the proposal but was unable to make substantial progress during the meeting.
Recommendation: That the Commission further consider the proposed amendments to CMM 2023-11 in NPFC-2024-TCC07-WP12, recognizing that no consensus was reached at the TCC.
53. The Co-Lead of the SWG Ops, Ms. Patricia DeMille (Canada), presented proposed amendments to CMM 2023-09 For High Seas Boarding and Inspection Procedures for the NPFC to require the provision of safe boarding ladders and to reflect the adoption of an NPFC inspection flag (NPFC-2024-TCC07-WP14).

54. The EU expressed its preference that certain minimum standards be established to ensure that boarding ladders are effectively safe, noting that in the absence of clear minimum requirements the safety of inspectors boarding fishing vessels would not be ensured, but indicated that it would not block consensus. Some Members expressed support for holding future discussions on the potential establishment of such minimum standards.

55. The TCC endorsed the proposed amendments.

Recommendation: That the Commission adopt the proposed amendments to CMM 2023-09.

Agenda Item 6. IUU Vessel List

6a. General Discussion

56. The Compliance Manager presented the draft IUU Vessel List (NPFC-2024-TCC07-WP17). The draft list contained one vessel, which was found to have misreported 1.4 MT of transshipped salmon.

57. The Compliance Manager read out the update provided by China regarding the four vessels that were not included in the Provisional IUU Vessel List at COM07 on the condition that China would report intersessionally as well as at TCC07 on the follow-up investigations (NPFC-2024-TCC07-IP07). This information was first provided to Members on 20 February 2024 via NPFC Circular #014 /2024.

58. China provided additional explanations in response to further requests for clarification from the TCC on the four vessels and the TCC considered China's follow-up actions to be satisfactory and the matter to be resolved.

59. The Compliance Manager presented the current IUU Vessel List (NPFC-2024-TCC07-WP18) and noted where Members and CNCP had proposed updating information regarding several vessels on the current IUU Vessel List (NPFC-2024-TCC07-IP08).

6b. Recommendation for Provisional IUU Vessel List to the Commission

60. Japan explained that it had inspected a Chinese-flagged vessel that failed to describe 1.4 MT of salmon in its transshipment declaration, which Japan considers to be a violation of paragraph 9 of CMM 2023-03 On Transshipment. It had therefore proposed the vessel for inclusion on the draft IUU Vessel List. However, Japan subsequently held bilateral meetings with relevant Members, including China. During these meetings, China explained that the vessel recorded 1.4 MT of salmon in its logbook and under the "Others" item in the

transshipment declaration and that in China's interpretation, the identification of non-NPFC species is not required in the transshipment declaration. Japan also found that some Members agreed that there was ambiguity in the language of the CMM. In light of this, Japan wished to withdraw its nomination of the vessel, while maintaining its original interpretation of paragraph 9 of CMM 2023-03.

61. China provided further explanation. The fishing vessel owner reported the 1.4 MT of salmon through China's internal transshipment application platform system, which, at that time, did not have a column or line to record the species as salmon. Following the flagging of this matter by Japan and subsequent discussions, China updated its internal transshipment application platform system to enable the recording of salmon and other non-NPFC species.
62. The TCC discussed this issue from a procedural standpoint and agreed that as the vessel had already been included on the draft IUU Vessel List, Japan could not remove it from the list by withdrawing its proposal. Rather, the correct procedure would be for the TCC to consider the draft IUU Vessel List and decide whether or not to include the vessel on the provisional IUU Vessel List. Furthermore, the TCC noted that although China has explained the background and details to Japan in bilateral discussions, China should have submitted suitably documented information to the Executive Secretary, in accordance with paragraph 11 of CMM 2019-02 To Establish a List of Vessels Presumed to Have Carried Out IUU Activities in the NPFC Convention Area. The TCC requested that China provide this explanation to the TCC in writing.
63. In response to the above request, China submitted a written explanation to the TCC (NPFC-2024-TCC07-IP09). The TCC thanked China for providing the explanation and reminded Members that if their vessels were included on the draft IUU Vessel List in future, they should provide any explanations they have in writing in advance of the TCC meeting.
64. Canada and the USA expressed their continued concern about the use of the term "other" to describe a known fish species in the transshipment declaration, pointing out that in the future, this could be considered misreporting of catch or catch-related data under paragraph 38(b) of CMM 2023-09 For High Seas Boarding and Inspection Procedures for the NPFC. They further noted that species caught and reported for transshipment require accurate reporting using the appropriate FAO code. Canada and the USA also expressed disagreement with China's interpretation that the obligation described in paragraph 9 of CMM 2023-03 On Transshipment only applies to Members and not also to fishing vessels. Nevertheless, they

expressed understanding for the explanation provided by China and appreciation for the subsequent steps it has taken to enhance its internal reporting system.

65. Noting that the reporting of salmon under “other” by the vessel was due to an issue of interpretation and limitations in China’s internal reporting system, and that China has taken steps to improve its reporting system and thereby demonstrated its commitment to improving future reporting by its flagged vessels, the TCC agreed not to include the vessel listed on the draft IUU vessel list on the Provisional NPFC IUU Vessel List.

66. Several Members noted that the above issue involving the transshipment of salmon highlighted the importance of the proposal submitted by Canada, Korea, and the USA to the Commission for the establishment of a measure to protect anadromous fish in the Convention Area.

67. The TCC agreed that the provisions in CMM 2023-03 On Transshipment could be improved to make it clearer that the transshipped catch should be reported by species.

Recommendation: That the Commission task the TCC to work intersessionally to propose amendments to CMM 2023-03 On Transshipment, including the Annex, to more clearly require the reporting of transshipped catch by species.

68. Based on its review of the draft NPFC IUU Vessel List, the TCC did not propose any vessels for inclusion on the Provisional NPFC IUU Vessel List.

Recommendation: That the Commission note that the TCC did not propose any vessels for inclusion on the Provisional NPFC IUU Vessel List.

6c. Recommendations for amendments to current NPFC IUU Vessel List to Commission

69. The TCC considered the updates proposed by two Members in NPFC-2024-TCC07-IP08. The USA addressed the IUU vessel information updates provided intersessionally to the Secretariat and Commission prior to TCC07. The USA noted the Secretariat’s analysis that information for vessels 5, 6, 7, 9, 10, 11, 12, and 14 on the IUU vessel list was based on AIS and MMSI data and will require further research to inform potential updates to the IUU vessel list. The USA noted that they met on the margins of TCC with China regarding vessels 17-23 on the IUU vessel list. The USA expressed the need for continued intersessional work with Members and the Secretariat to determine if any of the other updates provided by the USA should be included in future edits to the IUU vessel list, as well as to ensure all Members are effectively cooperating and implementing their obligations under CMM 2019-02. The TCC agreed to amend the details associated with WAN TONG (ZHONG FU HAO 111), RIWA

(GLORIWAVE), QIAN YUAN, and HAN (SHUN HANG (VILA MOOSUN)) on the current NPFC IUU Vessel List.

Recommendation: That the Commission note that the TCC did not propose removing any vessels from the current NPFC IUU Vessel List.

Recommendation: That the Commission adopt the proposed updates to the information in the current NPFC IUU Vessel List described in (NPFC-2024-TCC07-WP18 Rev.1).

70. The EU referred to the Circular 04/2024 through which it informed NPFC Members about the location of the vessel WAN TONG in a Member's port and inquired about how this was addressed under the requirements of paragraph 24 of CMM 2019-02. In reply to the EU's request, China informed the TCC that the vessel entered into Chinese port for investigation in relation to labor issues. In addition, the USA informed the TCC that it had identified suspected interactions between Chinese-flagged vessels and WAN TONG in the Indian Ocean and had shared this information with China. China thanked the USA for sharing this information and informed the TCC that it would conduct a follow-up investigation in the intersessional period and share the findings in writing with Members. The EU pointed out that Members should be duly informed of any relevant activities concerning vessels on the NPFC IUU Vessel List and encouraged the USA and China to share information about the suspected interactions between Chinese-flagged vessels and WAN TONG in the Indian Ocean at the upcoming Commission meeting.

Agenda Item 7. Transshipment

7a. Report on 2023 activity

71. The Compliance Manager presented a summary of transshipment activities in 2023, as reported by Members/CNCP through the submission of their annual reports for 2023, and data extracted from the online database to identify the amounts of NPFC species transshipped by Member in the Convention Area in 2023 (NPFC-2024-TCC07-IP05 Rev.1). With more than 70% of NPFC priority species harvest being transshipped annually, transshipment is an important issue for the Commission. The enhanced reporting requirements introduced through CMM 2023-03 have generated a large dataset with many details on NPFC transshipments. However, the Secretariat is challenged to find time to conduct analyses on the data as so much time is required to manage the manual input of data into the system. It is hoped that 2024 will see an increase in online reporting directly into the database to allow the Secretariat to focus on the analysis of this growing dataset.
72. The TCC noted several uncertainties and inaccuracies in the figures presented in NPFC-2024-TCC07-IP04 Rev.1. The TCC noted that some figures require further verification and

reconciliation and some Members insisted that they must not be cited in any way. The TCC requested that the Secretariat, after consultation with Members, add a disclaimer to that effect at the beginning of the paper before making it public. The TCC also requested Members to work with the Secretariat to revise the document and to improve the accuracy of the reported figures to the extent possible.

73. The TCC reaffirmed the value of the NPFC Transshipment Reporting System web application, agreed that its increased uptake would reduce the administrative burden on the Secretariat and its ability to provide meaningful and accurate data analysis, and encouraged the holding of workshops and other educational opportunities to promote the further use of the system.
74. The Ocean Foundation and Pew welcomed the establishment of the NPFC Transshipment Reporting System web application and urged the TCC to recommend a clear series of steps to enable a more seamless provision of transshipment data and support more in-depth analyses of these data by the Secretariat.

7b. Review on implementation

75. The TCC considered and proposed amendments to CMM 2023-03 On Transshipment under Agenda Item 5, under paragraph 39, some of which were based on Members' review of the implementation of the CMM, and agreed to forward the proposed amendments to the Commission for further consideration.

Agenda Item 8. Vessel Monitoring System

8a. Secretariat report on review of implementation (para 24 of CMM 2023-12)

76. The Fisheries and Data Science Consultant, Dr. Jihwan Kim, presented an overview of the VMS over the 2-year period for 2022 and 2023 (NPFC-2024-TCC07-IP04 Rev.1), including a summary, by Member/CNCP, of monthly activity and data gaps experienced in 2023, challenges associated with the lack of consistent zone entry and exit as well as duplicate reports, and a comparison of 2023 transshipment locations against the data reported through VMS. The dataset generated by the NPFC VMS has provided the Secretariat with a wealth of information on a near real time basis. It has taken the Secretariat some time to understand the full capability of the system and to address some of the challenges of developing a new dataset. The Secretariat is continuing to adapt analytical strategies as new information is understood, with support from the service providers, CLS and Cubic-I. The operation of the VMS and analysis of the data generated could be further improved by providing at least one position report from outside the Convention Area or AIS to assist with data gap analysis, and mandatory declarations of entry into and exit from the Convention Area. It would also help

the Secretariat if there were an agreed format that should be used for manual reporting in the event of an equipment failure.

77. The TCC discussed the data gaps and issue of duplicate reporting identified by the Secretariat. Members shared the findings from their follow-up investigations and identified various potential causes. For data gaps, these were mostly due to technical issues, such as slight delays in transmitting position data, data reporting interruptions, and issues with the program for relaying data from the Member's Fisheries Monitoring Center to the Secretariat, as well as fishing patterns whereby vessels frequently move between exclusive economic zones (where VMS reporting to the NPFC is not required) and the Convention Area. For duplicate reporting, these were due to vessels being equipped with two VMS units as a measure to ensure continuous reporting in case one fails and both units simultaneously generating position report, or errors resulting from domestic regulations requiring reporting at more frequent intervals than CMM 2023-12 On the VMS.
78. The TCC noted that entry/exit reporting would assist the Secretariat in more accurately identifying instances of entry or exit from the Convention Area. The TCC further noted that Article 13, paragraph 4b) of the Convention stipulates that Members shall require fishing vessels that are entitled to fly its flag and that are engaged in fishing activities in the Convention Area to notify the Commission of their intention to enter and exit the Convention Area in accordance with procedures developed by the Commission. There was a suggestion of creating those procedures at this time. One Member expressed the view that it was not yet the time to activate this requirement, pointing out that presence in the Convention Area can be detected with the VMS.

Recommendation: That the Commission consider establishing procedures for reporting of entry into and exit from the Convention Area, including alternative measures such as the possibility of establishing buffer zones similar to SPRFMO.

79. The TCC discussed the potential use of AIS data by the Secretariat. Some Members expressed support for the Secretariat accessing and using these data to assist with analyzing gaps in VMS data. Other Members expressed doubts about the quality and usefulness of AIS data but indicated that they would not be opposed to the Secretariat using them. One Member stated that it would not support the use of AIS data if the Secretariat's access to these data would incur financial costs.

Recommendation: That the Commission task the Secretariat with exploring options for accessing AIS data that would not incur financial costs, such as accessing AIS data held by

Members or collaborating with non-governmental organizations, for use in analyzing gaps in VMS data, and to explore paid options as necessary and appropriate in the future.

8b. VMS Data Security Protocol

80. The TCC noted that paragraph 14(c) of Annex 2 of CMM 2023-12 On the Vessel Monitoring System (VMS) will expire at the end of COM08. The TCC agreed that, in light of the other provisions of paragraph 14, the expiration of subparagraph (c) would not substantively change the CMM's Annex 2: VMS Data Sharing and Data Security Protocol.

Recommendation: That the Commission delete paragraph 14(c) from the CMM's Annex 2: VMS Data Sharing and Data Security Protocol.

81. The Secretariat combined the above proposed deletion of paragraph 14(c) of Annex 2 of CMM 2023-12 On the VMS with the other amendments to the CMM that were endorsed by the TCC under Agenda Item 5 into one document (NPFC-2024-TCC07-WP20) for easier consideration by the Commission.

Agenda Item 9. High Seas Boarding and Inspection

9a. Secretariat Report

82. The Compliance Analyst and Seconded to the NPFC, Ms. Natsuki Hosokawa, presented a summary of the high seas boarding activities in the NPFC Convention Area in 2023 (NPFC-2024-TCC07-IP06 Rev.1). In 2023, the number of inspection vessels increased by nine vessels from 2022, and five vessels conducted inspections in the Convention Area. 24 high seas inspections were reported by the three active Members and 19 out of 24 events were uploaded to the HSBI Events page. In 2023, HSBI operations noted 9 violations, but no serious violations were identified. Following bilateral communication, almost all violations were reconciled as "no violation" following explanations/clarifications provided. Of the 24 vessels inspected, 14 were either carrier vessels, jigger vessels or purse seiners. Since 2018, 109 inspection activities have been conducted in the NPFC Convention Area. 51 of those inspections did not identify any violations. The majority of violations identified were related to vessel markings. China pointed out most of its vessel marking issues were caused by technical reasons, rather than falsification or concealing. In the intersessional period, the need to update the HSBI implementation plan was identified, and the Secretariat has been working with SWG Ops to that end. The Secretariat also intends to consider ways to encourage greater use of the online transshipment reporting system, which was designed to assist HSBI by enabling access to near real-time data on planned transshipment activity. In addition, the Secretariat encouraged Members to submit inspection reports using the HSBI Events page.

83. The TCC requested that for future summaries of HSBI activities, the Secretariat include a column with total number of authorized/active vessels in the table showing the total number of inspected vessels 2023, to enable ease of comparison.
84. The TCC noted that paragraph 42 of CMM 2023-09 For High Seas Boarding and Inspection Procedures for the NPFC stipulates that Members shall include in their annual statement of compliance within their Annual Report action that they have taken in response to boarding and inspections of their fishing vessels that resulted in observation of alleged violations. The TCC requested that the Secretariat include such information in future summaries of HSBI activities.
85. The TCC requested that the Secretariat establish a mechanism for reporting aerial surveillance results on the HSBI Events page if the proposed amendment to CMM 2023-12 On the VMS to clearly include aerial surveillance is adopted by the Commission.
86. The TCC noted instances where activities were recorded as “violations” in the Secretariat’s summary, whereas these could be considered “serious violations” according to the definitions in the NPFC CMMs. The Secretariat explained that its summary had deferred to the violations classification used in the HSBI reports.
87. The TCC discussed whether the Secretariat should present the determination of “violations” or “serious violations” as it is recorded in the HSBI report or based on the Secretariat’s own judgment. The TCC agreed that the responsibility to determine “violations” or “serious violations” lies with Members, particularly Members’ at-sea inspectors, not the Secretariat. The TCC requested that the Secretariat include more detailed information in future summaries of HSBI activities to facilitate the TCC’s discussions and determination of whether each particular activity constitutes a “violation” or “serious violation.”
88. The TCC noted that there may also be instances where follow-up may be needed when HSBI reports identify “violations” that could be “serious violations.” The TCC requested that the Secretariat follow up with the inspecting authority if there appears to be a clear discrepancy between the determination in the HSBI report and the definition of “violations” or “serious violations” in the CMMs to ensure that a mis-recording has not occurred.

9b. Members Reports

89. Noting that more information on HSBI is provided in Member’s Annual Reports, Canada, China, Japan, and the USA presented brief reports of their HSBI activities for 2023.

Agenda Item 10. Review of Applications for CNCP Status

90. The TCC noted that no applications for CNCP status have been received.
91. The TCC noted that as Panama has not applied to renew its CNCP status, Panama's CNCP status will expire following the end of COM08 on April 18 and that subsequently, vessels flagged to Panama will no longer be authorized to be used for fishing and fishing-related activities in the Convention Area.
92. The TCC requested that the Secretariat identify any non-Contracting Parties that may have an interest in engaging in fishing activities in the Convention Area and potentially should become CNCPs, and invite them to consider applying for CNCP status.

Agenda Item 11. Compliance Monitoring Scheme

11a. Provisional Compliance Monitoring Reports for 2023

93. The Compliance Manager presented the NPFC Draft Compliance Monitoring Report (CMR) – 23 (NPFC-2024-TCC07-WP16). The Secretariat assessed ten Members/CNCP against forty-four obligations based on the data available. Of those combined 440 elements, 328 were identified as “Not Assessed,” largely due to the inability to collect data needed to assess the obligation to the Member/CNCP. Four non-compliant statuses were assigned: two identified during at-sea inspections relating to non-compliant vessel markings and boarding ladders, one identified by the Secretariat in checking whether vessels in the Vessel Registry had IMO numbers identified, and one identified by the Secretariat in checking that all vessels reporting on VMS had authorizations to operate in the Convention Area. The Secretariat noted that it faced challenges in assessing compliance for many obligations.
94. The TCC discussed issues with the draft CMR (NPFC-2024-TCC07-WP16) and the compliance monitoring scheme and ways in which these could be improved. Members raised the following points:
 - (a) The draft CMR process and format still did not allow the assessment of Members' compliance with key obligations adopted by the NPFC.
 - (b) The draft CMR format should not only contain statistics but should identify instances of potential non-compliance and provide further details about the nature of the potential non-compliance, and subsequent interactions and responses from the relevant Member. The role of the Secretariat should not be to assign compliance status but to facilitate the TCC's assessment of Members compliance with obligations by identifying potential compliance

issues and presenting all the relevant information to the TCC, which, based on this information, would determine the compliance status.

- (c) The practices of other RFMOs may serve as a useful reference.
- (d) The Secretariat should notify Members if any information is lacking for their vessels on the NPFC Vessel Registry and give Members the opportunity to provide the missing information before assigning a non-compliance status. Under the current vessel registration system, it is not possible to register a vessel without providing all the requisite information, but for vessels that were registered in the past, there has not been a mechanism to alert Members that required information is missing.
- (e) Most VMS-related issues that were identified in the draft CMR were data interruptions resulting from technical issues and should not be treated as instances of non-compliance.
- (f) “Not Assessed” and “Not Applicable” have distinct meanings and should not be conflated.

95. The TCC noted the draft CMR but did not adopt it as the Provisional Compliance Monitoring Report as the current process and format of the draft CMR did not enable adequate discussion and assessment of Members’ compliance with the obligations under the NPFC CMMs.

Recommendation: That the Commission develop and adopt amendments for improving CMM 2023-13 For the Compliance Monitoring Scheme as soon as possible based on the discussions of the TCC and its SWGs.

96. Some Members expressed their concern that once again the TCC has not been able to assess compliance of Members with obligations under the NPFC Convention and CMMs and that the adoption of a revised CMS CMM should be a priority issue for consideration at COM08.

11b. List of obligations for consideration for the Compliance Monitoring Scheme in 2024

97. The TCC reviewed the initial prioritization (NPFC-2024-TCC07-WP04) conducted by the SWG PD and the SWG Ops of the obligations for the CMR process in Annex II of CMM 2023-13 For the Compliance Monitoring Scheme. The TCC further updated and endorsed the proposed prioritization of obligations (Annex D).

Recommendation: That the Commission adopt the proposed list of obligations to be assessed as part of the CMR for 2024 (Annex D).

98. The TCC agreed that the list of obligations for the CMR process should be reviewed annually and updated as necessary. The TCC agreed that, to facilitate this review, the list should be reviewed as a standalone document separate from CMM 2023-13 going forward.

99. The TCC noted that the list of obligations may need to be further amended based on the outcomes of COM08, which could potentially include the adoption of amendments to multiple CMMs.
100. The TCC noted that the list contains a large number of obligations and that it could continue to grow with the adoption of new CMMs and amendments to existing CMMs. The TCC noted the need to hold further discussions in the future on how to manage the process of assessing these obligations, including consideration for the Secretariat's workload.

Agenda Item 12. Climate Change

101. The TCC noted that following the adoption of the Resolution on Climate Change at COM07, Climate Change is now a standing agenda item for the Commission and its subsidiary bodies, including the TCC. The TCC noted that this is the first year that this has been on the TCC agenda and that no specific topics of discussion have been tabled. The TCC reaffirmed the importance of considering climate change in the context of the NPFC and its readiness to play any relevant roles required of it, such as considering how climate changes affects the NPFC's CMMs or incorporating climate change-related advice from the SC into proposed measures for the consideration of the Commission.

Agenda Item 13. Cooperation with Other Organizations

13a. MoU with SPRFMO

102. The Secretariat informed the TCC that the NPFC and SPRFMO have concluded an MoU. The Compliance Managers of the two RFMOs have initiated correspondence but have yet to develop a concrete work plan. It is anticipated that the MoU will serve as a governance framework that enables the sharing of information regarding common issues and best practices.

13b. MoU with WCPFC

103. The Secretariat informed the TCC that the NPFC has submitted a draft MoU to the WCPFC, that the WCPFC has returned it with proposed revisions that are editorial in nature, and that COM08 will consider the draft MoU with the proposed revisions for adoption. The Secretariat further informed the TCC that the NPFC has similarly submitted a draft MoU to the International Scientific Committee for Tuna and Tuna-Like Species in the North Pacific Ocean (ISC), which supports the scientific work of the WCPFC, that the ISC has returned the draft MoU with proposed revisions that are editorial in nature, and that COM08 will consider the draft MoU with the proposed revisions for adoption.

13c. Update on IMCS Network Activities

104. The IMCS Network provided an update on collaborative activities with the NPFC. These activities included verification of data and information related to the IUU Vessel List, and providing points of contact for information-gathering on IUU vessels and suspected IUU vessels. The IMCS Network also provided indirect support through the Joint Analytical Cell by creating an intelligence report on a vessel on an IUU Vessel. Furthermore, it has also provided indirect support through the Pan-Pacific Fisheries Compliance Network for VMS data information management and use, as well as the management of transshipment information. In addition, the IMCS Network is working to strengthen information-sharing between RFMOs on IUU vessels, including by compiling a consolidated list of vessels authorized by all RFMOs based only on publicly available information.

Agenda Item 14. NPFC Rules for Transparency Pertinent to TCC

105. The TCC noted discrepancy in the Interim NPFC Rules of Transparency for TCC regarding the expiration date of the interim rules, resulting in ambiguity over whether the interim rules expire at the end of COM08 or COM09. In any case, the TCC agreed that the interim rules should be maintained until the end of COM09 as the TCC continues its work to develop updated rules, including how to incorporate the CMS process endorsed in paragraph 44.
- Recommendation:** That the Commission maintain the Interim NPFC Rules of Transparency for TCC until the end of COM09 and task the TCC to continue to work intersessionally to develop updated NPFC Rules of Transparency for TCC that also include the CMS process.

Agenda Item 15. Performance Review- Recommendations relevant to TCC

106. The Secretariat presented a table with the NPFC Performance Review recommendations that concern the TCC and its subsidiary bodies and suggested TCC comments drafted by the Secretariat and the TCC Chair for each recommendation (NPFC-2024-COM08-WP11).
107. The TCC noted the table presented by the Secretariat and agreed to use it to inform its discussions on the TCC Work Plan. At the same time, the TCC agreed that it would need to conduct an in-depth review of the suggested comments, which would not be possible at TCC07 due to time constraints. Members indicated their intention to keep this as an information paper, to use it for tracking purposes and update as necessary, and to provide further comment on TCC-related recommendations through the discussions at the Commission and the intersessional meetings of the TCC SWGs.
- Recommendation:** That the Commission task the TCC with any work arising from the NPFC Performance Review recommendations as necessary.

Agenda Item 16. Other Matters

108. Korea presented a proposal for the NPFC to appoint an independent legal advisor (NPFC-2024-TCC07-WP09). Korea expressed its view that there are distinct advantages to the Commission having an independent legal advisor and that the Commission can receive better support from the Secretariat if the Secretariat is able to seek independent advice on legally sensitive matters, particularly since much of the Commission's work is initially processed by the Secretariat before being considered by the Members. Korea invited the TCC to consider and revise, as appropriate, the draft Terms of Reference for the NPFC legal advisory consultant presented in Annex 1 of the paper.
109. The Executive Secretary provided supplementary comments, explaining that independent legal advice supports the Secretariat in its efforts to represent Members' interests to the best of its ability, without making legal missteps, and that to date, it has been seeking such advice on an ad-hoc basis, particularly with respect to engagement regarding IUU listed vessels.
110. Some Members expressed doubt about the usefulness of appointing an independent legal advisor for NPFC, noting that Members have their own legal advisors and would naturally tend to place more weight on the advice of their own legal advisors in instances where they disagree with the independent legal advisor, but acknowledged that an independent legal advisor could be more useful for the Secretariat than for Members. Japan suggested that, in light of the size of the NPFC, the number of Members, and the number of CMMs, the Secretariat did not need to have a long-term arrangement with an independent legal advisor and could continue to seek legal advice on an ad-hoc basis. Another Member stated that in its experience, having an independent legal advisor can be useful in certain contexts. The TCC noted the divergent views among Members and noted that there is a need to hold further discussions on this matter.
- Recommendation:** That the Commission continue to discuss whether there is a need to appoint an independent legal advisor for NPFC and consider Korea's proposal (NPFC-2024-TCC07-WP09) in its discussions.
111. Several Members expressed concern about the potential financial implications of hiring an independent legal advisor. The TCC noted these concerns and agreed that there is a need to hold further discussions on the financial implications and the prioritization of hiring an independent legal advisor against other budget items.
- Recommendation:** That the FAC consider the financial implications of hiring an independent legal advisor and its priority compared to other budget items.

112. The EU presented the latest version of its Fishing Operation Plan (FOP), which sets out in more detail the EU's proposed plan to fish for Chub mackerel in the NPFC Convention Area and the accompanying Impact Assessment (NPFC-2024-TCC07-WP11). The EU also explained the background to its submission of previous versions of the FOP and subsequent revisions. The EU explained that it submitted the current version of the FOP to the SC07, TCC06, and COM07, and in the absence of a successful outcome at COM7, despite its longstanding and continuous efforts to accommodate the concerns expressed by some NPFC Members, the EU has re-submitted this FOP to TCC07 and COM08. The EU invited the TCC to provide comment on the MCS aspects of its FOP.
113. The EU also reiterated its commitment to promoting the long-term and sustainable conservation of fisheries resources in the Convention Area, fully implementing the CMMs adopted by the NPFC, ensuring that its fishing vessel and nationals comply with the provisions of the Convention and CMMs, and accepting HSBIs. Furthermore, the EU highlighted its excellent record of compliance in other RFMOs, which demonstrates the effectiveness of the EU's MCS framework and its control over EU-flagged vessels.
114. The TCC reviewed the EU's proposed FOP. The TCC noted that there are no substantive changes from the version presented to TCC06 and did not identify any technical or compliance concerns for the consideration of COM08.
115. Some Members expressed concern about how to accommodate the EU's FOP given the recent condition of the chub mackerel stock and the significant decline in catch. They also noted that Japan will present a proposal to COM08 for amending CMM 2023-07 For Chub Mackerel to introduce a total allowable catch for chub mackerel and that the Commission would likely need to consider the EU's FOP in conjunction with Japan's proposal.
116. The USA presented a proposal for the establishment of a Resolution on Core Principles on Labor Standards in NPFC Fisheries (NPFC-2024-TCC07-WP13 Rev.1). The proposal was co-sponsored by Korea and Canada. The USA highlighted the importance of RFMOs in comprehensively addressing labor and safety-related concerns in the fishing sector, and that an increasing number of RFMOs are taking action. The USA explained that it is submitting this Resolution to underscore the importance of standards for safe, fair, and decent working conditions for crew onboard fishing vessels engaged in NPFC fisheries.
117. The TCC reviewed the proposal, noting there will be continued work to refine the Resolution in the margins between TCC07 and COM08.

Recommendation: That the Commission further consider the proposed Resolution on Core Principles on Labor Standards in NPFC Fisheries in NPFC-2024-TCC07-WP13 Rev.1.

Agenda Item 17. Review and Endorsement of TCC Work Plan for 2024/2025

118. The TCC reviewed the TCC/SWG Work Plan for 2024/2025 (NPFC-2024-TCC07-WP19) against the progress made to date and in consideration of new items of work arising from TCC07.

Recommendation: That the Commission task TCC with the activities contained in the Work Plan (Annex F).

119. The TCC noted the concerns expressed by some Members regarding the large number of SWG PD and SWG Ops meetings held in the previous year and the workload associated with this. The TCC suggested that it may be efficient to hold meetings of the SWG PD and SWG Ops on the same day where possible, which would help to reduce the number of meeting days. The TCC also encouraged Members to actively share information electronically, which could help to reduce the number of meetings needed.

Agenda Item 18. Recommendations to the Commission.

120. The TCC recommended the following to the Commission:

(Agenda Item 5)

- (a) That the Commission adopt the proposed amendments to CMM 2023-12.
- (b) That the Commission further consider the proposed amendments to CMM 2023-03 in NPFC-2024-TCC07-WP02 Rev.1, recognizing that some sections remain in square brackets.
- (c) That the Commission task the TCC to continue to work intersessionally to develop a proposal for the establishment of a regional observer program for transshipment and present it to the Commission for consideration at COM09.
- (d) That the Commission task the SC to provide data on what information scientific observers need to collect to help inform development of a regional observer program for NPFC.
- (e) That the Commission adopt the proposed amendments to CMM 2023-13 (Annex D).
- (f) That the Commission adopt the proposed amendments to CMM 2019-02.
- (g) That the Commission adopt the proposed amendments to CMM 2023-15 (Annex E).
- (h) That the Commission further consider the proposed amendments to CMM 2023-07 in NPFC-2024-TCC07-WP10, recognizing that no consensus was reached at the TCC.
- (i) That the Commission further consider the proposed amendments to CMM 2023-11 in NPFC-2024-TCC07-WP12, recognizing that no consensus was reached at the TCC.
- (j) That the Commission adopt the proposed amendments to CMM 2023-09.

(Agenda Item 6)

- (k) That the Commission task the TCC to work intersessionally to propose amendments to CMM 2023-03 On Transshipment, including the Annex, to more clearly require the reporting of transshipped catch by species.
- (l) That the Commission note that the TCC did not propose any vessels for inclusion on the Provisional NPFC IUU Vessel List.
- (m) That the Commission note that the TCC did not propose removing any vessels from the current NPFC IUU Vessel List.
- (n) That the Commission adopt the proposed updates to the information in the current NPFC IUU Vessel List described in (NPFC-2024-TCC07-WP18 Rev.1).

(Agenda Item 8)

- (o) That the Commission consider establishing procedures for reporting of entry into and exit from the Convention Area, including alternative measures such as the possibility of establishing buffer zones similar to SPRFMO.
- (p) That the Commission task the Secretariat with exploring options for accessing AIS data that would not incur financial costs, such as accessing AIS data held by Members or collaborating with non-governmental organizations, for use in analyzing gaps in VMS data, and to explore paid options as necessary and appropriate in the future.
- (q) That the Commission delete paragraph 14(c) from the CMM's Annex 2: VMS Data Sharing and Data Security Protocol.

(Agenda Item 11)

- (r) That the Commission develop and adopt amendments for improving CMM 2023-13 For the Compliance Monitoring Scheme as soon as possible based on the discussions of the TCC and its SWGs.
- (s) That the Commission adopt the proposed list of obligations to be assessed as part of the CMR for 2024 (Annex D).

(Agenda Item 14)

- (t) That the Commission maintain the Interim NPFC Rules of Transparency for TCC until the end of COM09 and task the TCC to continue to work intersessionally to develop updated NPFC Rules of Transparency for TCC that also include the CMS process.

(Agenda Item 15)

- (u) That the Commission task the TCC with any work arising from the NPFC Performance Review recommendations as necessary.

(Agenda Item 16)

- (v) That the Commission continue to discuss whether there is a need to appoint an independent legal advisor for NPFC and to consider Korea's proposal (NPFC-2024-TCC07-WP09) in its discussions.

- (w) That the FAC consider the financial implications of hiring an independent legal advisor and its priority compared to other budget items.
 - (x) That the Commission further consider the proposed Resolution on Core Principles on Labor Standards in NPFC Fisheries in NPFC-2024-TCC07-WP13 Rev.1.
- (Agenda Item 17)
- (y) That the Commission task TCC with the activities contained in the Work Plan (Annex F).

Agenda Item 19. Next Meeting

121. **Recommendation:** That the Commission hold the next TCC meeting in conjunction with the next Commission meeting.

Agenda Item 20. Adoption of the Report

122. The report was adopted by consensus.

Agenda Item 21. Close of the Meeting

123. The TCC meeting closed at 16:10, Osaka time, on 12 April 2024.

TCC 07 Annexes

[Annex A – Agenda](#)

[Annex B – List of Documents](#)

[Annex C – List of Participants](#)

[Annex D – CMM 2024-13 For the Compliance Monitoring Scheme](#)

[Annex E – CMM 2024-15 On the Prevention, Reduction, and Elimination of Marine Pollution](#)

[Annex F – TCC 2024/25 Work Plan](#)

North Pacific Fisheries Commission
7th Technical and Compliance Committee Meeting
9-12 April 2024 Osaka
Japan (hybrid)

Agenda

1. Opening of the Meeting
 - a. Welcome to Participants
 - b. Appointment of Rapporteur
 - c. Introduction of Observers
 - d. Adoption of Agenda
 - e. Meeting Arrangements
2. Report from Secretariat
 - a. Fisheries Overview
 - b. Data Management System Update and Initiatives for 2024
3. Review of MCS related issues from SC
4. SWG Reports on Progress, Priorities and Recommendations
 - a. SWG Planning and Development - Report and Recommendations
 - b. SWG Operations - Report and Recommendations
5. Conservation and Management Measures – Amendments or new CMMs
6. IUU Vessel List
 - a. General Discussion
 - b. Recommendation for Provisional IUU Vessel List to the Commission
 - c. Recommendations for amendments to current NPFC IUU Vessel List to Commission
7. Transshipment
 - a. Report on 2023 activity
 - b. Review on implementation
8. Vessel Monitoring System
 - a. Secretariat report on review of implementation (para 24 of CMM 2023-12)

- b. VMS Data Security Protocol
- 9. High Seas Boarding and Inspection
 - a. Secretariat Report
 - b. Members Reports
- 10. Review of Applications for CNCP Status
- 11. Compliance Monitoring Scheme
 - a. Provisional Compliance Monitoring Reports for 2023
 - b. List of obligations for consideration for the Compliance Monitoring Scheme in 2024
- 12. Climate Change
- 13. Cooperation with Other Organizations
 - a. MoU with SPRFMO
 - b. MoU with WCPFC
 - c. Update on IMCS Network Activities
- 14. NPFC Rules for Transparency Pertinent to TCC
- 15. Performance Review- Recommendations relevant to TCC
- 16. Other Matters
- 17. Review and Endorsement of TCC Work Plan for 2024/2025
- 18. Recommendations to the Commission
- 19. Next Meeting
- 20. Adoption of the Report
- 21. Close of the Meeting

LIST OF DOCUMENTS

MEETING INFORMATION PAPERS

Number	Title
NPFC-2024-COM08/TCC07/FAC06-MIP01 Rev.1	Meeting Information
NPFC-2024-TCC07-MIP02	Provisional Agenda
NPFC-2024-TCC07-MIP03	Annotated Indicative Provisional Agenda

REFERENCE DOCUMENTS

NPFC-2024-COM08-WP11	The NPFC Performance Review – implementation considerations Review by subsidiary bodies and Chairs

WORKING PAPERS

Symbol	Title
NPFC-2024-TCC07-WP01 Rev.1	Proposal to amend the VMS CMM 2023-12
NPFC-2024-TCC07-WP02 Rev.2	Proposal to amend the Transshipment CMM 2023-03
NPFC-2024-TCC07-WP03	Proposal to amend CMM 2023-03 On Transshipments
NPFC-2024-TCC07-WP04 Rev.4	Proposal from Small Working Group, Planning and Development to revise CMM 2023-13 Compliance Monitoring Scheme
NPFC- 2024-TCC07-WP05	Proposal from Small Working Group Planning and Development Draft Regional Observer Program for Transshipment
NPFC-2024-TCC07-WP06	Proposal by the United States of America to Amend CMM 2019-02: Conservation and Management Measure to Establish a List of Vessels Presumed to Have Carried Out Illegal, Unreported and Unregulated Fishing Activities in the Convention Area of the NPFC

NPFC-2024-TCC07-WP07	Proposal to Revise CMM 2023-03 on Transshipment
NPFC-2024-TCC07-WP08 Rev.5	Proposal to Revise CMM 2023-15 on the Prevention, Reduction and Elimination of Marine Pollution
NPFC-2024-TCC07-WP09	Proposal on Legal Advisory Consultant of NPFC
NPFC-2024-TCC07-WP10	EU PROPOSAL FOR AMENDING CONSERVATION AND MANAGEMENT MEASURE FOR CHUB MACKEREL (CMM 2023-07)
NPFC-2024-TCC07-WP11	FISHING OPERATION PLAN OF THE EUROPEAN UNION SUBMITTED TO NPFC
NPFC-2024-TCC07-WP12	EU PROPOSAL FOR AMENDING CONSERVATION AND MANAGEMENT MEASURE FOR JAPANESE SARDINE, NEON FLYING SQUID AND JAPANESE FLYING SQUID (CMM 2023-11)
NPFC-2024-TCC07-WP13 Rev.1	Resolution on Core Principles on Labor Standards in NPFC Fisheries Proposed by the United States of America, Canada, and Republic of Korea
NPFC-2024-TCC07-WP14	Small Working Group on Operations Presents Proposed Amendments to CMM 2023-09 on HSBI for TCC Consideration
NPFC-2024-TCC07-WP15	Small Working Group on Operations Presents Proposed Amendments to CMM 2023-12 on VMS for TCC Consideration:
NPFC-2024-TCC07-WP16	DRAFT COMPLIANCE MONITORING REPORT
NPFC-2024-TCC07-WP17	Draft NPFC IUU Vessel List
NPFC-2024-TCC07-WP18 Rev.1	Current NPFC IUU Vessel List
NPFC-2024-TCC07-WP19 Rev.1	TCC WORK PLAN 2024-2025 (including SWG Ops and PD)
NPFC-2024-TCC07-WP20	Combined Proposal to Amend the VMS CMM 2023-12
NPFC-2024-TCC07-WP21	Draft NPFC Implementation Questionnaire (CMS CMM)

INFORMATION PAPERS

Symbol	Title
NPFC-2024-TCC07-IP01	Matters for coordination between SC and TCC
NPFC-2024-TCC07-IP02	NPFC Data Management System Update and New Initiatives

NPFC-2024-TCC07-IP03 Rev.1	2023 Fisheries Overview
NPFC-2024-TCC07-IP04 Rev.2	Vessel Monitoring System Overview
NPFC-2024-TCC07-IP05 Rev.1	2023 Transshipment Overview
NPFC-2024-TCC07-IP06 Rev.1	HSBI Summary 2023
NPFC-2024-TCC07-IP07	Update from China on Vessels
NPFC-2024-TCC07-IP08	NPFC IUU Vessel List Presentation
NPFC-2024-TCC07-IP09	China's response to the proposed draft IUU vessel XIN HAI 1258

OBSERVER PAPERS

Symbol	Title
NPFC-2024-TCC07-OP01	Statement to the 7th Meeting of the Technical and Compliance Committee and 8th Annual Session of the North Pacific Fisheries Commission

REPORTS

Symbol	Title
NPFC-2024-TCC07-Draft Report	TCC Draft Report

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CMM 2024-13

(Entered into force dd mm 2024)

**DRAFT REVISION TO CONSERVATION AND MANAGEMENT MEASURE FOR
THE COMPLIANCE MONITORING SCHEME**

The North Pacific Fisheries Commission (NPFC),

Acknowledging the importance of compliance by Members and Cooperating Non-Contracting Parties to achieve the objective of the Convention as defined in Article 2;

Recognizing that Article 7 of the Convention directs the Commission to establish procedures for reviewing compliance with the Convention and measures adopted pursuant to 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 17 of the Convention, Members of the Commission are required 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 and Cooperating Non-Contracting Parties have responsibilities to effectively exercise jurisdiction and control over their flagged vessels and with respect to their nationals;

Acknowledging that Article 13 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;

Recognizing the responsibility of Members and Cooperating Non-Contracting Parties 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;

Noting that, in a responsible, open, transparent and non-discriminatory manner, the Commission should be made aware of all available information that may be relevant to the work of the Commission in identifying and addressing instances of non-compliance with conservation measures;

Also recognizing the importance of having a shared understanding of what is required to comply with an obligation thereby ensuring clear and consistent assessment of the compliance of Members and Cooperating Non-Contracting Parties with all relevant obligations;

Adopts the following conservation and management measure in accordance with Article 7 of the Convention:

I. Purpose

1. The purpose of the NPFC Compliance Monitoring Scheme (CMS) is to ensure that all Members and Cooperating Non-Contracting Parties (CNCPS) implement and comply with obligations under the Convention and conservation and management measures (CMMs) adopted by the Commission. The purpose of the CMS is also to assess Members' and CNCPS' actions in response to alleged violations by their flagged vessels or nationals, not to assess compliance by individual vessels or persons.
2. The CMS is designed to improve Members' and CNCPS' implementation of and compliance with their obligations under the Convention and CMMs by:
 - (a) Establishing procedures for reviewing compliance with obligations deriving from the Convention and CMMs;
 - (b) Assessing compliance and identifying any trends in non-compliance;
 - (c) Identifying areas in which technical assistance or capacity building may be needed to assist Members or CNCPS to attain compliance;
 - (d) Identifying obligations which may require amendment for effective implementation and assessment of compliance;
 - (e) Providing responses to non-compliance; and,
 - (f) Monitoring and verifying corrective actions taken by a Member or CNCP to resolve outstanding instances of non-compliance.

II. Scope and Application

3. The Commission, with the assistance of the Technical and Compliance Committee (TCC), shall assess Members' and CNCPS' implementation of and compliance with the obligations arising under the Convention and the CMMs adopted by the Commission and identify trends in and instances of non-compliance.
4. For obligations relating to fishing activities, unless otherwise specified in the relevant CMM, the compliance assessment shall apply to those activities occurring in the Convention Area.
5. The CMS shall not prejudice the rights, jurisdiction and duties of any Member or CNCP to enforce its domestic laws or to take more stringent measures in accordance with its domestic laws, consistent with that Member's or CNCP's international obligations.
6. For obligations on quantitative annual limits (e.g., catch limit, effort limit), the compliance assessment period shall be the previous calendar year. For other obligations, the compliance

assessment period shall be from November 1st of year X-1 to October 31st of year X, where X is the calendar year preceding the TCC meeting.

7. The Commission, with the assistance of TCC, shall determine annually for each Member and CNCP compliance status and potential responses for each obligation subject to assessment, in accordance with Annexes I and II.
8. Each Member and CNCP shall provide annually to the Secretariat responses to an Implementation Questionnaire, to be developed based on the obligations in Annex II, indicating how it has implemented the conservation and management measures and ensured compliance with and enforcement of obligations adopted by the Commission. The Questionnaire will be made available by the Secretariat for Member use as soon as possible annually, but at the latest 135 days before the TCC meeting. Members and CNCPs shall submit responses to the Secretariat through their Implementation Questionnaire 90 days before the TCC meeting and submit their Annual Reports by February 15th each year. [The data submitted in these questionnaires shall be made publicly available to the extent possible and in accordance with the NPFC Data Sharing and Data Security protocol.]

III. Draft Compliance Report

9. Prior to TCC, the Secretariat shall compile relevant data and information received from Members and CNCPs, including through their Annual Reports, any data collection source held by the Commission (e.g., reports from observers, Vessel Monitoring Systems, High Seas Boarding and Inspections, and high seas transshipments), communications with Members and CNCPs and, where appropriate, any other relevant information relating to compliance with NPFC CMMs available to the Secretariat. The Secretariat shall then prepare a Draft Compliance Report.
10. The Draft Compliance Report shall:
 - (a) Present all available relevant data and information relating to each Member's or CNCP's implementation of and compliance with each obligation under the Convention or CMMs listed in Annex II and identify the data and information sources.
 - (b) Identify the areas of potential non-compliance for each Member and CNCP for the obligations listed in Annex II for the current assessment year, and any areas of potential repeated non-compliance with a particular obligation for two or more consecutively assessed years where Members do not fulfill their obligations including imposed sanctions to those vessels in violation of the CMMs adopted by the Commission, or as determined by the Commission.

As appropriate, the Secretariat may request any follow-up information relating to any issues of potential non-compliance identified for the current assessment year.
 - (c) Report on any outstanding compliance issues for each Member or CNCP that were identified from previous years, including unresolved non-compliance issues, flag state

investigations, or any corrective actions reported by the Member or CNCP, and, as appropriate, requests from the Secretariat for any follow-up information relating to the previous compliance issues.

- (d) Identify provisions/obligations that lack clarity or have inadequate reporting mechanisms or have insufficient data that make it challenging for the Secretariat and TCC to conduct compliance assessments, including factors that contribute to the lack of clarity or data gaps, and suggest means to address these issues.

11. No later than 60 days before the TCC meeting, the Secretariat shall provide each Member and CNCP its section of the Draft Compliance Report.

12. No later than 30 days before the TCC meeting, each Member and CNCP shall provide any additional information needed/requested on its section of the Draft Compliance Report to the Secretariat. This information shall, as appropriate:

- (a) Provide information, clarifications, amendments, or corrections that address the potential compliance issues identified or respond to any request for additional information and/or evidence demonstrating implementation of and compliance with the relevant obligations;
- (b) Propose corrective actions to be taken, along with time frames, to come into compliance;
- (c) Identify any causes of the potential compliance issues or mitigating circumstances;
- (d) Identify any technical assistance or capacity building that could assist with achieving compliance; and,
- (e) Indicate progress of on-going flag state investigations in response to alleged violations by its flagged vessels.

13. The Secretariat shall then revise the Draft Compliance Report to add all information provided pursuant to paragraph 10 above.

14. No later than 10 days before TCC, the Secretariat shall circulate the revised Draft Compliance Report to Members and CNCPs and make it available on the non-public section of the Commission website.

IV. Provisional Compliance Report

15. TCC shall consider the Draft Compliance Report and may take into account any additional, readily verifiable information provided by Members, CNCPs, and accredited observers, including from non-governmental organizations or other organizations concerned with matters relevant to the implementation of the Convention.

16. In considering and assessing the compliance of each Member or CNCP with relevant obligations or any areas of repeated non-compliance, TCC shall also focus on clarifying the

intent and purpose of each obligation to be assessed and assessing whether Members and CNCPs have adopted and/or implemented effective mechanisms to ensure the compliance with the NPFC obligations.

17. TCC shall develop a Provisional Compliance Report, which shall include an assessment for each Member's or CNCP's compliance with obligations included in Annex II and any areas of repeated non-compliance, and which shall assign a compliance status for each individual obligation based on Annex I.
18. Each compliance assessment shall be decided by consensus. If consensus cannot be reached, the Provisional Compliance Report shall indicate majority and minority views.
19. Notwithstanding paragraph 18 above, a Member or CNCP cannot block agreement on its own compliance assessment if all other Members present have concurred with the assessment. If the assessed Member disagrees with the assessment, its views shall be reflected in the Provisional Compliance Report.
20. The Provisional Compliance Report shall also include an Executive Summary with recommendations or observations from TCC regarding, as appropriate:
 - (a) Non-compliance trends;
 - (b) Existing obligations that should be amended or improved;
 - (c) Revisions to the list of obligations to be assessed;
 - (d) Obstacles to implementation identified by Members and CNCPs; and
 - (e) Capacity building assistance needs.
21. TCC shall forward the Provisional Compliance Report to the Commission for consideration at the annual meeting.

V. Final Compliance Report

22. At each regular Commission meeting, the Commission shall consider the Provisional Compliance Report recommended by TCC and adopt by consensus a Final Compliance Report. If consensus cannot be reached, the Final Compliance Report shall indicate majority and minority views. A Member or CNCP cannot block consensus on its own compliance assessment.
23. The Final Compliance Report shall include:
 - (a) A final compliance status for each Member and CNCP against each assessed obligation;
 - (b) All identified areas of repeated non-compliance by a Member or CNCP.
 - (c) All responses taken and to be taken to address areas of non-compliance; and,

(d) An Executive Summary addressing the issues listed in paragraph 20.

24. Within 30 days following the adoption of the Final Compliance Report, the Chair of the Commission shall send a Letter of Concern to each Member or CNCP assessed as Non-Compliant or Priority Non-Compliant. Such letters shall describe the relevant compliance issue(s) and the required response(s) identified in the Final Compliance Report.

VI. Data Protection

25. The Draft and Provisional Compliance Reports, and all associated documentation, shall constitute confidential data, but the Final Compliance Report and the executive summary shall be public domain data.

VII. Identification of obligations to be Assessed

26. Annex II includes the list of obligations to be assessed as part of the annual Compliance Monitoring Report (CMR). The TCC will review Annex II annually and recommend removing or adding obligations to be assessed in the following year's CMR. Each year, upon consideration of the TCC's recommendations, the Commission shall update what obligations shall be assessed in the following year's CMR, as appropriate, taking into account factors such as:
- (a) The needs and priorities of the Commission;
 - (b) The advice of TCC;
 - (c) Evidence of non-compliance or repeated non-compliance with a particular obligation;
 - (d) The risks posed by non-compliance to the achievement of the objectives of the Convention; and,
 - (e) Whether sufficient verifiable information is available to determine compliance.

VIII. Future Work and Review of this Conservation Measure

27. The Commission tasks the TCC to establish a multi-year workplan of tasks to enhance the Compliance Monitoring Scheme with the aim of making it more efficient and effective. This workplan shall include, the development of the following guidelines and operating procedures to support the implementation of the CMS, as necessary:
- (a) audit points to clarify the Commission's obligations assessed under the CMS
 - (b) automatic responses for non-compliance with certain administrative obligations listed in Annex II to streamline the process;
 - (c) corrective actions to encourage and incentivize Members' compliance with the Commission's obligations where non-compliance is identified; and,

- (d) any other guidelines or procedures that it deems necessary to enhance the effectiveness and efficiency of the CMS.
28. As a matter of priority by the 9th Commission meeting, the TCC will develop and the Commission will consider revised Rules of Transparency for TCC to clarify any additional guidelines pertaining to the participation of observers in TCC meetings related to the Compliance Monitoring Scheme. Until the Commission adopts the revised Rules of Transparency for TCC, notwithstanding Paragraph 25, the consideration of the draft compliance report and the provisional compliance report, as detailed in paragraphs 15 and 22 respectively, shall be open to participation by accredited observers, in accordance with NPFC Rules of Procedure, in particular Rule 5.2.1 and Rule 9.
29. The obligations to be assessed in Annex II shall be reviewed annually by the Commission, and as necessary, the Implementation Questionnaire. The conservation and management measure as a whole shall be reviewed at Commission meetings as necessary.

ANNEXES

- Annex I – Compliance Status Table
- Annex II – Obligations to be Assessed

Annex I

Compliance Status Table

Compliance Status	Criteria	Potential Responses
Compliant	<p>Member or CNCP fully compliant with obligation.</p> <p>Member or CNCP has taken required actions under the Convention to investigate or address potential violations of its vessels.</p>	None
Delayed Submission	Member or CNCP rectified its non-compliance for a missed report deadline in advance of TCC and it is not a repeated case of non-compliance.	Member or CNCP to include in its Annual Report all actions taken
Non-Compliant	<p>Member or CNCP not compliant with obligation identified in Annex II and which does not meet the criteria of Delayed Submission.</p> <p>Member or CNCP has failed to undertake required actions under the Convention to investigate or address potential violations of its vessels.</p>	<p>i Member or CNCP to rectify non-compliance and include in its next Annual Report all actions taken,</p> <p>ii Consideration of further responses.</p>
Priority non-compliant	<p>Member or CNCP has demonstrated non-compliance of a particular obligation listed in Annex II for two or more consecutively assessed years, non-compliance that significantly undermines the objectives of the Convention, or any other non-compliance identified as Priority non-compliance by the Commission.</p> <p>Member or CNCP has repeatedly failed to undertake required actions under the Convention to investigate</p>	<p>i Member or CNCP to rectify non-compliance and include in its next Annual Report all actions taken,</p> <p>ii Consideration of further responses.</p>

Annex D: CMM 2024-13 For the Compliance Monitoring Scheme

	or address potential violations of its vessels.	
Unable to be Assessed at this time	Ambiguity of relevant obligation, or insufficient data.	<p>(for ambiguity)</p> <p>Review and potentially amend relevant provision(s)</p> <p>(for insufficient data)</p> <p>Identify how data gaps might be remedied and potentially amend relevant provision(s)</p>
Not Applicable	Relevant obligation is not applicable to Member or CNCP	None
Flag State Action Ongoing	Flag state action currently ongoing	<p>i. Member or CNCP to report progress in its Annual Report until resolved; and,</p> <p>ii. Review by TCC and Commission and deadline(s) placed on Member or CNCP to provide further information to the Secretariat and/or take action(s) until resolved</p>

Obligations to be Assessed

As per Article 13(1) of the Convention, a Member shall take such measures as may be necessary to ensure that fishing vessels entitled to fly its flag abide by the CMMs and therefore, for the obligations listed below, it is the Member's compliance that is being assessed regardless of the wording of a specific obligation.

No.	Paragraph to be Assessed	OBLIGATION
<p align="center">CMM 2023-01</p> <p align="center">INFORMATION REQUIREMENTS FOR VESSEL REGISTRATION</p>		
		For the purpose of the effective implementation of the Convention, each Commission member or Cooperating non-Contracting Party shall:
1	3	<p>Promptly update the NPFC Vessel Registry with:</p> <ul style="list-style-type: none"> (a) any additions to the record; e.g., new vessel authorizations; (b) any modifications to this information with dates of such modifications; and (c) any deletions from the record, specifying which of the following reasons is applicable: <ul style="list-style-type: none"> (i) the voluntary relinquishment of the fishing by the fishing vessel owner or operator; (ii) the withdrawal or non-renewal of the fishing authorization issued in respect of the fishing vessel under Article 13, paragraph 2 of the Convention; (iii) the fact that the fishing vessel concerned is no longer entitled to fly its flag; (iv) the scrapping, decommissioning or loss of the fishing vessel concerned; or (v) any other grounds, with a specific explanation provided.
2	4	Provide to the Commission, as part of the annual report required pursuant to Article 16 of the Convention, the names of the fishing vessels entered in the record that conducted fishing activities during the previous calendar year.
3	5 – <u>Vessel Marking</u>	Each Commission Member and Cooperating non Contracting Party shall ensure that every fishing vessel authorized to fly its flag bear markings that are readily identified in accordance with the <i>FAO Standard Specifications for the Marking and Identification of Fishing Vessels</i> , and recognize that non-compliance with these standards shall be considered a serious violation according to Article 17, paragraph 5 of the NPFC Convention and Article 21 Paragraph 11(f) of the United Nations

No.	Paragraph to be Assessed	OBLIGATION
		Fish Stocks Agreement.
4	7	<p>The Commission member or Cooperating non-Contracting Parties entering vessels identified in paragraph 2 on the NPFC Vessel Registry established under paragraph 1 shall attest that the vessel or vessels being added recommended are not vessels:</p> <p>(a) with a history of illegal, unreported or unregulated (IUU) fishing, unless the ownership of the vessel has subsequently changed and the new owner has provided sufficient evidence demonstrating that the previous owner or operator has no legal, beneficial or financial interest in, or control of the vessels, or Commission members or Cooperating non-Contracting Parties concerned is satisfied that, having taken into account all relevant facts, the vessel is no longer engaged in or associated with IUU fishing; or</p> <p>(b) that are currently listed on any of the IUU vessel lists adopted by regional fishery management organizations (RFMOs)</p>
<p style="text-align: center;">CMM 2019-02</p> <p style="text-align: center;">TO ESTABLISH A LIST OF VESSELS PRESUMED TO HAVE CARRIED OUT ILLEGAL, UNREPORTED AND UNREGULATED ACTIVITIES IN THE CONVENTION AREA</p>		
		24. Members/CNCPs shall take all necessary non-discriminatory measures under their applicable legislation, international law and each Members/CNCPs' international obligations, and pursuant to paras 56 and 66 of the IPOA-IUU to:
5	24(a)	Remove or withdraw vessels on the NPFC IUU Vessel List from the NPFC Vessel Registry;
6	24(b)	Ensure that fishing vessels, support vessels, mother ships or cargo vessels flying their flag do not participate in any transshipment or joint fishing operations with, support or re-supply vessels on the NPFC IUU Vessel List;

No.	Paragraph to be Assessed	OBLIGATION
7	24(c)	Prohibit the entry into their ports of vessels included on the NPFC IUU Vessels List, except in the case of <i>force majeure</i> ;
8	24(d)	Prohibit the chartering of a vessel on the NPFC IUU Vessels List;
9	24(e)	Refuse to grant their flag to vessels on the NPFC IUU Vessel List, unless the ownership of the vessel has subsequently changed and the new owner has provided sufficient evidence demonstrating that the previous owner has no legal, beneficial or financial interest in, or control of the vessels, or the member concerned is satisfied that that, having taken into account all relevant facts, the vessel is no longer engaged in or associated with IUU fishing activities;
10	24(f)	Prohibit commercial transactions, imports, landings and/or transshipment of species covered by the Convention from vessels on the IUU Vessel List.
<p style="text-align: center;">CMM 2023-09</p> <p style="text-align: center;">HIGH SEAS BOARDING AND INSPECTION PROCEDURES</p>		
11	7	Each Member of the Commission shall ensure that vessels flying its flag accept boarding and inspection by authorized inspectors in accordance with these procedures.
12	7	Such authorized inspectors shall comply with these procedures in the conduct of any such activities.
		14. Each Contracting Party that intends to carry out boarding and inspection activities pursuant to these procedures shall so notify the Commission, through the Executive Secretary, and shall provide the following:
13	26	<p>During the conduct of a boarding and inspection, the master of the fishing vessel shall:</p> <p>a) follow internationally accepted principles of good seamanship so as to avoid risks to the safety of authorized inspection</p>

No.	Paragraph to be Assessed	OBLIGATION
		<p>vessels and inspectors;</p> <p>b) accept and facilitate prompt and safe boarding by the authorized inspectors;</p> <p>c) be encouraged to provide a boarding ladder in accordance with Annex A;</p> <p>d) cooperate with and assist in the inspection of the vessel pursuant to these procedures;</p> <p>e) not assault, resist, intimidate, interfere with, or unduly obstruct or delay the inspectors in the performance of their duties;</p> <p>f) allow the inspectors to communicate with the crew of the inspection vessel, the authorities of the inspection vessel, any embarked observers, as well as with the authorities of the fishing vessel being inspected;</p> <p>g) provide the inspectors onboard with reasonable facilities, including, where appropriate, food and accommodation; and</p> <p>h) facilitate safe disembarkation by the inspectors</p>
14	28	<p>The authorities of the fishing vessel, unless generally accepted international regulations, procedures and practices relating to safety at sea make it necessary to delay the boarding and inspection, shall direct the master to accept the boarding and inspection. If the master does not comply with such direction, the Member shall suspend the vessel's authorization to fish and order the vessel to return immediately to port. The Member shall immediately notify the authorities of the inspection vessel and the Commission of the action it has taken in these circumstances.</p>
15	41	<p>Contracting Parties that authorize inspection vessels to operate under these procedures shall report annually to the Commission on the boarding and inspections carried out by its authorized inspection vessels, as well as upon possible violations observed.</p>
16	42	<p>Contracting Parties shall include in their annual statement of compliance within their Annual Report to the Commission under Article 16 of the Convention action that they have taken in response to boarding and inspections of their fishing vessels that resulted in observation of alleged violations, including any proceedings instituted and sanctions applied.</p>
<p align="center">CMM-2023-05</p> <p align="center">BOTTOM FISHERIES AND PROTECTION OF VULNERABLE MARINE ECOSYSTEMS IN THE NORTHWESTERN</p>		

No.	Paragraph to be Assessed	OBLIGATION
PACIFIC OCEAN		
	4. Members of the Commission shall take the following measures in order to achieve sustainable management of fish stocks and protection of VMEs in the western part of the Convention Area:	
17	4.A	Limit fishing effort in bottom fisheries on the western part of the Convention Area to the level agreed in February 2007 in terms of the number of fishing vessels and other parameters which reflect the level of fishing effort, fishing capacity or potential impacts on marine ecosystems.
18	4.G	Further, considering accumulated information regarding fishing activities in the western part of the Convention Area, in areas where, in the course of fishing operations, cold water corals more than 50Kg or sponges more than 500Kg are encountered in one gear retrieval, Members of the Commission shall require vessels flying their flag to cease bottom fishing activities in that location. In such cases, the vessel shall not resume fishing activities until it has relocated a sufficient distance, which shall be no less than 1 nautical mile, so that additional encounters with VMEs are unlikely. All such encounters, including the location, gear type, date, time and name and weight of the VME indicator species, shall be reported to the Secretariat, through the Member, within one business day. The Executive Secretary shall, within one business day, notify the other Members of the Commission and at the same time implement a temporary closure in the area to prohibit bottom fishing vessels from contacting the sea floor with their trawl nets. Members shall inform their fleets and enforcement operations within one business day of the receipt of the notification from the Executive Secretary. It is agreed that the VME indicator taxa include cold water <i>corals</i> <i>Alcyonacea</i> , <i>Antipatharia</i> , <i>Gorgonacea</i> , and <i>Scleractinia</i> , and the classes of <i>Hexactinellida</i> and <i>Demospongiae</i> in the phylum Porifera.
19	4.L	Limit annual catch of North Pacific armorhead to 15,000 tons for Japan. In years when strong recruitment of North Pacific armorhead is not detected by the monitoring survey (Annex 6), the Commission encourages Japan to limit their catch of North Pacific armorhead by vessels flying its flag to 500 tons, and encourages Korea to limit their catch of North Pacific armorhead by vessels flying its flag to 200 tons. When a strong recruitment of North Pacific armorhead is detected by the monitoring survey (Annex 6), the Commission encourages that Japan limit the annual catch of North Pacific armorhead by vessels flying its flag to 10,000 tons, and that Korea limit the annual catch of North Pacific armorhead by vessels flying its flag to 2,000 tons. The Commission encourages that catch overages for any given year be subtracted from the applicable annual catch limit in the

No.	Paragraph to be Assessed	OBLIGATION
		following year, and that catch underages during any given year not be added to the applicable annual catch limit during the following year.
20	5	Members of the Commission shall submit to the SC their assessments of the impacts of fishing activity on marine species or any VMEs, including the proposed management measures to prevent such impact. Such submissions shall include all relevant data and information in support of any such assessment. Procedures for such reviews including procedures for the provision of advice and recommendations from the SC to the submitting Member are attached (Annex 3). Members will only authorize bottom fishing activity pursuant to paragraph 4 (C).
		6. To facilitate the scientific work associated with the implementation of these measures, each Member of the Commission shall undertake:
21	6.A	<p>Reporting of information for purposes of defining the footprint</p> <p>In implementing paragraphs 4A and 4B, the Members of the Commission shall provide for each year, the number of vessels by gear type, size of vessels (tons), number of fishing days or days on the fishing grounds, total catch by species, and areas fished (names of seamounts) to the Secretariat. The Secretariat shall circulate the information received to the other Members consistent with the approved Regulations for Management of Scientific Data and Information. To support assessments of the fisheries and refinement of conservation and management measures, Members of the Commission are to provide updated information on an annual basis.</p>
22	6.B	<p>Collection of information</p> <p>(i) Collection of scientific information from each bottom fishing vessel operating in the western part of the Convention Area.</p> <p>(a) Catch and effort data</p> <p>(b) Related information such as time, location, depth, temperature, etc.</p> <p>(ii) As appropriate the collection of information from research vessels operating in the western part of the Convention Area.</p>

No.	Paragraph to be Assessed	OBLIGATION
		<p>(a) Physical, chemical, biological, oceanographic, meteorological, etc.</p> <p>(b) Ecosystem surveys,</p> <p>(c) Seabed mapping (e.g. multibeam or other echosounder); seafloor images by drop camera, remotely operated underwater vehicle (ROV) and/or autonomous underwater vehicle (AUV).</p> <p>(iii) Collection of observer data</p> <p>Duly designated observers from the flag member shall collect information from bottom fishing vessels operating in the western part of the Convention Area. Observers shall collect data in accordance with Annex 5. Each Member of the Commission shall submit the reports to the Secretariat in accordance with Annex 4. The Secretariat shall compile this information on an annual basis and make it available to the Members of the Commission.</p>
23	8 <u>Observers</u>	All vessels authorized to bottom fishing in the western part of the Convention Area shall carry an observer on board.
<p style="text-align: center;">CMM 2023-06</p> <p style="text-align: center;">BOTTOM FISHERIES AND PROTECTION OF VULNERABLE MARINE ECOSYSTEMS IN THE NORTHEASTERN PACIFIC OCEAN</p>		
24	8	The Members shall provide all available information as required by the Commission for any current or historical fishing activity by their flag vessels, including the number of vessels by gear type, size of vessels (tons), number of fishing days or days on the fishing grounds, total catch by species, areas fished (names or coordinates of seamounts), and information from scientific observer programmes (see Annexes 4 and 5) to the NPFC Secretariat as soon as possible and no later than one month prior to SC meeting. The Secretariat will make such information available to SC.
<p style="text-align: center;">CMM 2023-07</p> <p style="text-align: center;">CHUB MACKEREL</p>		

Annex D: CMM 2024-13 For the Compliance Monitoring Scheme

No.	Paragraph to be Assessed	OBLIGATION
25	1	Members of the Commission and Cooperating non-Contracting Parties (CNCs) with substantial harvest of chub mackerel in the Convention Area shall refrain from expansion, in the Convention Area, of the number of fishing vessels entitled to fly their flags and authorized to fish for chub mackerel from the historical existing level until the stock assessment by the SC has been completed.
26	7	Members of the Commission and CNCs shall provide their data on chub mackerel separated by the Convention Area and the areas under national jurisdiction adjacent to the Convention Area in accordance with the data requirements adopted by the Commission in the Annual Report by the end of February, every year. The Commission shall review such information at the annual meeting of every year.
CMM 2023-08 PACIFIC SAURY		
27	1	Members of the Commission, not described under Paragraph 2, and that are currently fishing for Pacific saury shall refrain from expansion, in the Convention Area, of the number of fishing vessels entitled to fly their flags and authorized to fish for Pacific saury from the historical existing level.
28	2	Members fishing for Pacific saury in areas of their jurisdiction that are adjacent to the Convention Area <i>shall refrain from rapid expansion</i> , in the Convention Area, of the number of fishing vessels entitled to fly their flags and authorized to fish for Pacific saury from the historical existing level.
29	7	As a provisional measure until the Commission decides allocation of the TAC, each Member of the Commission shall reduce the annual total catch of Pacific saury by the fishing vessels entitled to fly its flag in 2023 and 2024 by 55% from its reported catch in 2018 so that the total catch in the Convention Area will not exceed the TAC set out in paragraph 6.
30	8	To comply with the provisional measures above, Members of the Commission shall report to the Executive Secretary in the electronic format, weekly catches of Pacific saury in the Convention Area by fishing vessels flying their flags by Wednesday of

No.	Paragraph to be Assessed	OBLIGATION
		the next week.
31	10	In the event that a Member reaches 70% of its catch limit set out in paragraph 7, the Executive Secretary shall inform that Member of that fact, with a copy to all other Members. That Member shall close the fishery for its flagged vessels when the total catch of its flagged vessels is equivalent to 100% of its catch limit. Such Member shall notify promptly the Executive Secretary of the date of the closure, except as described in paragraph 11.
<p style="text-align: center;">CMM 2019-10 SABLEFISH</p>		
32	8	All vessels authorized to fish sablefish in the eastern part of the Convention Area shall have 100% observer coverage.
<p style="text-align: center;">CMM 2023-11 JAPANESE SARDINE, NEON FLYING SQUID AND JAPANESE FLYING SQUID</p>		
33	1	Members of the Commission and Cooperating non-Contracting Parties (CNCs) with substantial harvest of any of Japanese sardine, neon flying squid and Japanese flying squid (hereinafter referred to as “the three Pelagic Species”) in the Convention Area shall refrain from expansion, in the Convention Area, of the number of fishing vessels entitled to fly their flags and authorized to fish for such species from the historical existing level until the stock assessment for such species by the SC has been completed.
34	<u>7</u>	Members of the Commission and CNCs shall provide their data on the three Pelagic Species in accordance with the data requirements adopted by the Commission in the Annual Report by the end of February, every year. The Commission shall review such information at the annual meeting of every year.

No.	Paragraph to be Assessed	OBLIGATION
CMM 2023-12 VESSEL MONITORING SYSTEM		
35	8	All Members or CNCPs shall ensure that its flagged vessels that are authorized under NPFC and present in the Convention Area transmit VMS data every hour to their FMC.
36	10	Each Member or CNCP shall ensure that their FMC automatically transmits VMS data to the Secretariat, which shall be received no later than 60 minutes upon receipt of the data at their FMC.
37	11	Each Member or CNCP shall ensure that their FMC can automatically receive VMS data and transmit VMS data to the Secretariat.
38	12	Each Member or CNCP shall provide the Secretariat with VMS contact points in their FMCs including the name, position, email address and phone number of their VMS contact points. The Secretariat will make a list of VMS contact points available to all Members and Cooperating non-Contracting Parties.
39	22	If a failure to transmit occurs more than two times within a period of one year, the flag Member or CNCP of the fishing vessel shall investigate the matter, including having an authorized official examine the MTU on board the vessel. The outcome of this investigation shall be forwarded to the Secretariat within fifteen (15) days of its completion.
CMM 2023-13 COMPLIANCE MONITORING SCHEME		
CMM 2023-03		

No.	Paragraph to be Assessed	OBLIGATION
TRANSSHIPMENTS		
40	4	A fishing vessel shall only engage in a transshipment, or other transfer activity in the Convention Area, if both the offloading and receiving vessel are duly authorized by its Flag State and included in the NPFC Vessel Registry
41	6	If a fishing vessel intends to engage in a transshipment in an area under national jurisdiction, including a port, the fishing vessel shall receive an authorization from the relevant coastal or port State before engaging in the transshipment.
42	8	All reporting shall comply with the procedures to be adopted by the Commission.
43	9	All reporting related to a transshipment shall include all marine species, including bycatch and unregulated species, taken in the Convention Area.
44	10	A fishing vessel shall maintain an electronic or physical record on board the fishing vessel of each transshipment it has engaged in during the current trip. The record shall include each transshipment declaration.
45	12	A fishing vessel, or a Commission Member or Cooperating non-Contracting Party on behalf of the vessel, shall provide an advance notification to the authorities listed in paragraph 13 as soon as possible, and at least 24 hours in advance of the intended transshipment. The advance notification form is included in Annex I.
46	14	A receiving vessel, or a Commission Member or Cooperating non-Contracting Party on behalf of the receiving vessel, shall provide an advance notification to the authorities listed in paragraph 13 as soon as possible, and at least 24 hours in advance of the intended other transfer activity. The advance notification form is included in Annex I.

No.	Paragraph to be Assessed	OBLIGATION
47	15	If the transshipment does not start after 24 hours of the estimated start time, or within 20 nautical miles of the estimated start location, as contained in the advance notification, the fishing vessels involved in the transshipment, or Commission Members or Cooperating non-Contracting Parties on their behalf shall modify the submitted advance notification.
48	16	If the other transfer activity does not start after 24 hours of the estimated start time, or within 20 nautical miles of the estimated start location, as contained in the advance notification, the receiving vessel, or Commission Member or Cooperating non-Contracting Party of the receiving vessel, shall modify the submitted advance notification.
49	18	If a transshipment is cancelled before it is undertaken, a fishing vessel intending to engage in the transshipment, or the Commission Member or Cooperating non-Contracting Party whose fishing vessel intended engage in the transshipment, shall notify the Secretariat of the cancellation as soon as possible.
50	20	If a Commission Member, or Cooperating non-Contracting Party, receives suitably documented information that its flagged fishing vessel is, or appears to be, non-compliant with the Convention, or a conservation and management measure, the Commission Member, or Cooperating non-Contracting Party, shall conduct an investigation.
51	21	<p>The investigating Commission Member, or Cooperating non-Contracting Party, shall provide a report on the progress of the investigation, including an attestation of the fishing vessel's status under paragraph 19, no later than 60 days after receiving the information, to:</p> <ul style="list-style-type: none"> (a) The Secretariat (b) The Commission Member, of Cooperating non-Contracting Party that provided this information. <p>Following the investigation process, information shall be provided about any appropriate enforcement action taken in line with its national laws.</p>

Annex D: CMM 2024-13 For the Compliance Monitoring Scheme

No.	Paragraph to be Assessed	OBLIGATION
52	22	If a fishing vessel receives catch from more than one offloading vessel, the fishing vessel shall ensure that the catch from each offloading vessel is stored separately and readily identifiable. The receiving vessel shall have a stowage plan available on board at all times.
53	24	A fishing vessel having engaged in, or a Commission Member or Cooperating non-Contracting Party whose fishing vessel has engaged in, a transshipment shall provide a transshipment declaration to the authorities listed in paragraph 25 as soon as possible, and no later than 10 days after the transshipment. The transshipment declaration form is included in Annex II.
54	26	The Commission shall establish a regional observer and/or electronic monitoring program no later than its 9th Commission meeting. Until the Commission establishes an observer and/or electronic monitoring program, a Commission Member, or Cooperating non-Contracting Party, is responsible for the deployment of independent, impartial, and qualified observers to fulfill the requirements of this measure.
55	28	An observer shall be provisioned, accommodated, including access to independent communications, and provided safe working conditions by the receiving vessel in accordance with the Commission Member's, or Cooperating non-Contracting Party's, domestic laws and regulations.
56	29	A Commission Member, or Cooperating non-Contracting Party, shall ensure that its receiving vessels engaging in a transshipment have an observer on board.
57	30	A fishing vessel may only engage in one transshipment at a time for each observer that is available to monitor and report on the transshipment.
58	31	An observer shall have:

No.	Paragraph to be Assessed	OBLIGATION
		<p>(a) full, unobstructed, and safe access to each fishing vessel involved in the transshipment, including, inter alia, access to crew, gear, equipment, records, electronic means of communication, and fish holds; and</p> <p>(b) adequate and appropriate space to undertake their responsibilities pursuant to this measure.</p>
59	33	<p>An observer shall record an observer report immediately after each transshipment and keep the report onboard, and provide an observer transshipment report, as specified in Annex III, as soon as possible, but no later than 10 days from the disembarkation of the observer, to:</p> <p>(a) the Commission Member, or Cooperating non-Contracting Party, of the flags of the receiving vessel and the offloading vessel; and</p> <p>(b) the Secretariat</p>
60	34	<p>In the case where an observer observes an activity or condition that is not consistent with this conservation and management measure, the observer shall notify the finding, as well as documented evidence, to the extent possible, without delay to the Secretariat and the authorities of the Commission Member or Cooperating non-Contracting Party of the flags of the receiving and offloading vessels.</p>
61	35	<p>The Commission Member or Cooperating non-Contracting Party of the flag of the vessel whose violation has been observed and notified shall make the best effort to respond to this notification through the Secretariat without delay and undertake investigation on the observed violation. The Commission Member or Cooperating non-Contracting Party shall report any finding and/or relevant actions taken in their Annual Report.</p>
62	46	<p>In the case of force majeure, the fishing vessel, or Commission Member or Cooperating non-Contracting Party, shall:</p> <p>(a) notify the Secretariat prior to the completion of the transshipment, or other transfer activity, as well as the circumstances giving rise to the force majeure; and</p>

No.	Paragraph to be Assessed	OBLIGATION
		(b) provide a transshipment declaration on the transshipment as soon as possible, but within 10 days of the transshipment.
63	48	Each Commission Member, and Cooperating non-Contracting Party, shall provide an annual summary of the data and information collected from all authorized fishing vessels having undertaken a transshipment, including each year's transshipment declarations, to the Commission at the Technical and Compliance Committee meeting. The summary shall be included in the Annual Report, as per Article 16(3) of the Convention. The template for this summary is included in Annex V.
64	49	A Commission Member, or Cooperating non-Contracting Party, shall take all reasonable steps to verify the information received from fishing vessels having engaged in a transshipment.
65	51	Commission Members and Cooperating non-Contracting Parties shall investigate instances of potential non-compliance with this measure, and report the results of those investigations to the Commission.
CMM 2023-14 SHARKS		
66	6	No fishing vessel shall engage in shark finning.
67	7	No fishing vessel shall: (a) retain on board, or otherwise possess or control, a shark fin that is not naturally attached to the corresponding shark; or (b) transship, or land, a shark fin that is not naturally attached to the corresponding shark unless the fishing vessel complies with paragraph 8.

No.	Paragraph to be Assessed	OBLIGATION
68	8	<p>A fishing vessel may only remove a shark fin from the corresponding shark if the shark is incidentally caught, taken, or harvested, and if:</p> <ul style="list-style-type: none"> (a) the shark fin and the corresponding shark can be readily identified; and (b) one of the following methods is used: <ul style="list-style-type: none"> i the shark fin is stored in the same bag, preferably a biodegradable one, as the corresponding shark; ii the shark fin is bound to the corresponding shark using rope or wire; or iii the shark fin and the corresponding shark are identically, uniquely, and numerically tagged in a manner that an authorized inspector can readily identify the matching of the shark fin to the corresponding shark.
69	9	A fishing vessel shall record, and maintain a record of, any shark catch in the Convention Area, to the extent possible by species, in its logbook on board the fishing vessel.
70	10	A Commission Member, or Cooperating non-Contracting Party, shall annually report all shark catches, to the extent possible by species, from their fishing vessels to the Secretariat.
CMM 2023-15 POLLUTION		
71	4	No fishing vessel shall discard or abandon fishing gear at sea.
72	8	No fishing vessel shall release any plastics, including synthetic ropes, synthetic fishing nets, plastic garbage bags, or incinerator ashes from plastics products, at sea.

Annex D: CMM 2024-13 For the Compliance Monitoring Scheme

No.	Paragraph to be Assessed	OBLIGATION
73	10	<p>A fishing vessel shall take all reasonable precautions to prevent:</p> <ul style="list-style-type: none"> (a) the abandonment, loss, or discard of fishing gear at sea; and (b) the release of garbage, and plastics, at sea.
74	11	<p>A fishing vessel shall make every reasonable effort to retrieve any abandoned, lost, or discarded gear, garbage, or plastics that it has released as soon as possible.</p>
75	14	<p>A fishing vessel shall, to the extent possible, safely store and retain on board all fishing gear, garbage, and plastics until they can be disposed of at an adequate port reception facility.</p>

CMM 2024-15

(Entered into force dd mm 2024)

**CONSERVATION AND MANAGEMENT MEASURE ON THE PREVENTION,
REDUCTION, AND ELIMINATION OF MARINE POLLUTION**

The North Pacific Fisheries Commission (NPFC),

Concerned with the prevalence of marine pollution in the world's oceans, and its detrimental effects on marine species, marine ecosystems, and the livelihoods of legitimate fishers;

Recognizing the significant ecological threat posed by abandoned, lost, or discarded fishing gear (ALDFG) to the sustainability of fisheries resources;

Aware of both the role fishing vessels have in producing marine pollution during fishing activities from waste, harmful liquid substances, and ALDFG fishing gear, and their equal potential to combat marine pollution;

Committed to the use of the precautionary approach in fisheries management in light of the lack of data and information on marine pollution in the North Pacific Ocean;

Recalling that Article 3(k) of the Convention requires Commission Members and Cooperating non-Contracting Parties to minimize pollution or waste originating from fishing vessels, catch by lost or abandoned gear, and impacts on other species and marine ecosystems through measures including, to the extent practicable, the development and use of selective, environmentally safe, and cost-effective fishing gear and techniques;

Noting that the International Convention for the Prevention of Pollution from Ships (MARPOL) seeks to eliminate and reduce the amount of garbage being discharged into the sea from ships and that Annex V of MARPOL applies to all vessels but that there is limited monitoring and implementation of MARPOL obligations on fishing vessels, and consequently little information exists about illegal pollution activities by fishing vessels at sea;

Noting further that the need to prevent and significantly reduce marine pollution of all kinds was affirmed at the United Nations Conference to Support the Implementation of Sustainable Development Goal 14 through the adoption of paragraph 13(g) of the "Our ocean, our future: call for action" declaration;

Desiring to establish rules, and encourage advancements, in the prevention, reduction, and elimination of marine pollution in the North Pacific Ocean;

Adopts the following:

Definitions

1. This measure shall be interpreted, unless otherwise stated, in accordance with the Convention.
2. The following definitions apply:
 - a) “fishing gear” means any physical device or part thereof or combination of items that may be placed on or in the water or on the seabed with the intended purpose of catching, taking, or harvesting, or controlling for the subsequent catching, taking, or harvesting, of fisheries resources;
 - b) “garbage” means all kinds of food wastes, domestic wastes, and operational wastes as defined under Annex V of MARPOL, including incinerator ashes, cooking oil, floating dunnage, or lining and packing materials¹, but excluding plastics;
 - c) “plastics” means a solid material which contains as an essential ingredient one or more high molecular mass polymers and which is formed during either manufacture of the polymer or the fabrication into a finished product by heat or pressure;

Scope

3. This measure applies to all fishing vessels in the Convention Area.

Prohibitions on Marine Pollution

Prohibition on Discard or Abandonment of Fishing Gear

4. A Commission Member, or Cooperating non-Contracting Party (Member or CNCP) shall take necessary measures to ensure that its fishing vessels do not discard or abandon fishing gear at sea.
5. A fishing vessel is deemed to have discarded fishing gear if it relinquishes control of the fishing gear, except in the event of distress.

¹ For greater clarity, a reference to garbage in paragraphs 11 – 15 does not include garbage that is permitted to be released under Annex V of MARPOL

6. A fishing vessel is deemed to have abandoned fishing gear if it loses control of the fishing gear, or relinquishes control due to *force majeure*, and does not make every reasonable effort to retrieve the fishing gear.

Lost Fishing Gear

7. If a fishing vessel loses control of its fishing gear, or relinquishes control due to *force majeure*, and makes every reasonable effort to retrieve the fishing gear, but it is impossible to retrieve, the fishing gear is considered lost.

Prohibition on Release of Plastics

8. A Member or CNCP shall take necessary measures to ensure that its fishing vessels do not release any plastics, including synthetic ropes, synthetic fishing nets, plastic garbage bags, or incinerator ashes from plastics products, at sea
9. Paragraph 8 shall not apply when it is necessary to secure the safety of human life or of vessels at sea in cases of *force majeure* caused by stress of weather, or in any case which constitutes a danger to human life or a real threat to vessels. A Member or CNCP shall take necessary measures to ensure that such release be so conducted as to minimize the likelihood of damage to human or marine life and reported to the Commission through the Secretariat within 14 working days of the incident. The Member or CNCP shall report any such cases in the Annual Report.

Prohibition on the Release of Other Marine Pollutants

10. A Member or CNCP is encouraged to implement appropriate on-board storage for, and to prohibit the release of the following discharges at sea by its fishing vessels, except as permitted under applicable international instruments:
 - a) oil, fuel products, or oily residues;
 - b) sewage; and
 - c) garbage.

Other Requirements

Preventive Measures

11. A Member or CNCP shall take necessary measures to ensure that its fishing vessels take all reasonable precautions to prevent:

- a) the abandonment, loss, or discard of fishing gear at sea; and
- b) the release of garbage, and plastics, at sea.

Retrieval of Fishing Gear and Other Marine Pollutants

- 12. A Member or CNCP shall take necessary measures to ensure that its fishing vessels make every reasonable effort to retrieve any abandoned, lost, or discarded gear, garbage, or plastics that it has released as soon as possible and if safe to do so.
- 13. A Member or CNCP shall take necessary measures to encourage its fishing vessels to retrieve any abandoned, lost, or discarded fishing gear, garbage, or plastics that it observes at sea.
- 14. A Member or CNCP shall take necessary measures to encourage its fishing vessels to carry equipment on board to retrieve any abandoned, lost, or discarded fishing gear, garbage, or plastics that it released or observes.
- 15. A Member or CNCP is encouraged to submit to SC and TCC any information derived from the implementation of paragraphs 12 and 13.

Storage, Retention, and Disposal of Marine Pollutants

- 16. A Member or CNCP shall take necessary measures to ensure that its fishing vessels, to the extent possible, safely store and retain on board all fishing gear, garbage, and plastics until they can be disposed of at an adequate port reception facility.
- 17. A Member or CNCP shall take necessary measures to encourage its fishing vessels that are 400 GT and above and fishing vessels which are certified to carry 15 or more persons and engaged in international voyages to keep a Garbage Record Book on board the vessel that records the disposal and/or treatment of garbage in accordance with MARPOL Regulation 10, Annex V.

Review

- 18. The Commission shall review this measure annually, taking into account, *inter alia*:
 - a) the effectiveness of this measure in preventing, reducing, and eliminating marine pollution, including the potential for reporting requirements; and

- b) the development of international standards, guidelines, or best practices, or international instruments related to the prevention, reduction, and elimination of marine pollution.

TCC/SWG WORKPLAN FOR 2024-2025 (Priorities shaded)

No.	ISSUE	LEAD	ACTION / TIMELINE
1	2023-2024 Update		
	VMS Implementation		
	New contract required for August 2023	Secretariat	Existing Contract expires August 3, 2023; new contract prepared by June 1. Contract (2023-2026) signed 10 August 2023.
	Training in THEMIS for secretariat staff, and as required, FMC leads	Secretariat and SWG Ops, if appropriate	Training needs identified and scheduled by June 1 Training completed for Secretariat staff by CUBIC-I.
	Queries to be established for VMS data analysis	Secretariat, working with SWG Ops	Queries for 2024 VMS review to be finalized by June 30. Posted to Collaboration site 12 June 2023 SWG Operations 14 June 2023 NPFC Collaboration
	Consideration of revisions to CMM to improve data	Secretariat with SWGs Ops	Secretariat report on VMS (NPFC-2024-TCC07-IP04 contains some suggestion for improvement to VMS CMM
	Develop and include appropriate provisions in the VMS CMM and its data sharing protocol to ensure the provision of VMS data to Members with aerial inspection presence in alignment with the definition in Article 1 g)	SWGs Ops	TCC07 SWG, supported by secretariat, review the provisions of CMM and propose enhancements, if appropriate – December 2023. SWG Ops proposal to amend VMS CMM 7th Technical and Compliance Committee Meeting NPFC WP15
	2024- 2025 Workplan		
	Entry/Exit Reports	TCC/ Secretariat	Develop procedures for reporting of entry into and exit from the Convention Area as soon as possible, including the possibility of establishing buffer zones similar to SPRFMO. For review at TCC08
	AIS access	Secretariat	Investigate options for accessing AIS data that will not incur financial costs, and explore paid options as necessary and appropriate in future. Options to be reviewed at TCC08.
2	2023-2024 Update		
	Transshipment		
	Possible adoption of transshipment measure (if not adopted, interim measure requires amendment- remove reference to Interim Register	TCC/SWGs /Secretariat	Secretariat will work with SWGs to identify logistical requirements to support implementation of a transshipment measure, including an automated data entry system to capture

	in 2 c))		reports. September 2023. Online application launched in advance of 26 July implementation date.
	Consideration of mechanism to capture transshipment data in database to facilitate analysis	Secretariat	Secretariat to present costed options to SWG June 15. Online application launched in advance of 26 July implementation date.
	Consideration of complementary measures to support effective transshipment control (e.g. observers /EM, port inspections)	SWGs	SWG, with support from secretariat, will explore options for complementary measures to support transshipment. A prioritized list and timelines for draft measures could be developed by June 30. Transshipment observer program in development by SWG PD (NPFC-2024-TCC07WP05)
	Consideration of proposal to explore new monitoring technologies to help quantify extent of transshipments in CA	Secretariat/SWG Ops	Secretariat to work with SWG Ops to draft a proposal to partner with interested parties to explore potential project(s) (funded through Special Projects Fund) to utilize satellite technology (SAR/RF/Optical Sensors VIIRS). Proposal to be presented at TCC07. Given challenges in implementing online reporting, preference to wait until NPFC has some meaningful data to contribute to this exercise (maybe 1-2 years)
	2024- 2025 Workplan		
	Require clarity on reporting of transshipment catch by species	TCC/SWGs	Draft language to amend transshipment measure to clarify the reporting of transshipped catch by species, including non-NPFC species
	2023-2024 Update		
3	Observer program / EM		
	Options to be developed for a Transshipment observer programme and/or electronic monitoring scheme	SWGs/Secretariat	Secretariat to research options for implementation of observer program for presentation to SWGs.
			Cost estimates posted to Collaboration site 6 February 2024 Transshipment Observer Program- Preliminary Cost Estimate NPFC Collaboration Work ongoing in SWG PD for development of transshipment observer program (NPFC-2024-TCC07-WP05) 7th Technical and Compliance Committee Meeting NPFC NPFC-2024-TCC07-WP05 SWG PD Draft Transshipment Observer Program.

	2024- 2025 Workplan		
	Develop ROP for transshipment (priority)	TCC/SWG	Develop proposal for RoP to be presented at COM09
	Begin planning for broader NPFC observer program	TCC	Request advice from SC on what data should be collected
4	2023-2024 Update		
	Vessel Registry		
	Some information gaps identified in registry, as well as issue with "duplicate vessels"	Secretariat- SWG OPS	Secretariat to continue "cleanup "of VR, removing and identifying information "gaps" in Registry- September 30. Secretariat is currently attempting to address information gaps as new vessels are added to the Registry, as Members must get assistance of Secretariat for a vessel's first registration only.
			SWG OPS to review identified gaps and recommend cooperation from Members to update the Registry with current details- complete by TCC07. This project was overtaken by the urgency to operationalize the online application for transshipment
	2024- 2025 Workplan		
	Update Vessel registry to address errors in current and historic data	Secretariat/Members	Secretariat to work with Members to confirm data in Registry
5	2023-2024 Update		
	CMS		
	Consider options to refine and further develop and better implement a robust CMS consistent with discussions at TCC06, to allow the Secretariat undertaking reliable assessment and TCC adopting a robust CMR in 2024 and beyond	SWGs/Secretariat	Secretariat to refine list of obligations and identify where data gaps exist to prevent compliance assessment. Secretariat posted on 2 June 2023 all SHALL obligations by CMM with comments on data availability June 7 2023
			https://collaboration.npfc.int/node/137
			SWG PD worked throughout intersessional to develop proposal to TCC NPFC-2024-TCC07-WP04 Revisions to CMS CMM 2023-13
	Long term		
Multi year work plan in para. 27 of CMS CMM	SWG PD	Auto- responses, corrective actions	

	2024- 2025 Workplan		
	Develop Implementation Questionnaire	Secretariat	Draft questionnaire for member self - assessment for review at TCC08
6	2023-2024 Update		
	HSBI		
	Harmonized interpretation of inspection protocols is required for HSBI operations(depending on outcome of Covid-19 document)]	SWG Ops/Secretariat	SWG Ops to work toward articulation of a shared understanding of inspection protocols. This work is ongoing and being led by Co-Leads of SWG Ops, to update the HSBI plan.
	Boarding ladder issue remains under review	SWG Ops	SWG Ops to review information on boarding ladder/other safety related issues in context of at sea inspection program (ongoing). SWG Ops proposal on boarding ladders for TCC07 7th Technical and Compliance Committee Meeting NPFC-2024-TCC07- WP14
	Enhancements to the HSBI Events page are required to facilitate data analysis	Secretariat	Secretariat to work with service provider to seek options/costs of enhancing the data entry process for HSBI reports to enable direct entry of reports by Members and automated report generation by secretariat. Options presented by 1 May. This project was overtaken by the urgency to operationalize the online application for transshipment
	2024- 2025 Workplan		
	Update Implementation plan	SWG Ops	Continue to develop HSBI plan for review at TCC08
7	2023-2024 Update		
	Port Inspection program		
	Options to develop minimum standards for port inspection	SWG PD /OPS Secretariat	Secretariat work with SWG PD to develop considerations for the future implementation of port inspection measures complete by TCC07. This project was overtaken by the urgency to operationalize the online application for transshipment
	2024- 2025 Workplan		
8	2023-2024 Update		

	CMMs		
	Minor editorial and formatting issues within existing CMMs	Secretariat /SWG PD	Secretariat to compile list of proposed edits and present to SWG-PD for consideration – by 15 May. This project was overtaken by the urgency to operationalize the online application for transshipment
	2024- 2025 Workplan		
9	2023-2024 Update		
	RFMO and IGO Collaboration and Cooperation		
	MOUs with overlapping and adjacent RFMOs	Secretariat/SWGs	Secretariat to liaise with colleagues in WCPFC and SPRFMO to prepare for activities under eventual MoU. MoUs complete – but no workplans as yet
	Participation in IMCS Network workshops and seminars, PPFCN for informal compliance links and efforts;	Secretariat	Secretariat to attend TCC of WCPFC September 2023, and participate in GFETW, Halifax, Canada July- Aug. CM attended TCC of WCPFC; CM and CA attended GFETW. IMCS Network has assisted the Secretariat in conducting verification exercises for IUU listed vessels, as well as in conducting research and providing reports on specific vessels.
			Secretariat to offer to host face to face meeting of PPFCN on margins of monitoring workshop in Tokyo 2023/2024. Monitoring workshop was not followed up, but PPFCN continues to meet online.
	Workplan for NPAFC MoC	TCC	TCC to review proposed compliance related activities in workplan drafted under NPFC- NPAFC MoC. Completed at TCC06
	2024- 2025 Workplan		
10	2023-2024 Update		
	Outstanding Issues from COM		
	Share information with Global record	Secretariat	Secretariat will develop a plan for participation in Global record. Not followed up
	Standardization of "serious violations	SWGs/Secretariat	Secretariat to compile a list of references to serious violations in NPFC

			Convention and CMMs for review in SWGs. Secretariat posted list of serious violations from Convention and CMMs 9 June 2023
			SWG Operations 14 June 2023 NPFC Collaboration
			SWG Ops posted a list of prioritized obligations 22 December 2023. 17 Jan SWG Ops Meeting (2024-01) NPFC Collaboration, further refined by a task team of both OPS/PD and posted 30 January 2024
			17 Jan SWG Ops Meeting (2024-01) NPFC Collaboration
			Compliance Monitoring Report - Obligations NPFC Collaboration
			Secretariat to review previous meeting reports and identify any outstanding action items for TCC – to be presented at next SWG meeting .
			2024- 2025 Workplan
	Serious Violations	SWG Ops	Continue work on serious violations for review at TCC08
11	Performance Review		
	Consideration of TCC relevant recommendations consistent with direction from Commission	Secretariat/SWGs	Secretariat to prepare list of TCC – relevant recommendations for review and prioritization by SWGs. Complete list of recommendations /considerations posted for discussion at TCC The NPFC Performance Review – implementation considerations Review by subsidiary bodies and Chairs NPFC
	2024- 2025 Workplan		
12	Transparency		
	2024- 2025 Workplan		
	Update Interim Rules of Transparency for TCC	SWG PD	Review and update Rules of Transparency, including participation of Observers in CMR review. Finalize by COM 09
13	Effort Controls		
	Establish historic existing levels	Secretariat/SEC/SWG/ SC	Work with SC to establish historic existing fishing levels (vessel numbers

			and amounts) for NPFC priority species. For review at TCC08
14	Annual Report Template		
	2024- 2025 Workplan		
	Update template	Secretariat/SWGs SC	Review existing reporting template and update to align authorizations/active vessels to their respective fisheries and propose other appropriate revisions at TCC08