



North Pacific Fisheries Commission

CMM 2023-13

(Entered into force 26 July 2023)

**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 calls for 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 have undertaken to enforce the provisions of the Convention and any conservation and management measures adopted by the Commission;

Noting also that, in accordance with international law, Members 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;

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 Members and Cooperating Non-Contracting Parties (CNCs) 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 relation to alleged violations by their flagged vessels or nationals, not to assess compliance by individual vessels or persons.

2. The CMS is designed to:
 - (a) Identify non-compliance by Members and CNCPs with their obligations under the Convention and CMMs;
 - (b) Identify areas in which technical assistance or capacity building may be needed to assist Members or CNCPs to attain compliance;
 - (c) Identify trends in compliance, including aspects of CMMs which may require amendment for effective implementation;
 - (d) Determine responses to non-compliance by Members or CNCPs; and,
 - (e) Monitor and verify 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' 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. The compliance assessment period shall be the previous calendar year.
7. The Commission, with the assistance of TCC, shall determine responses to non-compliance in accordance with Annex I.

III. Draft Compliance Report

8. Prior to TCC, the Secretariat shall compile information received from Members and CNCPs including through their Annual Reports, any data collections of the Commission (e.g., reports from observers, Vessel Monitoring Systems, High Seas Boarding and Inspections, high seas

transshipments), and, where appropriate, any other relevant information relating to the performance of NPFC CMMs available to the Secretariat, and shall prepare a Draft Compliance Report. The Draft Compliance Report shall:

- (a) Present all available information relating to each Member's or CNCP's implementation of each obligation arising from the Convention or CMMs;
 - (b) Report on any compliance issues that were identified from the previous year's Final Compliance Report (i.e., Resolved Non-Compliance, Non-Compliant, or Flag State Investigation) and any corrective actions reported by the Member or CNCP; and,
 - (c) Identify the potential areas of non-compliance for each Member and CNCP and, as appropriate, request any follow-up information relating to the previous year's compliance issues.
9. No later than 60 days before the TCC meeting, the Secretariat shall provide each Member and CNCP its section of the Draft Compliance Report.
 10. No later than 35 days before the TCC meeting, each Member and CNCP shall provide additional information on its section of the Draft Compliance Report to the Secretariat. This information shall, as appropriate:
 - (a) Provide information, clarifications, amendments, or corrections necessary to address the potential compliance issues identified or respond to any request for additional information;
 - (b) Propose future 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; and,
 - (d) Identify any technical assistance or capacity building needed.
 11. The Secretariat shall compile a revised Draft Compliance Report containing all information provided pursuant to paragraph 10 above.
 12. No later than 15 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. For instances of non-compliance identified in Annex II as having an associated automatic response, the Secretariat shall automatically assign the appropriate status and response. Members and CNCPs may request review of automatically assigned statuses and responses when the Draft Compliance Report is considered by TCC.

IV. Provisional Compliance Report

13. TCC shall consider the Draft Compliance Report and any additional, readily verifiable information provided by Members, CNCPs, and the Commission, and, where appropriate, by non-governmental organizations or other organizations concerned with matters relevant to the implementation of the Convention.
14. TCC shall develop a Provisional Compliance Report, which shall include a compliance assessment for each Member or CNCP obligation and identify response(s) to non-compliance, in accordance with Annex I. For an issue of non-compliance assigned an automatic response in accordance Annex II, TCC may consider additional responses as warranted, consistent with Annex I.
15. Each compliance assessment shall be decided by consensus. If consensus cannot be reached, the Provisional Compliance Report shall indicate majority and minority views. A Member or CNCP may not block agreement on its own compliance assessment.
16. The Provisional Compliance Report shall also include an Executive Summary with recommendations regarding, as appropriate:
 - (a) Proposals to address compliance trends, and amend or improve existing CMMs;
 - (b) Identified obstacles to implementation, including recommendations for capacity building assistance; and,
 - (c) Revisions to the obligations to be assessed identified in Annex II.
17. TCC shall forward the Provisional Compliance Report to the Commission for consideration at the annual meeting.

V. Final Compliance Report

18. The Commission shall consider the Provisional Compliance Report recommended by TCC and adopt a Final Compliance Report.
19. The Final Compliance Report shall include:
 - (a) A final compliance status for each Member and CNCP against each assessed obligation;
 - (b) All responses to be taken to address instances of non-compliance; and,
 - (c) An Executive Summary addressing the issues listed in paragraph 16.
20. 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 a status of 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

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

VII. Identification of Compliance Measures to be Assessed

22. Annex II includes the list of obligations to be assessed as part of the CMS. Annex II will be reviewed annually and may be amended, as appropriate, taking into account factors such as:

- (a) The needs and priorities of the Commission;
- (b) Evidence of high percentages of non-compliance or repeated non-compliance with a particular obligation;
- (c) The risks posed by non-compliance to achievement of the objectives of the Convention; and,
- (d) Whether sufficient verifiable information is available to determine compliance.

VIII. Review of this Conservation Measure

23. This conservation and management measure shall expire at the conclusion of COM 08.

24. Prior to expiration, the Commission should consider adopting a lasting compliance monitoring scheme.

ANNEXES

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

Compliance Status Table

Compliance Status	Criteria	Potential Responses
Compliant	Member or CNCP fully compliant with obligation	None
Delayed Submission	Member or CNCP rectified 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	Non-compliance with obligation identified in Annex II that does not meet the criteria of Delayed Submission or Flag State Investigation	<ol style="list-style-type: none"> 1) Member or CNCP to rectify non-compliance and include in its Annual Report all actions taken, 2) Application of automatic response, as applicable (Annex II), and 3) Consideration of further responses.
Not Assessed	Ambiguity of relevant obligation	Review and potentially amend relevant provision(s)
Flag State Investigation	Currently undergoing investigation	<ol style="list-style-type: none"> 1) 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), and 2) Member or CNCP to report progress in its Annual Report

Obligations to be Assessed

Obligation No.	Paragraph to be Assessed	OBLIGATION
CMM 2023-01 INFORMATION REQUIREMENTS FOR VESSEL REGISTRATION		
For the purpose of the effective implementation of the Convention, each Commission member or Cooperating non-Contracting Party shall:		
1	2	Update pertinent information required from paragraph 1 in the NPFC Vessel Registry established under Article 13, paragraph 10 of the Convention, noting that vessel submissions which do not include the initial data elements as indicated in the Annex will not be accepted by the database.
2	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 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.
3	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.
4	5	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</i>

Obligation No.	Paragraph to be Assessed	OBLIGATION
		<i>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 Fish Stocks Agreement.
5	6	Commission Members and Cooperating non-Contracting Parties shall ensure they have maintained the NPFC Vessel Registry of the vessels based on the information provided to it and make the record publicly available as appropriate and subject to any legal confidentiality regulations of the individual Commission member and Cooperating non-Contracting Party.
6	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>
CMM 2019-02 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:</p>		
7	24 (a)	remove or withdraw vessels on the NPFC IUU Vessel List from the NPFC Vessel Registry;
8	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

Obligation No.	Paragraph to be Assessed	OBLIGATION
		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.
CMM 2023-09 HIGH SEAS BOARDING AND INSPECTION PROCEDURES		
9	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. 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:		
10	14 (a)	<p>with respect to each inspection vessel it assigns to boarding and inspection activities under these procedures:</p> <ul style="list-style-type: none"> (i) details of the vessel (name, description, photograph, registration number, port of registry (and, if different from the port of registry, port marked on the vessel hull), international radio call sign and communication capability); (ii) An example of the credentials issued to the inspectors by its authorities; (iii) notification that the inspection vessel is clearly marked and identifiable as being on government service; (iv) notification that the crew has received and completed training in carrying out boarding and inspection activities at sea in accordance with any standards and procedures as may be adopted by the Commission.
11	14 (b)	<p>with respect to inspectors it assigns pursuant to these procedures:</p> <ul style="list-style-type: none"> (i) the names of the authorities responsible for boarding and inspection; (ii) notification that such authorities' inspectors are fully familiar with the fishing activities to be inspected and the provisions of the Convention and conservation and management measures in force; and (iii) notification that such authorities' inspectors have received and completed training in carrying out boarding and inspection activities

Obligation No.	Paragraph to be Assessed	OBLIGATION
		at sea in accordance with any standards and procedures as may be adopted by the Commission.
12	15	Where military vessels are used as a platform for the conduct of boarding and inspection, the authorities of the inspection vessel shall ensure that the boarding and inspection is carried out by inspectors fully trained in fisheries enforcement procedures and duly authorized for this purpose under national laws, and that boardings from such military vessels and inspectors conform to the procedures contained within these Boarding and Inspection Procedures.
13	26	<p>During the conduct of a boarding and inspection, the master of the fishing vessel shall:</p> <ul style="list-style-type: none"> (a) follow internationally accepted principles of good seamanship so as to avoid risks to the safety of authorized inspection vessels and inspectors; (b) accept and facilitate prompt and safe boarding by the authorized inspectors; (c) be encouraged to provide a boarding ladder in accordance with Annex A; (d) cooperate with and assist in the inspection of the vessel pursuant to these procedures; (e) not assault, resist, intimidate, interfere with, or unduly obstruct or delay the inspectors in the performance of their duties; (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; (g) provide the inspectors onboard with reasonable facilities, including, where appropriate, food and accommodation; and (h) facilitate safe disembarkation by the inspectors
14	28	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

Obligation No.	Paragraph to be Assessed	OBLIGATION
		immediately notify the authorities of the inspection vessel and the Commission of the action it has taken in these circumstances.
15	31	Authorized inspectors shall prepare a full report on each boarding and inspection they carry out pursuant to these procedures in accordance with a format specified by the Commission. The authorities of the inspection vessel from which the boarding and inspection was carried out shall transmit a copy of the boarding and inspection report to the authorities of the fishing vessel being inspected, as well as the Secretariat, within 3 (three) full working days of the completion of the boarding and inspection.
16	32	Such report shall include the names and authority of the inspectors and clearly identify any observed activity or condition that the authorized inspectors believe to be a violation of the Convention or conservation and management measures in force and indicate the nature of specific factual evidence of such violation.
17	41	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.
18	42	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.
CMM 2023-05 BOTTOM FISHERIES AND PROTECTION OF VULNERABLE MARINE ECOSYSTEMS IN THE NORTHWESTERN 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:		
19	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.

Obligation No.	Paragraph to be Assessed	OBLIGATION
20	4 G.	A. 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 500 Kg 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. 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 corals: <i>Alcyonacea</i> , <i>Antipatharia</i> , <i>Gorgonacea</i> , and <i>Scleractinia</i> and the classes of <i>Hexactinellida</i> , <i>Demospongiae</i> in the phylum Porifera.
21	4 K.	Limit annual catch of North Pacific armorhead to 15,000 tons for Japan.
22	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.
<p>6. Scientific Information</p> <p>To facilitate the scientific work associated with the implementation of these measures, each Member of the Commission shall undertake:</p>		
23	6 A.	<p>A. 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</p>

Obligation No.	Paragraph to be Assessed	OBLIGATION
		Management of Scientific Data and Information,
24	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> <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>
25	8	All vessels authorized to bottom fishing in the western part of the Convention Area shall carry an observer on board.
CMM 2023-06 BOTTOM FISHERIES AND PROTECTION OF VULNERABLE MARINE ECOSYSTEMS IN THE NORTHEASTERN PACIFIC OCEAN		
26	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.

Obligation No.	Paragraph to be Assessed	OBLIGATION
CMM 2023-07		
CHUB MACKEREL		
27	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.
28	6	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		
29	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.
30	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.
31	5	In 2023 and 2024 the annual total allowable catch (TAC) of Pacific saury in the Convention Area shall be limited to 150,000 metric tons.
32	6	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 5.

Obligation No.	Paragraph to be Assessed	OBLIGATION
33	7	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 the next week. The Executive Secretary shall make publicly available the compiled catch of Pacific saury in the Convention Area on the Commission’s website without delay.
34	8	In the event that a Member reaches 70% of its catch limit set out in paragraph 6, 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 9.
2019-10 SABLEFISH		
35	5	Members referenced in paragraph 2 and Members fishing for Sablefish in areas of their jurisdiction that are adjacent to the eastern part of the Convention Area shall adhere to the exploratory fishing protocol as set out in Annex 1 of CMM 2023-06 for Bottom Fisheries and Protection of Vulnerable Marine Ecosystems in the Northeastern Pacific Ocean when considering new and exploratory bottom fishing activities in the Convention Area.
36	8	All vessels authorized to fish sablefish in the eastern part of the Convention Area shall have 100% observer coverage.
CMM 2023-11 JAPANESE SARDINE, NEON FLYING SQUID AND JAPANESE FLYING SQUID		
37	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.

Obligation No.	Paragraph to be Assessed	OBLIGATION
38	6	Members of the Commission and CNCPs 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.
CMM 2023-12 VESSEL MONITORING SYSTEM		
39	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.
40	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.
41	11	Each Member or CNCP shall ensure that their FMC can automatically receive VMS data and transmit VMS data to the Secretariat.
42	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.
43	21	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		
44	10	No later than 35 days before the TCC meeting, each Member and CNCP shall provide additional information on its section of the Draft Compliance Report to the Secretariat. This information shall, as appropriate: (a) Provide information, clarifications, amendments, or corrections necessary to address the potential compliance issues identified or

Obligation No.	Paragraph to be Assessed	OBLIGATION
		<p>respond to any request for additional information;</p> <p>(b) Propose future corrective actions to be taken, along with time frames, to come into compliance;</p> <p>(c) Identify any causes of the potential compliance issues or mitigating circumstances; and,</p> <p>(d) Identify any technical assistance or capacity building needed.</p>