



North Pacific Fisheries Commission

**CMM 2025-06**

*(Entered into force 10 July 2025)*

**CONSERVATION AND MANAGEMENT MEASURE FOR BOTTOM FISHERIES  
AND PROTECTION OF VULNERABLE MARINE ECOSYSTEMS IN THE  
NORTHEASTERN PACIFIC OCEAN**

*The North Pacific Fisheries Commission (NPFC):*

*Seeking* to ensure the long term conservation and sustainable use of the fishery resources of the Northeastern Pacific Ocean and, in so doing, protect the vulnerable marine ecosystems that occur there, in accordance with the Sustainable Fisheries Resolutions adopted by the United Nations General Assembly (UNGA) including, in particular, paragraphs 66 to 71 of the UNGA59/25 in 2004, paragraphs 69 to 74 of UNGA60/31 in 2005, paragraphs 69 and 80 to 91 of UNGA61/105 in 2006, and paragraphs 113 to 124 of UNGA64/72 in 2009;

*Recalling* that paragraph 85 of UNGA 61/105 calls upon participants in negotiations to establish regional fisheries management organizations or arrangements with the competence to regulate bottom fisheries to adopt permanent measures in respect of the area of application of the instruments under negotiation;

*Noting* that North Pacific Fisheries Commission has previously adopted interim measures for the Northeastern Pacific Ocean;

*Conscious* of the need to adopt permanent measures for the Northeastern Pacific Ocean to ensure that this area is not left as the only major area of the Pacific Ocean where no such measures are in place;

*Hereby adopt* the following Conservation and Management Measure (CMM) for bottom fisheries of the Northeastern Pacific Ocean while working to develop and implement other permanent management arrangements to govern these and other fisheries in the North Pacific Ocean.

## Scope

1. These Measures are to be applied to all bottom fishing activities throughout the high seas areas of the Northeastern Pacific Ocean, defined, for the purposes of this document, as those occurring in the Convention Area as set out in Article 4 of the Convention text to the east of the line of 175 degrees W longitude (here in after called “the eastern part of the Convention Area”) including all such areas and marine species other than those species already covered by existing international fisheries management instruments, including bilateral agreements and Regional Fisheries Management Organizations or Arrangements.

For the purpose of these Measures, the term vulnerable marine ecosystems is to be interpreted and applied in a manner consistent with the International Guidelines on the Management of Deep Sea Fisheries on the High Seas adopted by the FAO on 29 August 2008 (see Annex 2 for further details).

2. The implementation of these Measures shall:
  - a. be based on the best scientific information available in accordance with existing international laws and agreements including UNCLOS and other relevant international instruments,
  - b. establish appropriate and effective conservation and management measures,
  - c. be in accordance with the precautionary approach, and
  - d. incorporate an ecosystem approach to fisheries management.

3. Actions by Members of the Commission

Members of the Commission will take the following actions in respect of vessels operating under its Flag or authority in the area covered by these Measures:

- a. Conduct the assessments called for in paragraph 83(a) of UNGA Resolution 61/105, in a manner consistent with the FAO Guidelines and the Standards and Criteria included in Annex 2;
- b. Submit to the SC their assessments conducted pursuant to subparagraph (a) of this paragraph, including all relevant data and information in support of any such assessment, and receive advice and recommendations from the SC, in accordance with the procedures in Annex 3;
- c. Taking into account all advice and recommendations received from the SC, determine whether the fishing activity or operations of the vessel in question are likely to have a significant adverse impact on any vulnerable marine ecosystem;
- d. If it is determined that the fishing activity or operations of the vessel or vessels in question would have a significant adverse impact on vulnerable marine ecosystems, adopt conservation and management measures to prevent such impacts on the basis of advice and recommendations of the SC, which are subject to adoption by the Commission;
- e. Ensure that if any vessels are already engaged in bottom fishing, that such assessments have been carried out in accordance with paragraph 119(a)/UNGA RES 2009, the determination called for in subparagraph (c) of this paragraph has been rendered and, where appropriate, managements measures have been implemented in accordance with the advice and

recommendations of the SC, which are subject to adoption by the Commission;

- f. Further ensure that they will only authorize fishing activities on the basis of such assessments and any comments and recommendations from the SC;
- g. Prohibit its vessels from engaging in directed fishing on the following taxa: black corals (Antipatharia), gorgonians, pennatulaceans, stony corals (Scleractinia), soft corals, the classes of Demospongiae and Hexactinellida in the phylum Porifera as well as any other indicator species for vulnerable marine ecosystems as may be identified from time to time by the SC and approved by the Commission. The translation table of VME indicator corals between common and scientific names is attached to this CMM (Annex 6).
- h. In respect of areas where vulnerable marine ecosystems are known to occur or are likely to occur, based on the best available scientific information, ensure that bottom fishing activities do not proceed unless conservation and management measures have been established to prevent significant adverse impacts on vulnerable marine ecosystems;
- i. Limit fishing effort in bottom fisheries on the Eastern part of the Convention Area to the level of a historical average (baseline to be determined through consensus in the SC based on information to be provided by Members) 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 dependent on new SC advice;
- j. Further, considering accumulated information regarding fishing activities in the Eastern part of the Convention Area, in areas where, in the course of fishing operations with pot gear, cold water corals that exceed 2Kg or sponges (Demospongiae and Hexactinellida) that exceed 5Kg 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 the course of fishing operations with all other gears, cold water corals that exceed 50Kg or sponges (Demospongiae and Hexactinellida) that exceed 350Kg 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 notify the other Members of the Commission and at the same time implement a temporary closure in the area to prohibit its 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 black corals (Antipatharia), gorgonians, pennatulaceans, stony corals (Scleractinia), and soft corals. The VME indicator taxa also include the classes of Demospongiae and Hexactinellida in the phylum Porifera.
- k. Based on all the available data, including data on the VME encounter and distribution received from the fishing vessel(s), research survey data, visual survey data, and/or model results, the Scientific Committee (SC) shall assess and conclude if the area has a VME. If so, the SC shall recommend to the Commission that the temporary closure be made permanent, although the boundary of the closure may be adjusted, or suggest other appropriate measures. Otherwise, the Executive Secretary shall inform the Members that

they may reopen the area to their vessels.

1. Prohibit bottom fishing vessels from fishing in the following areas in order to achieve sustainable protection of VMEs in the eastern part of the Convention Area:

Area	Latitude	Longitude
Northwestern Cobb Seamount	46.8178 N	130.872 W
	46.7703 N	130.861 W
	46.8277 N	130.825 W
	46.7802 N	130.814W
Northeastern Cobb Seamount	46.7759 N	130.735 W
	46.7675 N	130.694 W
	46.7482 N	130.756 W
	46.7399 N	130.716 W

4. All assessments and determinations by any Member as to whether fishing activity would have significant adverse impacts on vulnerable marine ecosystems, as well as measures adopted in order to prevent such impacts, will be made publicly available through agreed means.

#### **Control of Bottom Fishing Vessels**

5. Members will exercise full and effective control over each of their bottom fishing vessels operating in the high seas of the Northeastern Pacific Ocean, including by means of fishing licenses, authorizations or permits, and maintenance of a record of these vessels as outlined in the Convention and applicable CMM.
6. New and exploratory fishing will be subject to the exploratory fishery protocol included as Annex 1.

#### **Scientific Committee (SC)**

7. Scientific Committee will provide scientific support for the implementation of these CMMs.

#### **Scientific Information**

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.
9. Scientific research activities for stock assessment purposes are to be conducted in accordance with a research plan that has been provided to SC prior to the commencement of such activities.

**EXPLORATORY FISHERY PROTOCOL IN THE NORTH PACIFIC OCEAN**

1. From 1 January 2009, all bottom fishing activities in new fishing areas and areas where fishing is prohibited in a precautionary manner or with bottom gear not previously used in the existing fishing areas, are to be considered as “exploratory fisheries” and to be conducted in accordance with this protocol.

2. Precautionary conservation and management measures, including catch and effort controls, are essential during the exploratory phase of deep sea fisheries. Implementation of a precautionary approach to sustainable exploitation of deep sea fisheries shall include the following measures:

- i. precautionary effort limits, particularly where reliable assessments of sustainable exploitation rates of target and main by-catch species are not available;
- ii. precautionary measures, including precautionary spatial catch limits where appropriate, to prevent serial depletion of low-productivity stocks;
- iii. regular review of appropriate indices of stock status and revision downwards of the limits listed above when significant declines are detected;
- iv. measures to prevent significant adverse impacts on vulnerable marine ecosystems; and
- v. comprehensive monitoring of all fishing effort, capture of all species and interactions with VMEs.

3. When a member of the Commission would like to conduct exploratory fisheries, it is to follow the following procedure:

(1) Prior to the commencement of fishing, the member of the Commission is to circulate the information and assessment in Appendix 1.1 to the members of the Scientific Committee (SC) for review and to all members of the Commission for information, together with the impact assessment. Such information is to be provided to the other members at least 30 days in advance of the meeting at which the information shall be reviewed.

(2) The assessment in (1) above is to be conducted in accordance with the procedure set forth in “Science-based Standards and Criteria for Identification of VMEs and Assessment of Significant Adverse Impacts on VMEs and Marine Species (Annex 2)”, with the understanding that particular care shall be taken in the evaluation of risks of the significant adverse impact on vulnerable marine ecosystems (VMEs), in line with the precautionary approach.

(3) The SC is to review the information and the assessment submitted in (1) above in accordance with “SC Assessment Review Procedures for Bottom Fishing Activities (Annex 3).”

(4) The exploratory fisheries are to be permitted only where the assessment concludes that they would not have significant adverse impacts (SAIs) on marine species or any VMEs and on the basis of comments and recommendations of SC. Any determinations, by any Member of the Commission or the SC, that the exploratory fishing activities would not have SAIs on marine species or any VMEs, shall be made publicly available through the NPFC website.

4. The member of the Commission is to ensure that all vessels flying its flag conducting exploratory fisheries are equipped with a satellite monitoring device and have an observer on board at all times.

5. Within 3 months of the end of the exploratory fishing activities or within 12 months of the commencement of fishing, whichever occurs first, the member of the Commission is to provide a report of the results of such activities to the members of the SC and all members of the Commission. If the SC meets prior to the end of this 12-month period, the member of the Commission is to provide an interim report 30 days in advance of the SC meeting. The information to be included in the report is specified in Appendix 1.2.

6. The SC is to review the report in 5 above and decide whether the exploratory fishing activities had SAIs on marine species or any VME. The SC then is to send its recommendations to the Commission on whether the exploratory fisheries can continue and whether additional management measures shall be required if they are to continue. The Commission is to strive to adopt conservation and management measures to prevent SAIs on marine species or any VMEs. If the Commission is not able to reach consensus on any such measures, each fishing member of the Commission is to adopt measures to avoid any SAIs on VMEs.

7. Members of the Commission shall only authorize continuation of exploratory fishing activity, or commencement of commercial fishing activity, under this protocol on the basis of comments and recommendations of the SC.

8. The same encounter protocol should be applied in both fished and unfished areas specified in Annex 2, paragraph 4(1)(a).

## **Appendix 1.1**

### **Information to be provided before exploratory fisheries start**

#### **1. A harvesting plan**

- Name of vessel
- Flag member of vessel
- Description of area to be fished (location and depth)
- Fishing dates

- Anticipated effort
  - Target species
  - Bottom fishing gear-type used
  - Area and effort restrictions to ensure that fisheries occur on a gradual basis in a limited geographical area.
2. A mitigation plan
- Measures to prevent SAIs to VMEs that may be encountered during the fishery
3. A catch monitoring plan
- Recording/reporting of all species brought onboard to the lowest possible taxonomic level
  - 100% satellite monitoring
  - 100% observer coverage
4. A data collection plan
- Data is to be collected in accordance with “Type and Format of Scientific Observer Data to be Collected” (Annex 5)

## **Appendix 1.2**

### **Information to be included in the report**

- Name of vessel
- Flag member of vessel
- Description of area fished (location and depth)
- Fishing dates
- Total effort
- Bottom fishing gear-type used
- List of VME encountered (the amount of VME indicator species for each encounter specifying the location: longitude and latitude)
- Mitigation measures taken in response to the encounter of VME
- List of all organisms brought onboard
- List of VMEs indicator species brought onboard by location: longitude and latitude

## **SCIENCE-BASED STANDARDS AND CRITERIA FOR IDENTIFICATION OF VMES AND ASSESSMENT OF SIGNIFICANT ADVERSE IMPACTS ON VMES AND MARINE SPECIES**

### **1. Introduction**

Members of the Commission have hereby established science-based standards and criteria to guide their implementation of United Nations General Assembly (UNGA) Resolution 61/105 and the measures adopted by the Members in respect of bottom fishing activities in the North Pacific Ocean (NPO). In this regard, these science-based standards and criteria are to be applied to identify vulnerable marine ecosystems (VMEs) and assess significant adverse impacts (SAIs) of bottom fishing activities on such VMEs or marine species and to promote the long-term sustainability of deep sea fisheries in the Convention Area. The science-based standards and criteria are consistent with the FAO International Guidelines for the Management of Deep-Sea Fisheries in the High Seas, taking into account the work of other RFMOs implementing management of deep-sea bottom fisheries in accordance with UNGA Resolution 61/105. The standards and criteria are to be modified from time to time as more data are collected through research activities and monitoring of fishing operations.

### **2. Purpose**

(1) The purpose of the standards and criteria is to provide guidelines for each member of the Commission in identifying VMEs and assessing SAIs of individual bottom fishing activities<sup>1</sup> on VMEs or marine species in the Convention Area. Each member of the Commission, using the best information available, is to decide which species or areas are to be categorized as VMEs, identify areas where VMEs are known or likely to occur, and assess whether individual bottom fishing activities would have SAIs on such VMEs or marine species. The results of these tasks are to be submitted to and reviewed by the Scientific Committee with a view to reaching a common understanding among the members of the Commission.

(2) For the purpose of applying the standards and criteria, the bottom fisheries are defined as follows:

- (a) The fisheries are conducted in the Convention Area;
- (b) The total catch (everything brought up by the fishing gear) includes species that can only sustain low exploitation rates; and

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<sup>1</sup> “individual bottom fishing activities” means fishing activities by each fishing gear. For example, if ten fishing vessels operate bottom trawl fishing in a certain area, the impacts of the fishing activities of these vessels on the ecosystem are to be assessed as a whole rather than on a vessel-by-vessel basis. It should be noted that if the total number or capacity of the vessels using the same fishing gear has increased, the impacts of the fishing activities are to be assessed again.



- (c) The fishing gear is likely to contact the seafloor during the normal course of fishing operations

### 3. Definition of VMEs

(1) Although Paragraph 83 of UNGA Resolution 61/105 refers to seamounts, hydrothermal vents and cold water corals as examples of VMEs, there is no definitive list of specific species or areas that are to be regarded as VMEs.

(2) Vulnerability is related to the likelihood that a population, community or habitat will experience substantial alteration by fishing activities and how much time will be required for its recovery from such alteration. The most vulnerable ecosystems are those that are both easily disturbed and are very slow to recover, or may never recover. The vulnerabilities of populations, communities and habitats are to be assessed relative to specific threats. Some features, particularly ones that are physically fragile or inherently rare may be vulnerable to most forms of disturbance, but the vulnerability of some populations, communities and habitats may vary greatly depending on the type of fishing gear used or the kind of disturbance experienced. The risks to a marine ecosystem are determined by its vulnerability, the probability of a threat occurring and the mitigation means applied to the threat. Accordingly, the FAO Guidelines only provide examples of potential vulnerable species groups, communities and habitats as well as features that potentially support them (Annex 2.1).

(3) A marine ecosystem is to be classified as vulnerable based on its characteristics. The following list of characteristics is used as criteria in the identification of VMEs.

(a) Uniqueness or rarity - an area or ecosystem that is unique or that contains rare species whose loss could not be compensated for by other similar areas. These include:

- (i) Habitats that contain endemic species;
- (ii) Habitats of rare, threatened or endangered species that occur in discrete areas;
- (iii) Nurseries or discrete feeding, breeding, or spawning areas

(b) Functional significance of the habitat – discrete areas or habitats that are necessary for the survival, function, spawning/reproduction or recovery of fish stocks, particular life-history stages (e.g. nursery grounds or rearing areas), or of rare, threatened or endangered marine species.

(c) Fragility – an ecosystem that is highly susceptible to degradation by anthropogenic activities

(d) Life-history traits of component species that make recovery difficult – ecosystems that are characterized by populations or assemblages of species with one or more of the following characteristics:

- (i) Slow growth rates
- (ii) Late age of maturity
- (iii) Low or unpredictable recruitment

(iv) Long-lived

(e) Structural complexity – an ecosystem that is characterized by complex physical structures created by significant concentrations of biotic and abiotic features. In these ecosystems, ecological processes are usually highly dependent on these structured systems. Further, such ecosystems often have high diversity, which is dependent on the structuring organisms.

(4) Management response may vary, depending on the size of the ecological unit in the Convention Area. Therefore, the spatial extent of the ecological unit is to be decided first. For example, whether the ecological unit is a group of seamounts, or an individual seamount in the Convention Area, is to be decided using the above criteria.

#### 4. Identification of potential VMEs

(1) Fished seamounts

(a) Identification of fished seamounts

It is reported that two types of fishing gear are currently used by members of the Commission in the NE area, namely long-line hook and long-line trap. The footprint of the bottom fisheries (fished seamounts) is identified based on the available fishing record. The following seamounts have been identified as fished seamounts at some point in the past: Brown Bear, Cobb, Warwick, Eickelberg, Pathfinder, Miller, Murray, Cowie, Surveyor, Pratt, and Durgin. It is important to establish, to the extent practicable, a time series of where and when these gears have been used in order to assess potential long-term effects on any existing VMEs.

Fishing effort may not be evenly distributed on each seamount since fish aggregation may occur only at certain points of the seamount and some parts of the seamount may be physically unsuitable for certain fishing gears. Thus, it is important to know actual fished areas within the same seamount so as to know the gravity of the impact of fishing activities on the entire seamount.

Due consideration is to be given to the protection of commercial confidentiality when identifying actual fishing grounds.

(b) Assessment on whether a specific seamount that has been fished is a VME

After identifying the fished seamounts or fished areas of seamounts, it is necessary to assess whether each fished seamount is a VME or contains VMEs in accordance with the criteria in 3 above, individually or in combination using the best available scientific and technical information as well as Annex 2.1. A variety of data would be required to conduct such assessment, including pictures of seamounts taken by an ROV camera or drop camera, biological samples collected through research activities and observer programs, and detailed bathymetry map. Where site-specific information is lacking, other

information that is relevant to inferring the likely presence of VMEs is to be used. The flow chart to identify data that can be used to identify VMEs is attached in Annex 2.3.

## (2) New fishing areas

Any place other than the fished seamounts above is to be regarded as a new fishing area. If a member of the Commission is considering fishing in a new fishing area, such a fishing area is to be subject to, in addition to these standards and criteria, an exploratory fishery protocol (Annex 1).

## 5. Assessment of SAIs on VMEs or marine species

(1) Significant adverse impacts are those that compromise ecosystem integrity (i.e., ecosystem structure or function) in a manner that: (i) impairs the ability of affected populations to replace themselves; (ii) degrades the long-term natural productivity of habitats; or (iii) causes, on more than a temporary basis, significant loss of species richness, habitat or community types. Impacts are to be evaluated individually, in combination and cumulatively.

(2) When determining the scale and significance of an impact, the following six factors are to be considered:

- (a) The intensity or severity of the impact at the specific site being affected;
- (b) The spatial extent of the impact relative to the availability of the habitat type affected;
- (c) The sensitivity/vulnerability of the ecosystem to the impact;
- (d) The ability of an ecosystem to recover from harm, and the rate of such recovery;
- (e) The extent to which ecosystem functions may be altered by the impact; and
- (f) The timing and duration of the impact relative to the period in which a species needs the habitat during one or more life-history stages.

(3) Temporary impacts are those that are limited in duration and that allow the particular ecosystem to recover over an acceptable timeframe. Such timeframes are to be decided on a case-by-case basis and be on the order of 5-20 years, taking into account the specific features of the populations and ecosystems.

(4) In determining whether an impact is temporary, both the duration and the frequency with which an impact is repeated is to be considered. If the interval between the expected disturbances of a habitat is shorter than the recovery time, the impact is to be considered more than temporary.

(5) Each member of the Commission is to conduct assessments to establish if bottom fishing activities are likely to produce SAIs in a given seamount or other VMEs. Such an impact assessment is to address, *inter alia*:

- (a) Type of fishing conducted or contemplated, including vessel and gear types, fishing areas, target and potential bycatch species, fishing effort levels and duration of fishing;
- (b) Best available scientific and technical information on the current state of fishery resources, and baseline information on the ecosystems, habitats and communities in the fishing area, against which future changes are to be compared;
- (c) Identification, description and mapping of VMEs known or likely to occur in the fishing area;
- (d) The data and methods used to identify, describe and assess the impacts of the activity, identification of gaps in knowledge, and an evaluation of uncertainties in the information presented in the assessment
- (e) Identification, description and evaluation of the occurrence, scale and duration of likely impacts, including cumulative impacts of activities covered by the assessment on VMEs and low-productivity fishery resources in the fishing area;
- (f) Risk assessment of likely impacts by the fishing operations to determine which impacts are likely to be SAIs, particularly impacts on VMEs and low-productivity fishery resources (Risk assessments are to take into account, as appropriate, differing conditions prevailing in areas where fisheries are well established and in areas where fisheries have not taken place or only occur occasionally);
- (g) The proposed mitigation and management measures to be used to prevent SAIs on VMEs and ensure long-term conservation and sustainable utilization of low-productivity fishery resources, and the measures to be used to monitor effects of the fishing operations.

(6) Impact assessments are to consider, as appropriate, the information referred to in these Standards and Criteria, as well as relevant information from similar or related fisheries, species and ecosystems.

(7) Where an assessment concludes that the area does not contain VMEs or that significant adverse impacts on VMEs or marine species are not likely, such assessments are to be repeated when there have been significant changes to the fishery or other activities in the area, or when natural processes are thought to have undergone significant changes.

#### 6. Proposed conservation and management measures to prevent SAIs

As a result of the assessment in 5 above, if it is considered that individual fishing activities are causing or likely to cause SAIs on VMEs or marine species, the member of the Commission is to adopt appropriate conservation and management measures to prevent such SAIs. The member of the Commission is to clearly indicate how such impacts are expected to be prevented or mitigated by the measures.

#### 7. Precautionary approach

If after assessing all available scientific and technical information, the presence of VMEs or the likelihood that individual bottom fishing activities would cause SAIs on VMEs or marine species

cannot be adequately determined, members of the Commission are only to authorize individual bottom fishing activities to proceed in accordance with:

- (a) Precautionary, conservation and management measures to prevent SAIs;
- (b) Measures to address unexpected encounters with VMEs in the course of fishing operations;
- (c) Measures, including ongoing scientific research, monitoring and data collection, to reduce the uncertainty; and
- (d) Measures to ensure long-term sustainability of deep sea fisheries.

#### 8. Template for assessment report

Annex 2.2 is a template for individual member of the Commission to formulate reports on identification of VMEs and impact assessment.

### **ANNEX 2.1**

#### **EXAMPLES OF POTENTIAL VULNERABLE SPECIES GROUPS, COMMUNITIES AND HABITATS AS WELL AS FEATURES THAT POTENTIALLY SUPPORT THEM**

The following examples of species groups, communities, habitats and features often display characteristics consistent with possible VMEs. Merely detecting the presence of an element itself is not sufficient to identify a VME. That identification is to be made on a case-by-case basis through application of relevant provisions of the Standards and Criteria, particularly Sections 3, 4 and 5.

Examples of species groups, communities and habitat forming species that are documented or considered sensitive and potentially vulnerable to deep-sea fisheries in the high-seas, and which may contribute to forming VMEs:	
a.	certain coldwater corals, e.g., reef builders and coral forest including: stony corals (scleractinia), alcyonaceans and gorgonians (octocorallia), black corals (antipatharia), and hydrocorals (stylasteridae),
b.	Some types of sponge dominated communities,
c.	communities composed of dense emergent fauna where large sessile protozoans (xenophyophores) and invertebrates (e.g., hydroids and bryozoans) form an important structural component of habitat, and
d.	seep and vent communities comprised of invertebrate and microbial species found nowhere else (i.e., endemic).

Examples of topographical, hydrophysical or geological features, including fragile geological structures, that potentially support the species groups or communities, referred to above:	
a.	submerged edges and slopes (e.g., corals and sponges),

b.	summits and flanks of seamounts, guyots, banks, knolls, and hills (e.g., corals, sponges, xenophyphores),
c.	canyons and trenches (e.g., burrowed clay outcrops, corals),
d.	hydrothermal vents (e.g., microbial communities and endemic invertebrates), and
e.	cold seeps (e.g., mud volcanoes, microbes, hard substrates for sessile invertebrates).

## ANNEX 2.2

### TEMPLATE FOR REPORTS ON IDENTIFICATION OF VMEs AND ASSESSMENT OF IMPACTS CAUSED BY INDIVIDUAL FISHING ACTIVITIES ON VMEs OR MARINE SPECIES

1. Name of the member of the Commission
2. Name of the fishery (e.g., bottom trawl, bottom gillnet, bottom longline, pot)
3. Status of the fishery (existing fishery or exploratory fishery)
4. Target species
5. Bycatch species
6. Recent level of fishing effort (every year at least since 2002)
  - (1) Number of fishing vessels
  - (2) Tonnage of each fishing vessel
  - (3) Number of fishing days or days on the fishing ground
  - (4) Fishing effort (total operating hours for trawl, # of hooks per day for long-line, # of pots per day for pot, total length of net per day for gillnet)
  - (5) Total catch by species
  - (6) Names of seamounts fished or to be fished
7. Fishing period
8. Analysis of status of fishery resources
  - (1) Data and methods used for analysis
  - (2) Results of analysis
  - (3) Identification of uncertainties in data and methods, and measures to overcome such uncertainties
9. Analysis of status of bycatch species resources
  - (1) Data and methods used for analysis
  - (2) Results of analysis
  - (3) Identification of uncertainties in data and methods, and measures to overcome such uncertainties
10. Analysis of existence of VMEs in the fishing ground
  - (1) Data and methods used for analysis

(2) Results of analysis

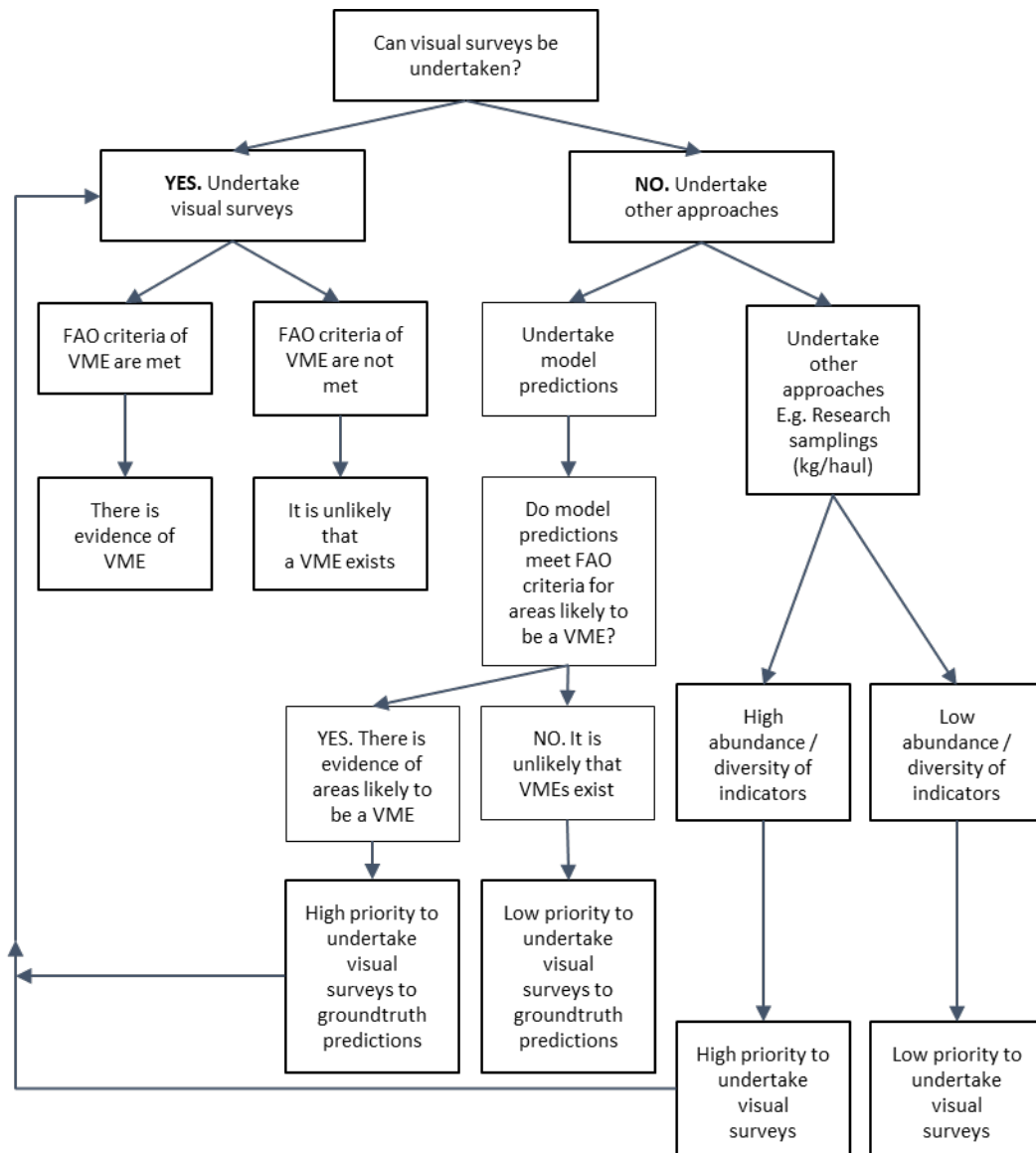
(3) Identification of uncertainties in data and methods, and measures to overcome such uncertainties

11. Impact assessment of fishing activities on VMEs or marine species including cumulative impacts, and identification of SAIs on VMEs or marine species, as detailed in Section 5 above, Assessment of SAIs on VMEs or marine species

12. Other points to be addressed

13. Conclusion (whether to continue or start fishing with what measures, or stop fishing).

### Flow chart to identify data that can be used to identify VMEs in the NPFC Convention Area





**SCIENTIFIC COMMITTEE ASSESSMENT REVIEW PROCEDURES FOR BOTTOM FISHING ACTIVITIES**

1. The Scientific Committee (SC) is to review identifications of vulnerable marine ecosystems (VMEs) and assessments of significant adverse impact on VMEs, including proposed management measures intended to prevent such impacts submitted by individual Members.
  2. Members of the Commission shall submit their identifications and assessments to members of the SC at least 21 days prior to the SC meeting at which the review is to take place. Such submissions shall include all relevant data and information in support of such determinations.
  3. The SC will review the data and information in each assessment in accordance with the Science-based Standards and Criteria for Identification of VMEs and Assessment of Significant Adverse Impacts on VMEs and Marine Species (Annex 2), previous decisions of the Commission, and the FAO Technical Guidelines for the Management of Deep Sea Fisheries in the High Seas, paying special attention to the assessment process and criteria specified in paragraphs 47-49 of the Guidelines.
  4. In conducting the review above, the SC will give particular attention to whether the deep-sea bottom fishing activity would have a significant adverse impact on VMEs and marine species and, if so, whether the proposed management measures would prevent such impacts.
  5. Based on the above review, the SC will provide advice and recommendations to the submitting Members on the extent to which the assessments and related determinations are consistent with the procedures and criteria established in the documents identified above; and whether additional management measures will be required to prevent SAIs on VMEs.
1. Such recommendations will be reflected in the report of the SC meeting at which the assessments are considered.

## **FORMAT OF NATIONAL REPORT SECTIONS ON DEVELOPMENT AND IMPLEMENTATION OF SCIENTIFIC OBSERVER PROGRAMMES**

### **Report Components**

Annual Observer Programme implementation reports should form a component of annual National Reports submitted by members to the Scientific Committee. These reports should provide a brief overview of observer programmes conducted in the NPFC Convention Area. Observer programme reports should include the following sections:

#### **A. Observer Training**

An overview of observer training conducted, including:

- Overview of training programme provided to scientific observers.
- Number of observers trained.

#### **B. Scientific Observer Programme Design and Coverage**

Details of the design of the observer programme, including:

- Which fleets, fleet components or fishery components were covered by the programme.
- How vessels were selected to carry observers within the above fleets or components.
- How was observer coverage stratified: by fleets, fisheries components, vessel types, vessel sizes, vessel ages, fishing areas and seasons.

Details of observer coverage of the above fleets, including:

- Components, areas, seasons and proportion of total catches of target species, specifying units used to determine coverage.
- Total number of observer employment days, and number of actual days deployed on observation work.

#### **C. Observer Data Collected**

List of observer data collected against the agreed range of data set out in Annex 5, including:

- Effort Data: Amount of effort observed (vessel days, net panels, hooks, etc), by area and season and % observed out of total by area and seasons
- Catch Data: Amount of catch observed of target and by-catch species, by area and season, and % observed out of total estimated catch by species, area and seasons
- Length Frequency Data: Number of fish measured per species, by area and season.

- Biological Data: Type and quantity of other biological data or samples (otoliths, sex, maturity, etc) collected per species.
- The size of length-frequency and biological sub-samples relative to unobserved quantities.

#### **D. Detection of Fishing in Association with Vulnerable Marine Ecosystems**

- Information about VME encounters (species and quantity in accordance with Annex 5, H, 2).

#### **E. Tag Return Monitoring**

- Number of tags returns observed, by fish size class and area.

#### **F. Problems Experienced**

- Summary of problems encountered by observers and observer managers that could affect the NPFC Observer Programme Standards and/or each member's national observer programme developed under the NPFC standards.

**NPFC BOTTOM FISHERIES  
OBSERVER PROGRAMME STANDARDS: SCIENTIFIC COMPONENT**

**TYPE AND FORMAT OF SCIENTIFIC OBSERVER DATA TO BE COLLECTED**

**A. Vessel & Observer Data to be collected for Each Trip**

1. Vessel and observer details are to be recorded only once for each observed trip.
2. The following observer data are to be collected for each observed trip:
  - a) NPFC vessel ID
  - b) Observer's name.
  - c) Observer's organisation.
  - d) Date observer embarked (UTC date).
  - e) Port of embarkation.
  - f) Date observer disembarked (UTC date).
  - g) Port of disembarkation.

**B. Catch & Effort Data to be collected for Trawl Fishing Activity**

1. Data are to be collected on an un-aggregated (tow by tow) basis for all observed trawls.
2. The following data are to be collected for each observed trawl tow:
  - a) Tow start date (UTC).
  - b) Tow start time (UTC).
  - c) Tow end date (UTC).
  - d) Tow end time (UTC).
  - e) Tow start position (Lat/Lon, 1 minute resolution).
  - f) Tow end position (Lat/Lon, 1 minute resolution).
  - g) Type of trawl, bottom or mid-water.
  - h) Type of trawl, single, double or triple.
  - i) Height of net opening (m).
  - j) Width of net opening (m).
  - k) Mesh size of the cod-end net (stretched mesh, mm) and mesh type (diamond, square, etc).
  - l) Gear depth (of footrope) at start of fishing (m).
  - m) Bottom (seabed) depth at start of fishing (m).
  - n) Gear depth (of footrope) at end of fishing (m).
  - o) Bottom (seabed) depth at end of fishing (m).
  - p) Status of the trawl operation (no damage, lightly damaged\*, heavily damaged\*, other (specify)). \*Degree may be evaluated by time for repairing (<=1hr or >1hr)
  - q) Duration of estimated period of seabed contact (minute)

- r) Intended target species.
- s) Catch of all species retained on board, split by species, in weight (to the nearest kg).
- t) Estimate of the amount (weight or volume) of all living marine resources discarded, split by species.
- u) Record of the numbers by species of all marine mammals, seabirds or reptiles caught.

### **C. Catch & Effort Data to be collected for Bottom Gillnet Fishing Activity**

1. Data are to be collected on an un-aggregated (set by set) basis for all observed bottom gillnet sets.
2. The following data are to be collected for each observed bottom gillnet set:
  - a) Set start date (UTC).
  - b) Set start time (UTC).
  - c) Set end date (UTC).
  - d) Set end time (UTC).
  - e) Set start position (Lat/Lon, 1 minute resolution).
  - f) Set end position (Lat/Lon, 1 minute resolution).
  - g) Net panel ("tan") length (m).
  - h) Net panel ("tan") height (m).
  - i) Net mesh size (stretched mesh, mm) and mesh type (diamond, square, etc)
  - j) Bottom depth at start of setting (m).
  - k) Bottom depth at end of setting (m).
  - l) Number of net panels for the set.
  - m) Number of net panels retrieved.
  - n) Number of net panels actually observed during the haul.
  - o) Actually observed catch of all species retained on board, split by species, in weight (to the nearest kg).
  - p) An estimation of the amount (numbers or weight) of marine resources discarded, split by species, during the actual observation.
  - q) Record of the actually observed numbers by species of all marine mammals, seabirds or reptiles caught.
  - r) Intended target species.
  - s) Catch of all species retained on board, split by species, in weight (to the nearest kg).
  - t) Estimate of the amount (weight or volume) of all marine resources discarded\* and dropped-off, split by species. \* Including those retained for scientific samples.
  - u) Record of the numbers by species of all marine mammals, seabirds or reptiles caught (including those discarded and dropped-off).

### **D. Catch & Effort Data to be collected for Bottom Long Line Fishing Activity**

1. Data are to be collected on an un-aggregated (set by set) basis for all observed longline sets.
2. The following fields of data are to be collected for each set:

- a) Set start date (UTC).
- b) Set start time (UTC).
- c) Set end date (UTC).
- d) Set end time (UTC).
- e) Set start position (Lat/Lon, 1 minute resolution).
- f) Set end position (Lat/Lon, 1 minute resolution).
- g) Total length of longline set (m).
- h) Number of hooks or traps for the set.
- i) Bottom (seabed) depth at start of set.
- j) Bottom (seabed) depth at end of set.
- k) Number of hooks or traps actually observed during the haul.
- l) Intended target species.
- m) Actually observed catch of all species retained on board, split by species, in weight (to the nearest kg).
- n) An estimation of the amount (numbers or weight) of marine resources discarded\* or dropped-off, split by species, during the actual observation. \* Including those retained for scientific samples.
- o) Record of the actually observed numbers by species of all marine mammals, seabirds or reptiles caught (including those discarded and dropped-off).

#### **E. Length-Frequency Data to Be Collected**

1. Representative and randomly distributed length-frequency data (to the nearest mm, with record of the type of length measurement taken) are to be collected for representative samples of the target species and other main by-catch species. Total weight of length-frequency samples should be recorded, and observers may be required to also determine sex of measured fish to generate length-frequency data stratified by sex. The length-frequency data may be used as potential indicators of ecosystem changes (for example, see: Gislason, H. et al. (2000. ICES J Mar Sci 57: 468-475), Yamane et al. (2005. ICES J Mar Sci, 62: 374-379), and Shin, Y-J. et al. (2005. ICES J Mar Sci, 62: 384-396)).
2. The numbers of fish to be measured for each species and distribution of samples across area and month strata should be determined, to ensure that samples are properly representative of species distributions and size ranges.

#### **F. Biological sampling to be conducted (optional for gillnet and long line fisheries)**

1. The following biological data are to be collected for representative samples of the main target species and, time permitting, for other main by-catch species contributing to the catch:
  - a) Species
  - b) Length (to the nearest mm), with record of the type of length measurement used.
  - c) Length and depth in case of North Pacific armorhead.
  - d) Sex (male, female, indeterminate, not examined)
  - e) Maturity stage (immature, mature, ripe, ripe-running, spent)

2. Representative stratified samples of otoliths are to be collected from the main target species and, time permitting, from other main by-catch species regularly occurring in catches. All otoliths to be collected are to be labelled with the information listed in 1 above, as well as the date, vessel name, observer name and catch position.
3. Where specific trophic relationship projects are being conducted, observers may be requested to also collect stomach samples from certain species. Any such samples collected are also to be labelled with the information listed in 1 above, as well as the date, vessel name, observer name and catch position.
4. Observers may also be required to collect tissue samples as part of specific genetic research programmes implemented by the SC.
5. Observers are to be briefed and provided with written length-frequency and biological sampling protocols and priorities for the above sampling specific to each observer trip.

#### **G. Data to be collected on Incidental Captures of Protected Species**

1. Flag members operating observer programs are to develop, in cooperation with the SC, lists and identification guides of protected species or species of concern (seabirds, marine mammals or marine reptiles) to be monitored by observers.
2. The following data are to be collected for all protected species caught in fishing operations:
  - a) Species (identified as far as possible, or accompanied by photographs if identification is difficult).
  - b) Count of the number caught per tow or set.
  - c) Life status (vigorous, alive, lethargic, dead) upon release.
  - d) Whole specimens (where possible) for onshore identification. Where this is not possible, observers may be required to collect sub-samples of identifying parts, as specified in biological sampling protocols.

#### **H. Detection of Fishing in Association with Vulnerable Marine Ecosystems**

1. The SC is to develop a guideline, species list and identification guide for benthic species (e.g. sponges, sea fans, corals) whose presence in a catch will indicate that fishing occurred in association with a vulnerable marine ecosystem (VME). All observers on vessels are to be provided with copies of this guideline, species list and ID guide.
2. For each observed fishing operation, the following data are to be collected for all species caught, which appear on the list of vulnerable benthic species:
  - a) Species (identified as far as possible, or accompanied by a photograph where identification is difficult).

- b) An estimate of the quantity (weight (kg) or volume (m<sup>3</sup>)) of each listed benthic species caught in the fishing operation.
- c) An overall estimate of the total quantity (weight (kg) or volume (m<sup>3</sup>)) of all invertebrate benthic species caught in the fishing operation.
- d) Where possible, and particularly for new or scarce benthic species which do not appear in ID guides, whole samples should be collected and suitable preserved for identification on shore.

## **I. Data to be collected for all Tag Recoveries**

1. The following data are to be collected for all recovered fish, seabird, mammal or reptile tags:
  - a) Observer name.
  - b) Vessel name.
  - c) Vessel call sign.
  - d) Vessel flag.
  - e) Collect, label (with all details below) and store the actual tags for later return to the tagging agency.
  - f) Species from which tag recovered.
  - g) Tag colour and type (spaghetti, archival).
  - h) Tag numbers (The tag number is to be provided for all tags when multiple tags were attached to one fish. If only one tag was recorded, a statement is required that specifies whether or not the other tag was missing)
  - i) Date and time of capture (UTC).
  - j) Location of capture (Lat/Lon, to the nearest 1 minute)
  - k) Animal length / size (to the nearest cm) with description of what measurement was taken (such as total length, fork length, etc).
  - l) Sex (F=female, M=male, I=indeterminate, D=not examined)
  - m) Whether the tags were found during a period of fishing that was being observed (Y/N)
  - n) Reward information (e.g. name and address where to send reward)

(It is recognised that some of the data recorded here duplicates data that already exists in the previous categories of information. This is necessary because tag recovery information may be sent separately to other observer data.)

## **J. Hierarchies for Observer Data Collection**

1. Trip-specific or programme-specific observer task priorities may be developed in response to specific research programme requirements, in which case such priorities should be followed by observers.
2. In the absence of trip- or programme-specific priorities, the following generalised priorities should be followed by observers:



a) Fishing Operation Information

- All vessel and tow / set / effort information.

b) Monitoring of Catches

- Record time, proportion of catch (e.g. proportion of trawl landing) or effort (e.g. number of hooks), and total numbers of each species caught.
- Record numbers or proportions of each species retained or discarded.

c) Biological Sampling

- Length-frequency data for target species.
- Length-frequency data for main by-catch species.
- Identification and counts of protected species.
- Basic biological data (sex, maturity) for target species.
- Check for presence of tags.
- Otoliths (and stomach samples, if being collected) for target species.
- Basic biological data for by-catch species.
- Biological samples of by-catch species (if being collected)
- Photos

3. The monitoring of catches and biological sampling procedures should be prioritised among species groups as follows:

Species	Priority (1 highest)
Primary target species (such as North Pacific armorhead and splendid alfonsino)	1
Other species typically within top 10 in the fishery (such as mirror dory, and oreos)	2
Protected species	3
All other species	4

The allocation of observer effort among these activities will depend on the type of operation and setting. The size of sub-samples relative to unobserved quantities (e.g. number of hooks/panels examined for species composition relative to the number of hooks/panels retrieved) should be explicitly recorded under the guidance of member country observer programmes.

## **K. Coding Specifications to be used for Recording Observer Data**

1. Unless otherwise specified for specific data types, observer data are to be collected in accordance with the same coding specifications as specified in this Annex.

2. Coordinated Universal Time (UTC) is to be used to describe times.
3. Degrees and minutes are to be used to describe locations.
4. The following coding schemes are to be used:
  - a) Species are to be described using the FAO 3 letter species codes or, if species do not have a FAO code, using scientific names.
  - b) Fishing methods are to be described using the International Standard Classification of Fishing Gear (ISSCFG - 29 July 1980) codes.
  - c) Types of fishing vessel are to be described using the International Standard Classification of Fishery Vessels (ISSCFV) codes.
5. Metric units of measure are to be used, specifically:
  - a) Kilograms are to be used to describe catch weight.
  - b) Metres are to be used to describe height, width, depth, beam or length.
  - c) Cubic metres are to be used to describe volume.
  - d) Kilowatts are to be used to describe engine power.

Translation table of VME indicator corals between common and scientific names

VME Indicator Corals from Emperor Seamounts: Present Classification *1, Taxa, and Common (nominal) Names in NPFC										
Sub phyl um	Class	Order	Superfam ily	Fami ly	Genus/Subgenus	NPFC ~2023	NPFC 2024~ *2	Qui de Cat. *3		
A n t h o z o a	H e x a c o r a l l i a	Antipatharia		Antipathidae	---	Black Corals (Antipatharia)		Black Corals		
				Aphanipathidae	---	Black Corals (Antipatharia)		Black Corals		
				Cladopathidae	---	Black Corals (Antipatharia)		Black Corals		
				Leiopathidae	---	Black Corals (Antipatharia)		Black Corals		
				Schizopathidae	---	Black Corals (Antipatharia)		Black Corals		
		Scleractinia		Caryophylliidae	---	Stony Corals (Scleractinia)		Hard Corals		
				Deltocyathidae	---	Stony Corals (Scleractinia)		Hard Corals		
				Dendrophylliidae	---	Stony Corals (Scleractinia)		Hard Corals		
				Flabellidae	---	Stony Corals (Scleractinia)		Hard Corals		
				Fungiacyathidae	---	Stony Corals (Scleractinia)		Hard Corals		
				Micrabaciidae	---	Stony Corals (Scleractinia)		Hard Corals		
				Oculinidae	---	Stony Corals (Scleractinia)		Hard Corals		
				Turbinoliidae	---	Stony Corals (Scleractinia)		Hard Corals		
				Madreporidae	---	Stony Corals (Scleractinia)		Hard Corals		
		O c t o c o r a l l i a	Scleralcyonacea ≡ Calcaxonia- Pennatulacea	Pennatuloidaea *5		Anthoptilidae	---	NA	Pennatulaceans *5	NA
						Balticinidae	---	NA	Pennatulaceans *5	NA
						Funiculinidae	---	NA	Pennatulaceans *5	NA
						Kophobelemnidae	---	NA	Pennatulaceans *5	NA
					Pennatulidae	---	NA	Pennatulaceans *5	NA	
					Protoptilidae	---	NA	Pennatulaceans *5	NA	
					Scleroptilidae	---	NA	Pennatulaceans *5	NA	
					Stachyptilidae	---	NA	Pennatulaceans *5	NA	
					Umbellulidae	---	NA	Pennatulaceans *5	NA	
					Veretillidae	---	NA	Pennatulaceans *5	NA	
					Virgulariidae	---	NA	Pennatulaceans *5	NA	
	Gorgoniales			Chrysogorgiidae	---	Gorgonacea	Gorgonians	Gorgonians		
				Keratoisididae	---	Gorgonacea	Gorgonians	Gorgonians		
				Primnoidae	---	Gorgonacea	Gorgonians	Gorgonians		
				Briareidae	---	Gorgonacea	Gorgonians	Gorgonians		
				Clavulariidae>> Briareidae	Pachyclavularia>> Briareum	Alcyonacea	Soft Corals	Soft Corals		
				Alcyoniidae>> Coralliidae *6	Anthomastus	Alcyonacea	Soft Corals	Soft Corals		
					Paraminabea	Alcyonacea	Soft Corals	Soft Corals		
				Paragorgiidae>> Coralliidae *6	---	Gorgonacea	Gorgonians	Gorgonians		
				Coralliidae *6	---	Gorgonacea	Gorgonians	Gorgonians		
			Malacalcyonacea ≡ Holaxonina- Alcyoniina		Clavulariidae	---	Alcyonacea	Soft Corals	Soft Corals	
					---	Pseudocladochonus *7	Alcyonacea	Soft Corals	Soft Corals	
				Tubiporidae	---	Alcyonacea	Soft Corals	Soft Corals		
				Nidaliidae	---	Alcyonacea	Soft Corals	Soft Corals		
				Siphonogorgiidae	---	Alcyonacea	Soft Corals	Soft Corals		
				Anthothelidae>> Alcyoniidae *8	Anthothela	Gorgonacea	Gorgonians	Gorgonians		
				Nephtheidae>> Alcyoniidae *8	Gersemia	Alcyonacea	Soft Corals	Soft Corals		
				Alcyoniidae *8	---	Alcyonacea	Soft Corals	Soft Corals		
				Nephtheidae	---	Alcyonacea	Soft Corals	Soft Corals		
				Paralcyoniidae	---	Alcyonacea	Soft Corals	Soft Corals		
				Gorgoniidae	---	Gorgonacea	Gorgonians	Gorgonians		
				Isididae	---	Gorgonacea	Gorgonians	Gorgonians		
		Keroeididae		---	Gorgonacea	Gorgonians	Gorgonians			
		Astrogorgiidae		---	Gorgonacea	Gorgonians	Gorgonians			
		Euplexauridae		---	Gorgonacea	Gorgonians	Gorgonians			
		Anthogorgiidae		---	Gorgonacea	Gorgonians	Gorgonians			
		Acanthogorgiidae		---	Gorgonacea	Gorgonians	Gorgonians			
		Victorgorgiidae		---	Gorgonacea	Gorgonians	NA			
		Plexauridae		---	Gorgonacea	Gorgonians	NA			
		---	Calcigorgia *9	Gorgonacea	Gorgonians	NA				

\*1 Classification is based on WoRMS (in July 2024)

\*2 Nominal names of VME indicator corals agreed by NPFC for adoption after 2025 (NPFC-2024-COM8-Final Report-ANNEX O-G)

\*3 Coral Morphology Categories of "NPFC VME Taxa Identification Guide (Western North Pacific Ocean)"

\*4 See WoRMS based on McFadden *et al.* (2022) for the present octocorallian classification, and McFadden *in* Daly *et al.* (2007) for the former oneThe current families of octocorals and their correspondence to former suborders/systems are well summarized *in* Table 2 of McFadden *et al.* (2022)

\*5 2024.9th COM has agreed to add pennatulaceans (sea pens) to the VME indicator taxa (entered into force 1 January 2025)

\*6 The family Coralliidae is originally gorgonians (Gorgonacea), but the current classification includes some soft corals (formerly Alcyonacea)

(e.g. Anthomastus)

\*7 *Pseudocladochonus* is the genus Octocorallia *incertae sedis* in McFadden *et al.* (2022) and in also WoRMS. (See Table 3 in McFadden *et al.*, 2022)

\*8 The family Alcyoniidae is originally soft corals (former Alcyonacea), but the current classification includes some gorgonians (Gorgonacea)

(e.g. Anthothela)

\*9 *Calcigorgia* is a gorgonian genus in Octocorallia *incertae sedis* in McFadden *et al.* (2022) and in also WoRMS. (See Table 3 in McFadden *et al.*, 2022)

&gt;&gt; pink= former Gorgonacea (Gorgonians); yellow= former Alcyonacea (Soft Corals)

WoRMS (World Register of Marine Species) <https://www.marinespecies.org/index.php>Daly *et al.* (2007) The phylum Onidaria: A review of phylogenetic patterns and diversity 300 years after Linnaeus. *Zootaxa*, 1668: 127-182.McFadden *et al.* (2022) Revisionary systematics of Octocorallia (Onidaria: Anthozoa) guided by phylogenomics. *Bull. Soc. Syst. Biol.*, 1: 1-79.

**CONSERVATION AND MANAGEMENT MEASURE FOR CHUB MACKEREL**

*The North Pacific Fisheries Commission (NPFC),*

*Recognizing* that outcomes of the small ad hoc workshop for the scientific analysis of chub mackerel stock were presented to the Scientific Committee (SC) in April 2017 and the SC recommended to establish the Technical Working Group on Chub Mackerel Stock Assessment (TWG CMSA);

*Noting* that CMM 2016-07 states the SC will complete the stock assessment of chub mackerel as soon as practicable, even if such assessment is provisional, and provide advice and recommendations to the Commission in accordance with Article 10, paragraph 4(b) of the Convention;

*Reaffirming* the General Principles provided in Article 3 of the Convention, in particular, paragraph (h) stipulating that any expansion of fishing effort does not proceed without prior assessment of the impacts of those fishing activities on the long-term sustainability of fisheries resources;

*Noting* paragraph 1(a) of Article 7 of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks of 4 December 1995 (hereinafter, “1995 Agreement”), stipulating that the relevant coastal States and the States whose nationals fish for straddling fish stocks in the adjacent high seas area shall seek to agree upon the measures necessary for the conservation of these stocks in the adjacent high seas area;

*Recognizing* paragraph 2(a) of Article 7 of the 1995 Agreement stipulating that the conservation and management measures adopted and applied in accordance with article 61 of the United Nations Convention on the Law of the Sea in respect of the same stocks by coastal States within areas under national jurisdiction and ensure that measures established in respect of such stocks for the high seas do not undermine the effectiveness of such measures;

*Reaffirming* paragraph (i) of Article 3 of the Convention, stipulating in accordance with Article 7 of the 1995 Agreement, that conservation and management measures established for straddling fish stocks on the high seas and those adopted for areas under national jurisdiction are compatible in order to ensure conservation and management of these fisheries resources in their entirety;

*Recalling* that concern was expressed on an adverse impact on the stock of chub mackerel given the rapid increase in vessels that appear to be fishing for chub mackerel in the Convention Area, as articulated in paragraphs 9 and 10 of Report of the 1st Meeting of the Technical and Compliance Committee;

*Noting* that the NPFC Catch/Effort statistics shows a significant fall in chub mackerel catch in 2022, 2023 and 2024 from those in previous years;

*Recognizing that the 9<sup>th</sup> meeting of the Scientific Committee in December 2024 recommended the current fishing mortality (average 2020-2022) leads to further constant decline of SSB and it is necessary to reduce the current fishing mortality, based on the stock assessment of chub mackerel conducted by the Technical Working Group on Chub Mackerel Stock Assessment and the advice of the Scientific Committee of NPFC.*

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

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.
2. Members of the Commission and CNCs without substantial harvest of chub mackerel in the Convention Area are encouraged to 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.
3. As a provisional measure, Members shall take necessary measures to ensure that the fishing activities for chub mackerel in the Convention Area shall be undertaken in accordance with the fishing season defined in paragraph 17 and the following provisions:
  - (a) The annual total allowable catch of chub mackerel in the Convention Area, excluding the amount in paragraph 11, shall be set at 66,740 tonnes for the 2025 fishing season.
  - (b) Of this annual total allowable catch, the catch for trawlers shall not exceed 7,940 tonnes for the 2025 fishing season.
  - (c) Of this annual total allowable catch, the catch for purse seiners shall not exceed 58,800 tonnes for the 2025 fishing season.

- (d) China shall not authorize more than 3 trawlers to conduct fishing operations at the same time.
  - (e) The EU shall not authorize more than 1 trawler to conduct fishing operations at the same time.
4. Members of the Commission participating in chub mackerel fisheries in areas under national jurisdiction adjacent to the Convention Area are requested to take compatible measures in paragraph 1 and 3. Such Members<sup>2</sup> may divert part of their catch limit for areas under their jurisdiction to their own catch of chub mackerel in the Convention Area by vessels entitled to fly their flags and authorized to fish for chub mackerel, provided that: (i) the Member has established a catch limit for chub mackerel in its jurisdiction; (ii) the Member has notified the Commission of the catch limit; and (iii) the total catch of the Member in the Convention Area and the areas under their jurisdiction adjacent to the Convention Area will not exceed the Member's total catch limit for its jurisdiction.
  5. Members of the Commission and CNCPs shall prohibit fishing vessels over 10,000 Gross Tonnage that are flying their flag and authorized to fish for chub mackerel, from fishing in the Convention Area.
  6. Members of the Commission and CNCPs shall ensure that fishing vessels flying their flag that fish for chub mackerel in the Convention Area record their catches, including incidental catches of other NPFC species, and any discards and report them to the relevant flag state authorities in accordance with their national data recording and reporting requirements.
  7. To comply with the provisional measure stipulated in paragraph 3, Members of the Commission shall report to the Executive Secretary, in electronic format, monthly catches of chub mackerel in the Convention Area by fishing vessels flying their flags, as follows:
    - a) For trawlers: By the 10th of the next month, until the total accumulated catch by Members in a fishing season reaches 60% of the catch limit set out in paragraph 3 (b). After the total accumulated catch by Members in a fishing season reaches 60% of the annual catch limit set out in paragraph 3 (b), Members of the Commission shall report to the Executive Secretary, in electronic format, weekly catches of chub mackerel in the Convention Area by trawlers flying their flags, by Wednesday of the next week.
    - b) For purse seiners: By the 10th of the next month, until the total accumulated catch by Members in a fishing season reaches 60% of the catch limit set out in paragraph 3 (c). After the total accumulated catch by Members in a fishing season reaches 60% of the annual catch limit set out in paragraph 3 (c), Members of the Commission shall report to the Executive Secretary, in electronic format, weekly catches of chub mackerel in the Convention Area by purse seiners flying their flags, by Wednesday of the next week.
  8. The Executive Secretary shall make publicly available the compiled catch of chub mackerel in

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<sup>2</sup> Paragraph 4 applies to Russia and Japan.

the Convention Area on the Commission's website, as well as each Member's catch of chub mackerel in the Convention Area, on the Member's page of Commission website without delay.

9. In the event that the total accumulated catch by Members in a fishing season reaches 95% of the annual catch limit set out in paragraph 3 (b) or (c), the Executive Secretary shall notify Members of that fact without delay, and each Member participating in the chub mackerel fishery shall close the fishery for its flagged vessels within 2 days from the above notification by the Secretariat until the end of the fishing season.
10. Development of new fishing activity for the chub mackerel fishery in the Convention Area by Members of the Commission without documented historical catch for chub mackerel in the Convention Area shall be determined in accordance with relevant provisions, including but not limited to, as appropriate, Article 3, paragraph (h) and Article 7, subparagraphs 1(g) and (h) of the Convention.
11. In accordance with paragraph 10, and in addition to the fishing opportunities under paragraph 3 (b), once the annual total allowable catch under 3 (b) has been exhausted the EU shall be entitled to fish an additional 4,260 tonnes of chub mackerel for 2025 fishing season, without prejudice to future discussions on chub mackerel allocation in the Convention Area. In case the EU does not harvest any chub mackerel in the Convention Area in the 2024 fishing season, 1,740 tons shall be carried over to the catch limit in this paragraph.
12. Members of the Commission and CNCPs shall ensure that fishing vessels flying their flag operating in the Convention Area to fish chub mackerel are to be equipped with an operational vessel monitoring system that is activated at all times.
13. Members of the Commission and CNCPs 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 every year. The Commission shall review such information at the annual meeting every year.
14. Members of the Commission and CNCPs shall cooperate to take necessary measures including sharing information, in order to accurately understand the situation and eliminate IUU fishing for chub mackerel.
15. After the chub mackerel stock assessment has been completed, the provisions in Paragraph 1, 3 and 11 shall be reviewed by the Commission and those provisions shall not be a precedent to hinder those Members who are not harvesting substantial amounts of chub mackerel in the Convention Area to develop their own chub mackerel fisheries in the Convention Area, noting the Commission shall regularly review chub mackerel harvests in the Convention Area by all Members.
16. This management measure enters into force on 1 June 2025 (aligned with the start of the fishing season for chub mackerel). The Commission shall review and revise, as appropriate, this CMM

based on the advice and recommendations from the SC, but no later than at the 10<sup>th</sup> Commission meeting.

17. For the purpose of this measure the ‘fishing season’ starts on 1 June and ends on 31 May.

18. This CMM is an amendment of the NPFC CMM 2024-07.



**CONSERVATION AND MANAGEMENT MEASURE FOR PACIFIC SAURY**

*The North Pacific Fisheries Commission (NPFC),*

*Reaffirming* the General Principles, Article 3 of the Convention, in particular, paragraph (b) stipulating that measures are adopted, based on the best scientific information available, to ensure that fisheries resources are maintained at or restored to levels capable of producing maximum sustainable yield, and paragraph (f) stipulating that preventing or eliminating overfishing and excess fishing capacity and ensuring that levels of fishing effort or harvest levels are based on the best scientific information available and do not exceed those commensurate with the sustainable use of the fisheries resources;

*Gravely concerned* that, according to the latest stock assessment provided by the 9<sup>th</sup> meeting of the Scientific Committee (SC9) in December 2024, stock biomass of Pacific saury remains at low levels in recent years,

*Recognizing* that SC8 recommended that the Commission consider the advice, in particular “a reduction to the TAC for 2023-24 would increase the probability of higher long-term biomass and catch levels in the Pacific saury stock”;

Recognizing further that the SC8 recommended adopting interim harvest control rule (HCR) from the list to be provided by the 5<sup>th</sup> meeting of the Small Working Group on Management Strategy Evaluation for Pacific Saury (SWG MSE PS05);

*Further recognizing* the urgent needs to take responsible actions to prevent further degradation and to ensure recovery of the Pacific saury stock;

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

**EFFORT MANAGEMENT**

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.
2. Members fishing for Pacific saury in areas of their jurisdiction that are adjacent to the Convention Area shall refrain from rapid 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.<sup>3</sup>
3. Members of the Commission participating in Pacific saury fisheries in areas under national

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<sup>3</sup> Paragraph 2 applies to Russia and Japan

jurisdiction adjacent to the Convention Area are, in accordance with relevant provisions of Article 3 of the Convention, requested to take compatible measures in paragraph 2.

4. Each Member of the Commission participating in Pacific saury fisheries shall implement either of the following measures:
  - (a) to reduce the number of fishing vessels flying its flag and fishing for Pacific saury in the Convention Area by 10% from the number of its fishing vessels that fished for Pacific saury in the Convention Area in 2018; or
  - (b) to prohibit fishing vessels flying its flag from engaging in fishing for Pacific saury in the Convention Area outside its designated fishing period of no longer than 180 consecutive days each year.

Each Member shall notify the Secretariat of the measure it implements and its designated fishing period in case of b. above no later than May 1<sup>st</sup> each year. The Secretariat shall summarize the notifications from Members and make it available to all Members and CNCPs. This Paragraph does not apply to Members whose fishing vessels that fished for Pacific saury in the Convention Area in 2018 were less than five (5).

## **CATCH MANAGEMENT**

5. The interim harvest control rule (HCR) for Pacific saury is as attached in Annex I.
6. The interim HCR is applied until the establishment of a management procedure to be recommended through an MSE process by the Joint SC-TCC-COM Small Working Group on Management Strategy Evaluation for Pacific Saury (SWG MSE PS), or unless otherwise decided by the Commission. The SWG MSE PS and the SC shall review the performance of the interim HCR every year based on the best scientific information available, particularly the latest stock assessment results, and provide a recommendation for the Commission, as necessary.
7. For 2025, Members of the Commission agreed that the annual catch of Pacific saury in the entire area (the Convention Area and the areas under their jurisdiction adjacent to the Convention Area) should not exceed 202,500 metric tons, as calculated using the interim HCR in Annex I.
8. In 2025, the annual total allowable catch (TAC) of Pacific saury in the Convention Area shall be limited to 60% of the annual catch limit in the entire area in paragraph 7<sup>4</sup>.
9. 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 2025 by 55% from its reported catch in 2018 (Annex II), and shall take necessary measures so that the total catch in the Convention Area will not exceed the TAC set out in paragraph 8. Members of the Commission and CNCPs shall ensure that discards of Pacific

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<sup>4</sup> 121,500 metric tons in 2025

saury count against their catch limits.

10. To comply with the TAC, the following measures shall be in place in 2025:

- (a) 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 as well as share each Member's catch of Pacific saury in the Convention Area on the Member's page of Commission's website without delay; and
- (b) In the event that the total reported catch of all Members reaches 90% of the TAC set out in paragraph 8, the Executive Secretary shall notify all Members without delay. Those Members with more than 10,000 mt of catch limits shall close the fishery within 72 hours from the receipt of the notification. Those Members with less than 10,000 mt of catch limits may continue operations, but their total catch shall not exceed 90% of their catch limits.
- (c) If any Members commit to reduce its annual total catch of Pacific Saury by fishing vessels entitled to fly its flag in 2025 by 65.5% from its reported catch in 2018, it shall be exempted from the requirements stipulated in Paragraph 10 (b). In case of that, the TAC for the rest of the member referred in the paragraph 10 (b) shall be 121,500 metric tons minus the catch limit of member(s) that make such commitment. Such commitment shall be submitted to the Secretariat no later than May 1<sup>st</sup>, 2025, and be circulated to all Members, as well as TAC applied to those Members subject to paragraph 10 (c).

11. Members of the Commission and CNCPs shall ensure that fishing vessels flying their flag that fish for Pacific saury in the Convention Area record their catches, including incidental catches of other NPFC species, and any discards and report them to the relevant flag state authorities in accordance with their national data recording and reporting requirements.

12. In the event that a Member reaches 70% of its catch limit set out in paragraph 9, 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 13. Upon receipt of the notification, the Executive Secretary shall circulate it to all the Members.

13. Notwithstanding paragraph 9, 10 b) and c), Members fishing for Pacific saury in areas of their jurisdiction<sup>5</sup> that are adjacent to the Convention Area may divert part of their catch limit for areas under their jurisdiction to their own catch of Pacific saury in the Convention Area by vessels entitled to fly their flags and authorized to fish for Pacific saury<sup>6</sup>. Such

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<sup>5</sup> Paragraph 13 applies to Russia and Japan

<sup>6</sup> The diverted portion used in the Convention Area shall count toward the Members' catch limits within the EEZ, both for future discussions and for calculating TAC utilization in the Convention Area.

Members shall annually report the catch limit that they diverted in accordance with this paragraph in their Annual Report.

## **OTHER MEASURES**

14. Development of new fishing activity for the Pacific saury fishery in the Convention Area by Members without documented historical catch for Pacific saury in the Convention Area shall be determined in accordance with relevant provisions, as appropriate, including but not limited to Article 3, paragraph (h) and Article 7, subparagraphs 1(g) and (h) of the Convention.
15. Members of the Commission shall ensure that fishing vessels flying their flags operating in the Convention Area to fish Pacific saury be equipped with an operational vessel monitoring system that is activated at all times.
16. In order to prevent discards and contribute to the proper stock assessment, Members of the Commission shall take necessary measures to ensure that fishing vessels flying their flags in the Convention Area fishing for Pacific saury retain all the catch of Pacific saury on board.
17. In order to protect juvenile fish, Members of the Commission shall take measures for fishing vessels flying their flags to refrain from fishing for Pacific saury in the areas east of 170°E from June to July. The SC and its subsidiary Small Scientific Committee on Pacific Saury will submit to the Commission relevant scientific information on geographical distribution of juvenile fish in the Convention Area, and its migration patterns.
18. The SWG MSE PS shall endeavor to consider the establishment of a management procedure to be formulated through an MSE process by the 11<sup>th</sup> Commission Meeting in 2027. The Commission shall continue to fund an external expert to support the process.
19. This CMM shall in no case be a basis for any future CMM for Pacific saury.
20. The Commission shall review and revise, as appropriate, this CMM based on the advice and recommendations from the SC and the SWG MSE PS, at its every Commission meeting.
21. Consideration should be given to development aspirations of small island developing States in accordance with international law in revising this CMM.
22. This CMM shall enter into force on May 1<sup>st</sup>, 2025, replacing CMM 2024-08 and will be reviewed on a regular basis.

## Interim Harvest Control Rules (HCR) for Pacific saury

### 1. Management Objectives for the Pacific saury fisheries

#### Interim Management Objectives

(a) *Recovery of the stock (prioritized objective):*

- (i) *The stock biomass is rebuilt to  $B_{tar}$  within 5 years with 50% probability;*
- (ii) *The stock biomass is maintained above the  $B_{tar}$  level in each of years 6-10 with 50% probability.*

2. *Avoiding unsustainable state of the stock (secondary objective):*

- (i) *The annual probability in each of years 6-10 that the stock drops below  $B_{lim}$  should not exceed 10%;*
- (ii) *The annual probability in each of years 6-10 that fishing mortality is above  $F_{lim}$  should not exceed 10%.*

3. *Achieving high and stable catch (tertiary objective):*

- (i) *Average catch over years 6-10 is as high as possible;*
- (ii) *Catch in each of years 6-10 is as stable as possible.*

#### Interim Biological reference points

Interim biological reference points used the interim HCR for Pacific saury are as follows:

Reference point
$B_{tar} = B_{MSY}$
$B_{lim} = 0.35B_{MSY}$
$F_{tar} = F_{MSY}$
$F_{lim} = 1.35F_{MSY}$

### 2. Interim Harvest Control Rules (HCRs)

Based on the latest base-case results of stock assessment of Pacific saury, annual catch level in the entire area  $y = a_{y-1} * F_{MSY} * \hat{B}_{y-1}$ , where  $a_{y-1} = \min(1, \hat{B}_{y-1} / \hat{B}_{MSY})$

(as shown in Figure 1).

It reduces fishing intensity at biomass levels below  $B_{MSY}$ . Maximum allowable change of the annual catch level in the entire area is restricted to 10%.

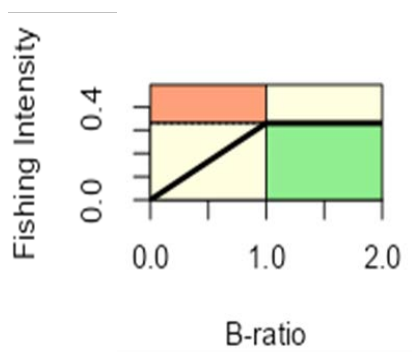


Figure 1. Illustration of the interim HCR.

### 3. Management cycle

The SC annually advises the Commission of the calculated annual catch level in the entire area of Pacific saury for the following year in accordance with the interim HCR as described in paragraph 2, based on the latest stock assessment results.

## Annex II

### Reported Pacific saury catch in 2018

Member	Catch (metric ton)
China	90,365
Japan	46,859
Korea	20,759
Russia	5,459
Chinese Taipei	180,466
Vanuatu	8,231

**CONSERVATION AND MANAGEMENT MEASURE FOR HIGH SEAS  
BOARDING AND INSPECTION PROCEDURES FOR THE NORTH PACIFIC  
FISHERIES COMMISSION**

1. The following procedures are established by the North Pacific Fisheries Commission, in accordance with Article 7, paragraph 2-c of its Convention, to govern high seas boarding and inspection of fishing vessels in the Convention Area.

**Definitions**

2. For the purposes of interpreting and implementing these procedures, the following definitions shall apply:
  - (a) “Convention” means the Convention on the Conservation and Management of High Seas Fisheries resources in the North Pacific Ocean;
  - (b) “Commission” means the North Pacific Fisheries Commission (NPFC) established under Article 5 of the Convention;
  - (c) “Authorities of the Inspection Vessel” means the authorities of the Contracting Party under whose jurisdiction the inspection vessel is operating;
  - (d) “Authorities of the Fishing Vessel” means the authorities of the Member of the Commission under whose jurisdiction the fishing vessel is operating;
  - (e) “Authorized inspection vessel” means any vessel included in the Commission’s register of vessels as authorized to engage in boarding and inspection activities pursuant to these procedures;
  - (f) “Authorized inspector” means inspectors employed by the authorities responsible for boarding and inspection included in the Commission register and authorized to conduct boarding and inspection activities pursuant to these procedures;
  - (g) “Fishing activity” means the activities established under Article 1 (i) of the Convention;
  - (h) “Fishing vessels” means any vessel described under Article 1 (j) of the Convention.

**Purpose**



3. Boarding and inspection and related activities conducted pursuant to these procedures shall be for the purpose of ensuring compliance with the provisions of the Convention and conservation and management measures adopted by the Commission and in force.

### **Area of Application**

4. These procedures shall apply throughout the Convention Area, which consists of the high seas areas of the North Pacific Ocean as specified in Article 4 of the Convention.

### **General Rights and Obligations**

5. Each Contracting Party may, subject to the provisions of these procedures, carry out boarding and inspection on the high seas of fishing vessels engaged in or reported to have engaged in a fishery regulated pursuant to the Convention.
6. These procedures shall also apply in their entirety as between a Contracting Party and a Fishing Entity, subject to a notification to that effect to the Commission from the parties concerned.
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.

### **General Principles**

8. These procedures are intended to implement and give effect to, and are to be read consistently with, Article 7.2.c and Article 17.6 of the Convention.
9. These procedures shall be implemented in a transparent and non-discriminatory manner, taking into account, inter alia:
  - (a) such factors as the presence of observers on board a vessel and the frequency and results of past inspections; and
  - (b) the full range of measures to monitor compliance with the provisions of the Convention and agreed conservation and management measures, including inspection activities carried out by the authorities of Members of the Commission in respect of their own flag vessels.
  - (c) that NPFC Member inspectors are at risk of serious injury during the boarding process and that minimum standards for boarding ladders are to be implemented to the extent possible minimize this risk.

10. While not limiting efforts to ensure compliance by all vessels, priority for boarding and inspection efforts pursuant to these procedures may be given to:
- (a) fishing vessels that are not on the NPFC Record of Fishing Vessels and are flagged to Members of the Commission;
  - (b) fishing vessels reasonably believed to engage or to have been engaged in any activity in contravention of the Convention or any conservation and management measure adopted thereunder;
  - (c) fishing vessels that are entitled to fly the flag of a Member of the Commission that does not dispatch patrol vessels to the area of application to monitor its own fishing vessels;
  - (d) fishing vessels without observers on board if so required by the Convention, Article 7.2b;
  - (e) fishing vessels with a known history of violating conservation and management measures adopted by international agreement or any domestic laws and regulations.
11. The Commission shall keep the implementation of these procedures under review.
12. The interpretation of these procedures shall rest with the Commission.

## **Participation**

13. The Commission shall maintain a register of all authorized inspection vessels and authorities or inspectors. Only vessels and authorities or inspectors listed on the Commission's register are authorized under these procedures to board and inspect fishing vessels of Commission Members and Cooperating Non-Contracting Parties on the high seas within the Convention Area.
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:
- (a) with respect to each inspection vessel it assigns to boarding and inspection activities under these procedures:
    - (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.

(b) with respect to inspectors it assigns pursuant to these procedures:

(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 at sea in accordance with any standards and procedures as may be adopted by the Commission.

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.

16. Authorized inspection vessels and inspectors notified by Contracting Parties pursuant to paragraph 14 shall be included on the Commission register once the Executive Secretary confirms that they meet the requirements of that paragraph.

17. To enhance the effectiveness of the Commission's boarding and inspection procedures, and to maximize the use of trained inspectors, Contracting Parties may identify opportunities to place authorized inspectors on inspection vessels of another Contracting Party. Where appropriate, Contracting Parties should seek to conclude bilateral arrangements to this end or otherwise facilitate communication and coordination between them for the purpose of implementing these procedures.

18. The Executive Secretary shall ensure that the register of authorized inspection vessels and authorities or inspectors is at all times available to all Members of the Commission and shall immediately circulate any changes therein. Updated lists shall be posted on the Commission website. Each Member of the Commission shall take necessary measures to ensure that these lists are circulated in a timely manner to each of its fishing vessels operating in the Convention Area.

## **Procedures**

19. The NPFC inspection flag, as described in Annex B, shall be flown by authorized inspection vessels, in clearly visible fashion.
20. Authorized inspectors shall carry an approved identity card identifying the inspector as authorized to carry out boarding and inspection procedures under the auspices of the Commission and in accordance with these procedures.
21. An authorized inspection vessel that intends to board and inspect a fishing vessel on the high seas that is engaged in or reported to have engaged in a fishery regulated pursuant to the Convention shall, prior to initiating the boarding and inspection:
  - (a) make best efforts to establish contact with the fishing vessel by radio, by the appropriate International Code of Signals or by other accepted means of alerting the vessel;
  - (b) provide the information to identify itself as an authorized inspection vessel - name, registration number, international radio call sign and contact frequency;
  - (c) communicate to the master of the vessel its intention to board and inspect the vessel under the authority of the Commission and pursuant to these procedures; and
  - (d) initiate notice through the authorities of the inspection vessel of the boarding and inspection to the authorities of the fishing vessel.
22. In carrying out boarding and inspection pursuant to these procedures, the authorized inspection vessel and authorized inspectors shall make their best efforts to communicate with the master of the fishing vessels in a language that the master can understand. In order to facilitate communications between the inspectors and the master of the vessel, the Commission shall develop a standardized multi-language questionnaire, which shall be circulated to all Contracting Parties with authorized inspection vessels.
23. Authorized inspectors shall have the authority to inspect the vessel, its license, gear, equipment, records, facilities, fish and fish products and any relevant documents necessary to verify compliance with the conservation and management measures in force pursuant to the Convention.
24. Boarding and inspection pursuant to these procedures shall:
  - (a) be carried out in accordance with internationally accepted principles of good seamanship so as to avoid risks to the safety of fishing vessels and crews;

- (b) be conducted as much as possible in a manner so as not to interfere unduly with the lawful operation of the fishing vessel;
- (c) take reasonable care to avoid action that would adversely affect the quality of the catch; and
- (d) not be conducted in such manner as to constitute harassment of a fishing vessel, its officers or crew.

25. In the conduct of a boarding and inspection, the authorized inspectors shall:

- (a) present their identity card to the master of the vessel and a copy of the text of the relevant measures in force pursuant to the Convention in the relevant area of the high seas;
- (b) not interfere with the master's ability to communicate with the authorities of the fishing vessel;
- (c) complete the inspection of the vessel within 4 (four) hours unless evidence of a serious violation is found;
- (d) collect and clearly document any evidence they believe indicates a violation of measures in force pursuant to the Convention;
- (e) provide to the master prior to leaving the vessel a copy of an interim report on the boarding and inspection including any objection or statement which the master wishes to include in the report;
- (f) promptly leave the vessel following completion of the inspection if they find no evidence of a serious violation; and
- (g) provide a full report on the boarding and inspection to the authorities of the fishing vessel, pursuant to paragraph 31, which shall also include any master's statement.

26. During the conduct of a boarding and inspection, the master of the fishing vessel shall:

- (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) provide a safe boarding ladder; Annex A provides guidelines for a safe boarding ladder;
- (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.
27. If the master of a fishing vessel refuses to allow an authorized inspector to carry out a boarding and inspection in accordance with these procedures, such master shall offer an explanation of the reason for such refusal. The authorities of the inspection vessel shall immediately notify the authorities of the fishing vessel, as well as the Commission, of the master's refusal and any explanation.
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 immediately notify the authorities of the inspection vessel and the Commission of the action it has taken in these circumstances.

### **Use of Force**

29. The use of force shall be prohibited except when and to the degree necessary to ensure the safety of the inspectors during the conduct of their boarding and inspection activities. The degree of force used shall not exceed that reasonably required in the circumstances.
30. Any incident involving the use of force shall be immediately reported to the authorities of the fishing vessel, as well as to the Executive Secretary for distribution to the Commission.

### **Inspection Reports**

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. Where it is not possible for the authorities of the inspection vessel to provide such report to the authorities of the fishing vessel within this timeframe, the authorities of the inspection vessel shall inform the authorities of the fishing vessel and shall specify the time period within which the report will be provided.

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.

### **Serious Violations**

33. In the case of any boarding and inspection of a fishing vessel during which the authorized inspectors observe an activity or condition that would constitute a serious violation, as defined in paragraph 38, the authorities of the inspection vessels shall immediately notify the authorities of the fishing vessel, directly as well as through the Commission.
34. Upon receipt of a notification under paragraph 33, the authorities of the fishing vessels shall without delay:
  - (a) assume their obligation to investigate and, if the evidence warrants, take enforcement action against the fishing vessel in question and so notify the authorities of the inspection vessel, as well as the Commission; or
  - (b) authorize the authorities of the inspection vessel to complete investigation of the possible violation and so notify the Commission.
35. In the case of 34(a) above, the authorities of the inspection vessel shall provide, as soon as practicable, the specific evidence collected by the authorized inspectors to the authorities of the fishing vessel.
36. In the case of 34(b) above, the authorities of the inspection vessel shall provide the specific evidence collected by the authorized inspectors, along with the results of their investigation, to the authorities of the fishing vessel immediately upon completion of the investigation.
37. Upon receipt of a notification pursuant to paragraph 33, the authorities of the fishing vessel shall make best effort to respond without delay and in any case no later than within 3 (three) full working days.

38. For the purposes of these procedures, a serious violation means the following violations of the provisions of the Convention or conservation and management measures adopted by the Commission:

- (a) fishing without a valid license, permit or authorization issued by the Member whose flag the fishing vessel is entitled to fly, in accordance with Article 13 of the Convention;
- (b) significant failure to maintain records of catch and catch-related data in accordance with the Commission's reporting requirements or significant misreporting of such catch and/or catch-related data;
- (c) fishing in a closed area;
- (d) fishing during a closed season;
- (e) intentional taking or retention of species in contravention of any applicable conservation and management measure adopted by the Commission;
- (f) significant violation of catch limits or quotas in force pursuant to the Convention;
- (g) using prohibited fishing gear;
- (h) falsifying or intentionally concealing the markings, identity or registration of a fishing vessel;
- (i) concealing, tampering with or disposing of evidence relating to investigation of a violation;
- (j) multiple violations which taken together constitute a serious disregard of measures in force pursuant to the Commission;
- (k) refusal to accept a boarding and inspection, other than as provided in paragraphs 27 and 28;
- (l) assault, resist, intimidate, sexually harass, interfere with, or unduly obstruct or delay an authorized inspector; and
- (m) intentionally tampering with or disabling the vessel monitoring system;
- (n) such other violations as may be determined by the Commission, once these are included and circulated in a revised version of these procedures.



## **Enforcement**

39. Any evidence obtained as a result of a boarding and inspection pursuant to these procedures with respect to violation by a fishing vessel of the Convention or conservation and management measures adopted by the Commission and in force shall be referred to the authorities of the fishing vessel for action in accordance with Article 17 of the Convention.
40. For the purposes of these procedures, the authorities of the fishing vessels shall regard interference by their fishing vessels, captains or crew with an authorized inspector or an authorized inspection vessel in the same manner as any such interference occurring within its exclusive jurisdiction.

## **Annual Reports**

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.
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.

## **Other Provisions**

43. Authorized inspection vessels, while carrying out activities to implement these procedures, shall engage in surveillance aimed at identifying fishing vessels of non-Members undertaking fishing activities on the high seas in the Convention area. Any such vessels identified shall be immediately reported to the Executive Secretary for distribution to the Commission.
44. The authorized inspection vessel shall attempt to inform any fishing vessel identified pursuant to paragraph 43 that has been sighted or identified as engaging in fishing activities that are undermining the effectiveness of Convention and that this information will be sent to the Executive Secretary for distribution to the Members of the Commission and the non-Member whose flag the fishing vessel is entitled to fly of the vessel in question.
45. If warranted, the authorized inspectors may request permission from the fishing vessel and/or the non-Member whose flag the vessel is entitled to fly to board a vessel identified pursuant to paragraph 43. If the vessel master or the vessel's non-Member whose flag the vessel is entitled to fly consents to a boarding, the findings of any subsequent inspection shall be transmitted to

the Executive Secretary. The Executive Secretary shall distribute this information to all Commission Members as well as to the non-Member whose flag the vessel is entitled to fly.

46. Contracting Parties shall be liable for damage or loss attributable to their action in implementing these procedures when such action is unlawful or exceeds that reasonably required in the light of available information.

### **Commission Coordination and Oversight**

47. Authorized inspection vessels in the same operational area should seek to establish regular contact for the purpose of sharing information on areas in which they are patrolling, on sightings and on boarding and inspections they have carried out, as well as other operational information relevant to carrying out their responsibilities under these procedures.
48. The Commission shall keep under continuous review the implementation and operation of these procedures, including review of annual reports relating to these procedures provided by Members. In applying these procedures, Contracting Parties may seek to promote optimum use of the authorized inspection vessels and authorized inspectors by:
- (a) identifying priorities by area and/or by fishery for boarding and inspections pursuant to these procedures;
  - (b) ensuring that boarding and inspection on the high seas is fully integrated with the other monitoring, compliance and surveillance tools available pursuant to the Convention;
  - (c) ensuring non-discriminatory distribution of boarding and inspections on the high seas among fishing vessels of Members of the Commission without compromising the opportunity of Contracting Parties to investigate possible serious violations; and
  - (d) taking into account high seas enforcement resources assigned by Members of the Commission to monitor and ensure compliance by their own fishing vessels, particularly for small boat fisheries whose operations extend onto the high seas in areas adjacent to waters under their jurisdiction.

### **Settlement of Disagreements**

49. In the event of a disagreement concerning the application or implementation of these procedures, the parties concerned shall consult in an attempt to resolve the disagreement.
50. If the disagreement remains unresolved following the consultations, the Executive Secretary of the Commission shall, at the request of the parties concerned, and with the consent of the

Commission, refer the disagreement to the Technical and Compliance Committee (TCC). The TCC shall establish a panel of five representatives, acceptable to the parties to the disagreement, to consider the matter.

51. A report on the disagreement shall be drawn up by the panel and forwarded through the TCC Chair to the Executive Secretary for distribution to the Commission within two months of the TCC meeting at which the case is reviewed.
52. Upon receipt of such report, the Commission may provide appropriate advice with respect to any such disagreement for the consideration of the Members concerned.
53. Application of these provisions for the settlement of disagreements shall be non-binding. These provisions shall not prejudice the rights of any Member to use the dispute settlement procedures provided in the Convention.

**Boarding Ladder Guidelines**

Commencing on March 1<sup>st</sup>, 2022, the Master of a fishing vessel with fishing vessel with a registered tonnage greater than or equal to 250 GT (Gross Tonnage) or GRT (Gross Register Tonnage), as registered in the NPFC Vessel Registry, is encouraged to provide a board ladder that meets the following guidelines:

- (a) A boarding ladder should be provided for the purpose of enabling Authorized Inspectors to safely embark and disembark at-sea pursuant to the provisions of CMM 2023-09.
- (b) The ladder should be secured in an area that is clear of any possible discharges, lines, or obstructions from the vessel.
- (c) The ladder should be placed as near to the mid-length of the vessel as practicable.
- (d) Handholds should be provided to ensure a safe passage from the deck to the head of the ladder and vice versa.
- (e) The rigging of the ladder and the embarkation and disembarkation of an Authorized Inspector should be overseen by a responsible crew member of the vessel, who [should] have communication with the bridge.
- (f) The steps of the ladder should be:
  - (i) made of hardwood (or of a suitable equivalent material).
  - (ii) free from sharp edges or splinters.
  - (iii) provided with an effective non-slip surface.
  - (iv) not less than 480 mm long, 115 mm wide and 25 mm in depth.
  - (v) equally spaced apart to ensure safe and ergonomic climbing of the ladder by an Authorized Inspector.
  - (vi) secured in such a manner that they will remain horizontal.
- (g) The side ropes of the ladder should:
  - (i) consist of two uncovered manila ropes not less than 65 mm in circumference on each side.
  - (ii) should be continuous with no joins.
  - (iii) should have ends secured to prevent unravelling.
  - (iv) Battens (span boards) made of hardwood or a material of equivalent properties, in one piece, should be provided to prevent the boarding ladder from twisting.
  - (v) An authorized inspector should have the discretion to instruct a vessel master to move or reconfigure the boarding ladder if deemed unsafe for use.

***Note: A graphic regarding the boarding ladder is attached hereto.***



Fisheries and Oceans  
Canada

Pêches et Océans  
Canada

## Boarding Ladder

## for Inspector Safety



A boarding ladder shall be provided for the purpose of enabling Inspectors to safely embark and disembark at-sea. The ladder shall be secured so that it is clear of any possible discharges and lines from the vessel. Handholds shall be provided to ensure a safe passage from the deck to the head of the ladder and vice versa.

- The rigging of the ladder and the embarkation and disembarkation of an inspector shall be overseen by a crew member of the vessel, who shall have communication with the bridge.

The steps of the ladder shall be:


- made of hardwood (or of a suitable equivalent material).
- free from sharp edges / splinters.
- provided with an effective non-slip surface.
- not less than 480 mm long, 115 mm wide and 25 mm in depth.
- equally spaced apart to ensure safe and ergonomic climbing of the ladder by an authorized Inspector.
- secured in such a manner that they will remain horizontal.

The side ropes of the ladder shall:

- consist of two uncovered manilla ropes not less than 65 mm in circumference on each side.
- shall be continuous with no joins.
- shall have ends secured to prevent unravelling.

Battens (span boards) made of hardwood or an material of equivalent properties, in one piece, shall be provided to prevent the boarding ladder from twisting.

An authorized inspector shall have the discretion to instruct a vessel master to move or reconfigure the boarding ladder if deemed unsafe for use.



Canada

**HSBI Inspection Flag and Pennant**

The intended use of the flag is for inspection vessels, and the pennant for boarding launches.

The following Inspection Flag is intended to be used by authorized inspection vessels. The dimensions are 94 cm by 213 cm (height by length).



The following Boarding Pennant is intended to be used by authorized inspection vessels. The dimensions are 44 cm by 66 cm (height by length)



**CONSERVATION AND MANAGEMENT MEASURE FOR SABLEFISH IN THE  
NORTHEASTERN PACIFIC OCEAN**

The North Pacific Fisheries Commission (NPFC),

Recalling relevant international law as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982, the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks of 4 December 1995 and the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas of 24 November 1993 and taking into account the Code of Conduct for Responsible Fisheries adopted by the Conference of the Food and Agriculture Organization of the United Nations (“FAO”) at its 28th session on 31 October 1995 as well as the International Guidelines for the Management of Deep-Sea Fisheries in the High Seas adopted by FAO on 29 August 2008;

Seeking to ensure the long term conservation and sustainable use of the fishery resources of the Northeastern Pacific Ocean and, in so doing, protect the vulnerable marine ecosystems that occur there, in accordance with the Sustainable Fisheries Resolutions adopted by the United Nations General Assembly (UNGA) including, in particular, paragraphs 66 to 71 of the UNGA59/25 in 2004, paragraphs 69 to 74 of UNGA60/31 in 2005, paragraphs 69 and 80 to 91 of UNGA61/105 in 2006, and paragraphs 113 to 124 of UNGA64/72 in 2009;

Reaffirming the General Principles, Article 3 of the Convention, in particular, paragraph (b) stipulating that measures are adopted, based on the best scientific information available, to ensure that fisheries resources are maintained at or restored to levels capable of producing maximum sustainable yield, and paragraph (f) stipulating that preventing or eliminating overfishing and excess fishing capacity and ensuring that levels of fishing effort or harvest levels are based on the best scientific information available and do not exceed those commensurate with the sustainable use of the fisheries resources;

Noting that the existing high seas seamount Sablefish fishery is being conducted by Canada following a precautionary approach with set effort controls in accordance with the conservation and management measure (CMM) 2023-06 for Bottom Fisheries and Protection of Vulnerable Marine Ecosystems in the Northeastern Pacific Ocean;

Reaffirming the General Principles provided in Article 3 of the Convention, in particular, paragraph (h) stipulating that any expansion of fishing effort does not proceed without prior assessment of the impacts of those fishing activities on the long-term sustainability of fisheries resources and a

determination that those activities would not have significant adverse impacts (SAI) on vulnerable marine ecosystems (VME), or ensuring that those activities are managed to prevent those impacts or are not authorized to proceed;

Conscious of the need to adopt permanent measures for the Northeastern Pacific Ocean to ensure that this area is not left as the only major area of the Pacific Ocean where no such measures are in place;

Recognizing that the scope of management measures outlined in CMM 2023-06 applies to the management of bottom fisheries in the Northeastern Pacific Ocean;

Recognizing the documented historical catch in NPFC Annual Reports of Sablefish in the Northeastern Pacific Ocean by Canada, managed in accordance with CMM 2023-06 and compatible domestic management measures;

Recognizing the need expressed in CMM 2023-06 to develop and implement other permanent management arrangements to govern these and other fisheries in the Northeastern Pacific Ocean;

Recognizing that the Commission is to strive to adopt conservation and management measures to prevent SAI on marine species or any VME;

Recognizing the detrimental impacts of lost, abandoned and otherwise discarded fishing gear on the conservation and sustainable use of fisheries and the ecosystems they depend on, and the need for global action to address this issue;

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

1. This CMM shall apply to the eastern part of the Convention Area as defined in CMM 2023-06.
2. Members of the Commission with current harvest of sablefish in the eastern part of the Convention Area shall refrain from expansion of their fishery in this area from the existing historical level.
3. Members with historical but no current harvest of sablefish in the eastern part of the Convention Area may only expand their fishery in this area in the context of the relevant NPFC Convention provisions, as appropriate including but not limited to Article 3, paragraph (h).
4. Development of new fishing activity for the sablefish fishery in the eastern part of the Convention Area by Members not referenced in paragraph 5 without documented historical catch for sablefish in this area shall be determined in accordance with, but not limited to, as appropriate, Article 3, paragraph (h) and Article 7, subparagraphs 1(g) and (h) of the Convention.



2. 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.

#### *Fishing Gear*

3. Longline gear and longline trap gear are permitted to be used.
4. Members of the Commission shall ensure that fishing vessels flying their flag operating in the eastern part of the Convention Area to fish sablefish are to be equipped with an operational vessel monitoring system that is activated at all times.
5. All vessels authorized to fish sablefish in the eastern part of the Convention Area shall have 100% observer coverage.
6. Recognizing ongoing processes to address marine pollution in other fora, including at the International Maritime Organization, Members are encouraged to report lost fishing gear as soon as possible to the Secretariat, and retrieve any lost gear encountered by their vessels if safety is not compromised.
7. Proposed fishing activities involving the use of trawl fishing gear or other gear types not in use at the time of the adoption of this CMM in the eastern part of the Convention Area will be subject to the requirements of the Convention and relevant CMMs, as appropriate, including for new and exploratory fishery protocol in the Northeastern Pacific Ocean as per CMM 2023-06.
8. This CMM shall not be a precedent to hinder Members referenced in paragraph 2, at the time of the adoption of this CMM, to develop new or exploratory Sablefish fisheries in the eastern part of the Convention Area subject to the requirements of CMM on Bottom Fisheries and Protection of Vulnerable Marine Ecosystems in the Northeastern Pacific Ocean.

**CMM 2025-11**  
*(Entered into force 10 July 2025)*

**CONSERVATION AND MANAGEMENT MEASURE FOR JAPANESE SARDINE, NEON FLYING SQUID AND JAPANESE FLYING SQUID**

*The North Pacific Fisheries Commission (NPFC),*

*Recalling* that six pelagic species – Pacific saury, chub mackerel, blue mackerel, Japanese sardine, neon flying squid, and Japanese flying squid – are identified as priority species;

*Also recalling* that the NPFC has adopted the CMMs on two species – Pacific saury and chub mackerel;

*Noting* that specific measures for the remaining four species have yet to be introduced while those species have been subject to extensive fishing practices, whether they are target or bycatch species;

*Reaffirming* the General Principles provided in Article 3 of the Convention, in particular, Paragraph (h) stipulating that any expansion of fishing effort does not proceed without prior assessment of the impacts of those fishing activities on the long-term sustainability of fisheries resources;

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

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.
2. Members of the Commission and CNCs without substantial harvest of the three Pelagic Species in the Convention Area are encouraged to 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.
3. Members of the Commission participating in fishing for the three Pelagic Species in areas under their jurisdiction adjacent to the Convention Area are requested to take compatible measures in paragraph 1. Such Members<sup>7</sup> may divert part of their catch limit for areas under their

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<sup>7</sup> Paragraph 3 applies to Russia and Japan

jurisdiction to their own catch of the species in the Convention Area by vessels entitled to fly their flags and authorized to fish for the species, provided that: (i) the Member has established a catch limit for the species in its jurisdiction; (ii) the Member has notified the Commission of the catch limit; and (iii) the total catch of the species in the Convention Area and the areas under their jurisdiction adjacent to the Convention Area will not exceed the Member's total catch limit for its jurisdiction respectively.

4. Development of new fishing activity for the three Pelagic Species in the Convention Area by Members of the Commission without documented historical catch for such species in the Convention Area shall be determined in accordance with relevant provisions, as appropriate, including but not limited to Article 3, paragraph (h) and Article 7, subparagraphs 1(g) and (h) of the Convention.
5. Members of the Commission and CNCPs shall ensure that fishing vessels flying their flag operating in the Convention Area authorized to fish the three Pelagic Species are to be equipped with an operational vessel monitoring system that is activated at all times.
6. Members of the Commission and CNCPs shall ensure that fishing vessels flying their flag that fish for the three Pelagic Species in the Convention Area record their catches, including incidental catches of other NPFC species, and any discards and report them to the relevant flag state authorities in accordance with their national data recording and reporting requirements.
7. 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.
8. Members of the Commission and CNCPs shall cooperate to take necessary measures including sharing information, in order to accurately understand the situation and eliminate IUU fishing for the three Pelagic Species.
9. After a stock assessment for any of the three Pelagic Species has been completed, the provisions in Paragraph 1 shall be reviewed by the Commission and those provisions shall not be a precedent to hinder those Members who are not harvesting substantial amounts of the three Pelagic Species assessed in the Convention Area to develop their own fisheries in the Convention Area noting the Commission shall regularly review the harvests of such species in the Convention Area by all Members.
10. This management measure shall expire and be replaced by the measure to be adopted by the Commission based on the advice and recommendations from the Scientific Committee.

CMM 2025-12

*(Entered into force 10 July 2025)*

**CONSERVATION AND MANAGEMENT MEASURE ON THE VESSEL  
MONITORING SYSTEM (VMS)**

*The North Pacific Fisheries Commission,*

*Recalling* Article 2 of the Convention on the Conservation and Management of High Seas Fisheries resources in the North Pacific Ocean (Convention), the long-term conservation and sustainable use of the fisheries resources in the Convention Area while protecting the marine ecosystems of the North Pacific Ocean in which these resources occur.

*Recognizing* Article 7, paragraph 2 (e) of the Convention regarding the development of standards, specifications and procedures for Members of the Commission to report movements and activities using real-time satellite position-fixing transmitters for vessels engaged in fishing activities in the Convention Area and, in accordance with those procedures, coordinate timely dissemination of data collected from Members' satellite vessel monitoring systems,

*Reaffirming* that Article 13, paragraph 1 of the Convention that Members of the Commission or Cooperating Non-Contracting Parties (CNCs) shall take necessary measures to ensure that fishing vessels entitled to fly their flag operating in the Convention Area comply with the provisions of the Convention and measures adopted pursuant to the Convention and such vessels do not engage in any activities that undermine the effectiveness of such measures and do not conduct unauthorized fishing activities within areas under national jurisdiction of another State adjacent to the Convention Area,

*Determined* to ensure effective monitoring, control and surveillance (MCS) and to address the challenge of illegal, unreported and unregulated (IUU) fishing in the Convention Area,

*Adopts* the following conservation and management measure (CMM) in accordance with Article 7 of the Convention:

## Definitions

1. For the purpose of this CMM, the following definitions apply:

- a) “Convention” means the Convention on the Conservation and Management of High Seas Fisheries resources in the North Pacific Ocean.
- b) “Convention Area” means the area of the high seas areas of the North Pacific Ocean as specified in Article 4 of the Convention.
- c) “Commission” means the North Pacific Fisheries Commission (NPFC) established under Article 5 of the Convention.
- d) “Fishing activities” means the activities established under Article 1 (i) of the Convention.
- e) “Fisheries monitoring center (FMC)” means the authorized authority or agency of a Member or CNCP responsible for managing VMS for its flagged fishing vessels.
- f) “Fishing vessels” means any vessel described under Article 1 (j) of the Convention.
- g) “Inspection Presence in the Convention Area” means the Member is authorized by the High Seas Boarding Inspection CMM to conduct boardings and inspections and is planning for or actively engaged in surveillance operations, including aerial surveillance, in the Convention Area.
- h) “Manually report” means the transmission via any alternative means of the date/time, current geographical position (latitude and longitude) when an MTU fails to transmit VMS data.
- i) “Mobile transmitting unit (MTU)” means a satellite communication device capable of receiving and transmitting VMS data.
- j) “VMS” means a satellite-based monitoring system that transmits VMS data from MTUs on fishing vessels to FMCs.
- k) “VMS data” means data transmitted by an MTU including:
  - i) MTU unique identifier;
  - ii) the current geographical position (latitude and longitude) of the vessel (accurate to within 100m); and,

- iii) the date and time (expressed in Coordinated Universal Time (UTC)) of the fixing of the position of the vessel in paragraph 1(k)(ii).

### **Purpose**

- 2. The VMS supports the Convention's objective to ensure the long-term conservation and sustainable use of the fisheries resources in the Convention Area. The VMS forms an important part of the Commission's MCS regime to ensure compliance with, and enforcement of, the provisions of the Convention and CMMs. The purpose of the VMS is to continuously monitor the positions and movements of all fishing vessels in the Convention Area for compliance purposes. VMS data may also be used to support scientific processes as agreed by the Commission.

### **Application**

- 3. The VMS applies to all authorized NPFC vessels in the Convention Area.
- 4. A Member or CNCP may request that waters under their jurisdiction be also covered by the VMS. This request shall be provided to the Commission for their consideration and approval.

### **Mobile Transmitting Units (MTUs)**

- 5. Each Member or CNCP shall ensure that its vessels authorized pursuant to the relevant CMM for Vessel Registration under NPFC in the Convention Area are equipped with an MTU that complies with the guidance on minimum standards for MTUs contained in Annex 1.
- 6. Each Member or CNCP shall ensure that MTUs are installed on their flagged fishing vessels in the Convention Area in accordance with relevant domestic legal obligations, procedures and conditions.

### **VMS Data Transmission Requirements**

- 7. Each Member or CNCP shall ensure its authorized NPFC vessels provide accurate VMS data to the Secretariat via its FMC, in accordance with this CMM.
- 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.
- 9. A Member or CNCP may require its fishing vessels to transmit VMS data directly to the Secretariat.

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.
11. Each Member or CNCP shall ensure that its authorized NPFC fishing vessels conducting or planning to conduct fishing activities notify the Secretariat of their intention to enter and exit the Convention Area (Annex 2). The procedure used for such notification may be chosen by Members based on a list of options created by the Secretariat and approved by the Commission. Members shall inform the Secretariat of their preferred notification procedure.

### **Fisheries Monitoring Centers (FMCs)**

12. Each Member or CNCP shall ensure that their FMC can automatically receive VMS data and transmit VMS data to the Secretariat.
13. 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.

### **Data Access and Use**

14. All VMS data received by the Secretariat shall be treated as confidential information in accordance with NPFC's Data-Sharing and Data-Security Protocols for Vessel Monitoring System (VMS) Data (Annex 3).
15. In accordance with the NPFC's Data-Sharing and Data-Security Protocols for Vessel Monitoring System (VMS) (Annex 3), the Secretariat shall provide VMS data:
  - a) By electronic means to a Member who has an inspection presence in the Convention Area;  
or
  - b) upon request from a Member to support search and rescue (SAR)

### **Data Sharing, Security and Integrity**

16. In accordance with NPFC's Data-Sharing and Data-Security Protocols for Vessel Monitoring System (VMS) Data (Annex 3), VMS data shall only be accessed and used for the purposes included in this measure or for any other purposes as agreed by the Commission.
17. MTUs on fishing vessels shall be tamper-proof so as to preserve the security and integrity of VMS data.

## **VMS Data Transmission Failure**

18. In the event that an MTU has failed to transmit VMS data for four hours, the flag Member or CNCP shall require the fishing vessel master to manually report every four hours to the FMC or the Secretariat by other means of communication.
19. A Member or CNCP may also require its fishing vessels to manually report directly to the Secretariat.
20. The flag Member or CNCP shall require an MTU that fails to transmit VMS data in accordance with this measure, be repaired or replaced as soon as possible and, in any event, within thirty(30) days of the VMS data transmission failure.
21. If the fishing vessel returns to port following an MTU VMS data transmission failure, the Member or CNCP shall not permit the vessel to undertake fishing in the Convention Area until the MTU has been replaced in accordance with the guidance in Annex 1 or is repaired and is able to transmit VMS data.
22. If a Member or CNCP finds that an MTU has failed to transmit VMS data for twelve hours, the Member or CNCP shall immediately notify the fishing vessel master, owner or authorized representative of this failure.
23. 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.

## **Review**

24. The Secretariat shall report on the implementation of this measure annually to the Technical and Compliance Committee (TCC). The TCC shall review the implementation of the VMS after two years and make recommendations to the Commission as may be necessary.



**Guidance on minimum standards for mobile transmitting units (MTUs)**

1. The mobile transmitting unit (MTU) shall automatically and independently of any intervention by the fishing vessel, transmit VMS data as required by NPFC.
2. The VMS data shall be obtained from a satellite-based positioning system.
3. MTUs on fishing vessels must be capable of transmitting VMS data at least every fifteen minutes.
4. MTUs on fishing vessels must be tamper-proof so as to preserve the security and integrity of VMS data.
5. Storage of VMS data and other relevant information within the MTU must be safe, secure and integrated within a single unit under normal operating conditions.
6. It must not be reasonably possible for anyone, other than the Fisheries Monitoring Centre (FMC), to alter any of the VMS data stored in an MTU, including the frequency of position VMS data transmission to the FMC.
7. Any features built into the MTU or its software to assist with servicing shall not allow unauthorized access to the MTU that could potentially compromise the operation of the VMS.
8. MTUs shall be installed on fishing vessels by an authorized installer in accordance with the manufacturer's specifications and applicable standards and in accordance with a flag State's relevant domestic legal obligations, procedures and conditions.
9. Under normal satellite navigation operating conditions, VMS data must include the geographical location of a fishing vessel within an accuracy of 100 meters.
10. The MTU and/or the VMS service provider must be able send VMS data to multiple independent destinations.
11. The MTU and its component parts shall be fully integrated and housed in the same tamperproof physical enclosure.
12. The MTU must have:
  - a) all components sealed by the manufacturer; or

- b) official seals<sup>8</sup>, individually identified with unique serial numbers, applied.
13. Relevant domestic legal obligations, procedures and conditions for MTU installation on fishing vessels should be forwarded by members and cooperating non-Contracting Parties to the Secretariat or made available upon request.
  14. The MTU must have an alternate power unit, to act as a backup in case of failure of the main power, to enable the MTU to continue to meet the VMS data transmission requirements of this CMM.
  15. The MTU should include audible or visible alarms to indicate a unit malfunction.

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<sup>8</sup> Official seals or other mechanisms must be of such a type to indicate whether the MTU has been accessed or tampered with.

## Options for Notification of Entry into and Exit from the NPFC Convention Area

Option #	Description
1	<b>Automated notification each time a vessel enters or exits the Convention Area.</b>
2	<p><b>For the notification of entry into and exit from the NPFC Convention Area only, determine an external VMS zone where vessels would be required to report their positions through VMS.</b></p> <p><b>The NPFC external VMS zone would extend 20 NM from the boundaries of the Convention Area. All vessels in NPFC Registry would report when inside this external VMS zone, according to a) or b) below:</b></p> <ul style="list-style-type: none"> <li><b>a) Report ALL positions inside the external VMS zone, whether inside an EEZ OR on high seas, OR</b></li> <li><b>b) Report ALL positions from the high seas inside the external VMS zone, BUT when transiting within an EEZ to enter the Convention Area, report only the LAST position prior to and the FIRST position after entering/exiting the Convention Area<sup>9</sup>. Similarly, when exiting the Convention Area, report LAST position prior to exiting and FIRST position after exiting the Convention Area.</b></li> </ul>
3	<p><b>The Secretariat shall be notified whenever a fishing vessel flying their flag enters to or exits from the Convention Area either by:</b></p> <ul style="list-style-type: none"> <li><b>a) Reporting LAST position prior to, and FIRST position after entering and exiting the Convention Area, OR</b></li> <li><b>b) Reporting the first position inside the Convention Area with an automated declaration of entry in the "Type of Message" field of the NAF format and reporting the first position after exiting the Convention Area with an automated declaration of exit in the "Type of Message" field of the NAF format.</b></li> </ul>

<sup>9</sup> Any authorized NPFC vessels in the Convention Area shall report in accordance with paragraph 8 of this CMM.

**NPFC Data-Sharing and Data-Security Protocol for Vessel Monitoring System (VMS) Data**

**Definitions**

1. For the purpose of this Protocol, unless specifically defined herein, words and terms have the same meaning as in the Convention on the Conservation and Management of High Seas Fisheries Resources in the North Pacific Ocean (Convention) and any conservation and management measures (CMMs) adopted by the North Pacific Fisheries Commission (Commission or NPFC), including in particular the CMM on the Vessel Monitoring System (VMS).
  - a) “Confidential” refers to non-public domain data and information held by Commission Members, the Secretariat, and by service providers contracted by the Commission, or contractors acting on their behalf, that is to be kept private, and shall not be accessed, released or disclosed unless such access, release or disclosure is for the purposes described in, and authorized by, this Protocol;
  - b) “Scientific purposes” may include estimating distribution of fishing effort for use in the Commission’s research activities; planning for and implementing tagging programmes; modelling fishing effort for use in fisheries management activities, including management strategy evaluation (MSE); estimating abundance indices or undertaking stock assessments; validating logbook data; and, any other scientific purposes agreed to by the Commission.

**Purpose**

2. The purpose of this Protocol is to implement Article 16, paragraph 4 of the Convention, which states, “The Commission shall establish rules to ensure the security of, access to and dissemination of data, including data reported via real-time satellite position-fixing transmitters, while maintaining confidentiality where appropriate and taking due account of the domestic practices and domestic laws of members of the Commission.”

**Scope of Application**

3. This Protocol applies to VMS data transmitted to, received by, stored, and, used by the Secretariat, the Commission and its Members, and authorized contractors, from authorized NPFC vessels in the Convention Area.

## **General Provisions**

### *Accountability and Control System*

4. All VMS data shall be considered confidential.
5. It is the responsibility of each Commission Member, and the Secretariat, to take all necessary measures to comply with this Protocol when transmitting and receiving VMS data.
6. Prior to accessing VMS data, authorized contractors shall be informed that VMS data is confidential and shall sign the Confidentiality Agreement (attached as Appendix 1) stipulating that they have been informed that the VMS data is confidential and that they have reviewed, are familiar with, and agree to the procedures to protect confidential VMS data set forth in the Confidentiality Agreement.
7. Where VMS data is transmitted by the Secretariat, with the approval of the Commission, to a party not already authorized to receive VMS data in accordance with this protocol, the Secretariat shall remain responsible for such data. The third party must receive written authorization from Secretariat to receive VMS data and shall be required to sign the Confidentiality Agreement (attached as Appendix 1). Breach of the Confidentiality Agreement constitutes breach of this Protocol, and will result in access to confidential VMS data being revoked, until corrective actions deemed appropriate by the Commission and the Secretariat have been taken. The third party will maintain the data provided to it in a manner no less stringent than the security standards established by the Commission.
8. The Executive Secretary will report to the Commission annually on the compliance with this Protocol, including any breach thereof.

### *Data Purposes*

All VMS data collection, access, storage, use, and dissemination shall only be undertaken for the purposes of monitoring, control, and surveillance in the Convention Area, supporting search and rescue operations, and fulfilling the functions of the Commission, as established in Article 7(1) and (2) of the Convention, including scientific purposes as defined above, and subject to any additional relevant regulations, protocols, CMMs or policies approved by the Commission.

### *Safeguards*

9. All authorized personnel having access to VMS data are prohibited from unauthorized use or disclosure of such data.

10. All VMS data shall be protected against loss or theft, as well as unauthorized access, dissemination, copying, use, or modification, by security safeguards, in accordance with the Data Retention and Security Section of this Protocol.

## **Data Access and Use**

11. VMS data should only be accessed and/or used by authorized personnel in the Secretariat, authorized MCS entities and personnel, and authorized contractors, for the identified purposes in this Protocol or for other purposes identified by the Commission.
12. The Secretariat shall not make VMS data available to a Member where the Commission has established that the Member has not complied with this Protocol, or the CMM for VMS.

### *Use for Inspection Presence in Convention Area*

13. For a Member who has an Inspection Presence in the Convention Area, VMS data shall be made available electronically in accordance with the following provisions:
  - a) Each Member shall identify a point of contact for VMS data;
  - b) Each Member who has an Inspection Presence in the Convention Area shall provide the Secretariat with the geographic area (in multiples of 10 degrees latitude and longitude with a north and south latitude boundary and an east and west longitude boundary) of the planned boarding and inspection or surveillance operations at least 72 hours in advance, when practicable;
  - c) Each Member who has an Inspection Presence in the Convention Area shall only make VMS data available to authorities or inspectors, as defined in the CMM for High Seas Boarding and Inspection Procedures for the North Pacific Fisheries Commission (NPFC) responsible for fisheries monitoring, control, and surveillance activities in the Convention Area unless the data is being used in an investigation, or a judicial, or administrative proceeding, and subject to any relevant domestic laws and policies, and has requested VMS data in support of HSBI/MCS activities.
14. Where the fishing vessel to which the VMS data pertains has been involved in an alleged violation of a CMM, the Convention, or domestic laws or regulations, the VMS data pertaining to the alleged violation may be retained, and the Secretariat will be notified, by Members who have an inspection presence in the Convention Area until appropriate proceedings, including investigations, and judicial or administrative proceedings, have concluded.
15. Should no VMS data be retained pursuant to paragraph 16, each Member who has an Inspection Presence in the Convention Area shall delete all VMS data received from the

Secretariat within seven days following the completion of monitoring, control, and surveillance activities in the Convention Area. The Member shall also submit a written confirmation to the Secretariat of the deletion of the VMS data within seven working days following the completion of monitoring, control, and surveillance activities.

#### *Use for Search and Rescue Operations*

16. For the purpose of supporting search and rescue operations by a Commission Member, the Secretariat shall make VMS data available upon request from a Member.

### **Data Retention and Security**

#### *Data Retention*

17. All VMS data transmitted to the Secretariat in accordance with the Convention and CMMs shall be retained by the Secretariat.
18. Each Commission Member shall retain VMS data for fishing vessels flying its flag for at least one year.

#### *Data Security*

19. Each Commission Member and the Executive Secretary shall ensure the security of VMS data in their respective electronic data processing facilities, particularly where the use of VMS data involves transmission over a network.
20. Security measures must be appropriate to the level of risk posed by the transmission, processing, and storage of VMS data. At a minimum, the following security requirements must be implemented prior to transmitting or receiving VMS data:
  - a) The Executive Secretary shall ensure that regional system access to VMS data under its control is protected such that all data that enters the system is securely stored and will not be accessed by or tampered with from unauthorized individuals by implementing, at minimum, the following measures:
    - i) physical access to the computer system which transmits, uses, and stores VMS data is controlled;
    - ii) each user of the system is assigned a unique identification and associated password, and each time the user logs on to the system, he or she must provide the correct password;

- iii) user access shall be audited annually for analysis and detection of security breaches;  
and
  - iv) each user shall be given access only to the data necessary for his or her task.
- 
- b) Data exchange protocols for electronic transmission of VMS data between Commission Members and the Secretariat shall be duly tested by the Secretariat and periodically reviewed by the Commission. Electronic transmission is subject to security procedures established in this Protocol.
  - c) Appropriate encryption protocols duly tested by the Secretariat and periodically reviewed by the Commission shall be applied by authorized contractors, including the use of cryptographic techniques to ensure confidentiality and authenticity.
  - d) Security procedures shall be designed by authorized contractors addressing access to the system hardware and software, system administration and maintenance, backup, and general usage of the system. Each Commission Member, and the Executive Secretary, shall ensure proper maintenance of system security and restrict access to the system accordingly. Each Commission Member shall liaise with the Secretariat in order to identify and resolve any security breaches or issues.



**Confidentiality Agreement**  
**For Accessing North Pacific Fisheries Commission (NPFC) Confidential Vessel Monitoring**  
**System (VMS) Data**

Applicant Name, contact information, and signature:

Full Name	Agency/Organization, Address, Email, and Phone	Signature and Date

In return for the NPFC Secretariat granting me access to confidential NPFC VMS data, I hereby make the following declarations and promises:

1. I am (check the appropriate box):
  - a. ☒ a contractor employed by the NPFC, or one of its Members, whose official duties require access to confidential VMS data.
  - b. ☒ an employee of an organization, which the NPFC Secretariat has authorized in writing to receive confidential VMS data.
2. I am requesting access to confidential NPFC VMS data:
  - a. for the following purposes (provide a detailed explanation, attaching an additional sheet if necessary):
  - b. on behalf of the following organization: \_\_\_\_.
3. I have read and understood the NPFC Data-Sharing and Data-Security Protocols for Vessel Monitoring System (VMS) Data (“Protocols”). I understand that the VMS data I am requesting are confidential, as defined in the Protocols. I agree to abide by the provisions of the Protocols that address protecting and safeguarding confidential VMS data.

4. I agree to abide by any additional written conditions regarding the use of confidential VMS data the Secretariat attaches to this Confidentiality Agreement.
5. I agree to abide by the NPFC Data Sharing and Data Security Protocols.
6. I agree that the confidential VMS data shall be used only for the purposes for which I am requesting the data, be accessed only by me and other individuals who have signed a Confidentiality Agreement, and be destroyed upon completion of the usage for which the data are being requested. I further agree to report the destruction of the confidential VMS data to the Secretariat.
7. I agree to make no unauthorized copies of the requested confidential VMS data. If a copy of all, or part, of the data is made by me, all copies, and/or parts thereof, will be registered with the Secretariat and will be destroyed upon completion of the purpose for which I requested the data.
8. Prior to the publication of any report in which I intend to use requested confidential VMS data, I agree to provide the report to the Secretariat for clearance to ensure that no confidential VMS data will be published.
9. I agree to provide a copy of any published reports referenced in paragraph 8 to the Secretariat.
10. I agree not to disclose, divulge, or transfer, either directly or indirectly, the requested confidential VMS data to any third party without the prior written consent of the Secretariat.
11. I agree to promptly notify the Secretariat, in writing, of any unauthorized or inadvertent disclosure of confidential VMS data.
12. I assume all liability, if any, with respect to my breach of this Confidentiality Agreement after I receive the requested confidential VMS data.
13. In the event of my breach of this Confidentiality Agreement, I understand that the Secretariat will not grant me access to confidential VMS data until corrective actions deemed appropriate by the Secretariat have been taken by me, my employer, or by the Member under whose supervision I work.

This Agreement is effective on the date indicated below upon signature of an authorized representative of the Secretariat.

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Authorized NPFC Secretariat Representative

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Date

**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 (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 CNCs' 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 CNCs' 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 CNCs 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 CNC 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 CNCs' 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 CNC to enforce its domestic laws or to take more stringent measures in accordance with its domestic laws, consistent with that Member's or CNC'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 1<sup>st</sup> of year X-1 to October 31<sup>st</sup> 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 15<sup>th</sup> each year.

### **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 12 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 9<sup>th</sup> 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

Compliance Status Table

Compliance Status	Criteria	Potential Responses
<b>Compliant</b>	<p>Member or CNCP fully compliant with obligation.</p> <p>Member or CNCP has taken required actions under the Convention in particular article 17 to investigate or address potential violations of its vessels.</p>	None
<b>Delayed Submission</b>	Member or CNCP has fulfilled its reporting obligations (those not related to individual vessels reporting) after the mandatory deadlines, and it is not a repeated case of non-compliance.	Member or CNCP to provide the missing report and indicate any relevant actions taken.
<b>Non-Compliant</b>	<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 in particular article 17 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>
<b>Priority non-compliant</b>	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	<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>

	<p>Priority non-compliance by the Commission.</p> <p>Member or CNCP has repeatedly failed to undertake required actions under the Convention in particular article 17 to investigate or address potential violations of its vessels.</p>	
<b>Unable to be Assessed at this time</b>	<p>Ambiguity of relevant obligation, or insufficient data.</p>	<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>
<b>Not Applicable</b>	<p>Relevant obligation is not applicable to Member or CNCP</p>	<p>None</p>
<b>Flag State Action Ongoing</b>	<p>Flag state action currently ongoing to investigate or address potential violations of its flagged vessels.</p>	<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>

## **Annex II**

### **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"><b>CMM 2023-01</b></p> <p align="center"><b>INFORMATION REQUIREMENTS FOR VESSEL REGISTRATION</b></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> <p>(a) any additions to the record; e.g., new vessel authorizations;</p> <p>(b) any modifications to this information with dates of such modifications; and</p> <p>(c) any deletions from the record, specifying which of the following reasons is applicable:</p> <p style="padding-left: 40px;">(i) the voluntary relinquishment of the fishing by the fishing vessel owner or operator;</p> <p style="padding-left: 40px;">(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;</p> <p style="padding-left: 40px;">(iii) the fact that the fishing vessel concerned is no longer entitled to fly its flag;</p> <p style="padding-left: 40px;">(iv) the scrapping, decommissioning or loss of the fishing vessel concerned; or</p> <p style="padding-left: 40px;">(v) any other grounds, with a specific explanation provided.</p>
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	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 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 style="padding-left: 40px;">(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 style="padding-left: 40px;">(b) that are currently listed on any of the IUU vessel lists adopted by regional fishery</p>

No.	Paragraph to be Assessed	OBLIGATION
		management organizations (RFMOs)
<b>CMM 2024-02</b> <b>TO ESTABLISH A LIST OF VESSELS PRESUMED TO HAVE CARRIED OUT ILLEGAL, UNREPORTED AND UNREGULATED ACTIVITIES IN THE CONVENTION AREA</b>		
		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	(a)	Remove or withdraw vessels on the NPFC IUU Vessel List from the NPFC Vessel Registry;
6	(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;
7	(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	(d)	Prohibit the chartering of a vessel on the NPFC IUU Vessels List;
9	(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	(f)	Prohibit commercial transactions, imports, landings and/or transshipment of species covered by the Convention from vessels on the IUU Vessel List.
<b>CMM 2024-09</b> <b>HIGH SEAS BOARDING AND INSPECTION PROCEDURES</b>		
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.
13	26	During the conduct of a boarding and inspection, the master of the fishing vessel shall:

No.	Paragraph to be Assessed	OBLIGATION
		<ul style="list-style-type: none"> <li>(a) follow internationally accepted principles of good seamanship so as to avoid risks to the safety of authorized inspection vessels and inspectors;</li> <li>(b) accept and facilitate prompt and safe boarding by the authorized inspectors;</li> <li>(c) provide a boarding ladder. Annex A provides guidelines for a safe boarding ladder;</li> <li>(d) cooperate with and assist in the inspection of the vessel pursuant to these procedures;</li> <li>(e) not assault, resist, intimidate, interfere with, or unduly obstruct or delay the inspectors in the performance of their duties;</li> <li>(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;</li> <li>(g) provide the inspectors onboard with reasonable facilities, including, where appropriate, food and accommodation; and</li> <li>(h) facilitate safe disembarkation by the inspectors</li> </ul>
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	31	<p>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. Where it is not possible for the authorities of the inspection vessel to provide such report to the authorities of the fishing vessel within this timeframe, the authorities of the inspection vessel shall inform the authorities of the fishing vessel and shall specify the time period within which the report will be provided.</p>
16	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>
17	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>

No.	Paragraph to be Assessed	OBLIGATION
<p align="center"><b>CMM-2025-05</b></p> <p align="center"><b>BOTTOM FISHERIES AND PROTECTION OF VULNERABLE MARINE ECOSYSTEMS IN THE NORTHWESTERN PACIFIC OCEAN</b></p>		
		<p>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:</p>
18	A	<p>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.</p>
19	G	<p>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 350Kg 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 fishing vessels from contacting the sea floor with their fishing gear. 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 five groups of cold water corals, specifically black corals (Antipatharia), gorgonians, pennatulaceans, stony coral (Scleractinia), and soft corals. The VME indicator taxa also include the classes of Hexactinellida and Demospongiae in the phylum Porifera.</p>
20	L	<p>Limit annual catch of North Pacific armorhead consistent with the precautionary approach. In years when strong recruitment of North Pacific armorhead is not detected by the monitoring survey (Annex 6), Japan shall limit the catch of North Pacific armorhead by vessels flying its flag to 500 tons, and Korea shall limit its 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), Japan shall limit its annual catch of North Pacific armorhead by vessels flying its flag to 10,000 tons, and Korea shall limit its annual catch of North Pacific armorhead by vessels flying its flag to 2,000 tons. The catch overages for any given year shall be subtracted from the applicable annual catch limit in the following year, and catch underages during any given year shall not be added to the applicable annual catch limit during the following year.</p>
21	5	<p>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</p>



No.	Paragraph to be Assessed	OBLIGATION
		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:
22	A	<p>Reporting of information for purposes of defining the footprint</p> <p>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>
23	B	<p>Collection of information</p> <ul style="list-style-type: none"> <li>(i) Members shall ensure each bottom fishing vessel operating in the western part of the Convention Area collects the following scientific information. Members shall provide the scientific information to the Secretariat. <ul style="list-style-type: none"> <li>(a) Catch and effort data</li> <li>(b) Related information such as time, location, depth, temperature, etc.</li> </ul> </li> <li>(ii) As appropriate, Members should encourage the collection of information from research vessels operating in the western part of the Convention Area and provide updates to the Commission to the extent possible. <ul style="list-style-type: none"> <li>(a) Physical, chemical, biological, oceanographic, meteorological, etc.</li> <li>(b) Ecosystem surveys.</li> <li>(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).</li> </ul> </li> <li>(iii) Collection of observer data <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> </li> </ul>
24	8	Members shall ensure that all vessels authorized to bottom fish in the western part of the Convention Area shall carry an observer on board. Members shall ensure that observers are independent, impartial, and qualified to fulfill the requirements of this

No.	Paragraph to be Assessed	OBLIGATION
		<p>measure and to enhance data collection. An observer is deemed to be independent, impartial, and qualified if the observer:</p> <ul style="list-style-type: none"> <li>(a) is deployed from a Commission Member's, or Cooperating non-Contracting Party's, national observer program, and familiar with NPFC fisheries resources, fishing activities, and CMMs;</li> <li>(b) is neither part of the crew, nor has any employment or family relationship to the ownership or operator of the fishing vessel; and</li> <li>(c) does not have any shared business interests with the owner or operator of the fishing vessel.</li> </ul> <p>An observer shall be provisioned, accommodated, and provided safe working conditions and access to independent communications in accordance with the Commission requirements and the Member's domestic laws and regulations.</p>
<p style="text-align: center;"><b>CMM 2025-06</b></p> <p style="text-align: center;"><b>BOTTOM FISHERIES AND PROTECTION OF VULNERABLE MARINE ECOSYSTEMS IN THE NORTHEASTERN PACIFIC OCEAN</b></p>		
25	8	<p>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>
<p style="text-align: center;"><b>CMM 2025-07</b></p> <p style="text-align: center;"><b>CHUB MACKEREL</b></p>		
26	1	<p>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.</p>
27	3	<p>As a provisional measure, Members shall take necessary measures to ensure that the fishing activities for chub mackerel in the Convention Area shall be undertaken in accordance with the fishing season defined in paragraph 17 and the following provisions:</p> <ul style="list-style-type: none"> <li>(a) The annual total allowable catch of chub mackerel in the Convention Area, excluding the amount in paragraph 11, shall be set at 66,740 tones for the 2025 fishing season.</li> <li>(b) Of this annual total allowable catch, the catch for trawlers shall not exceed 7,940 tones for the 2025 fishing season.</li> <li>(c) Of this annual total allowable catch, the catch for purse seiners shall not exceed</li> </ul>

No.	Paragraph to be Assessed	OBLIGATION
		<p>58,800 tones for the 2025 fishing season.</p> <p>(d) China shall not authorize more than 3 trawlers to conduct fishing operations at the same time.</p> <p>(e) The EU shall not authorize more than 1 trawler to conduct fishing operations at the same time.</p>
28	6	<p>Members of the Commission and CNCPs shall ensure that fishing vessels flying their flag that fish for chub mackerel in the Convention Area record their catches, including incidental catches of other NPFC species, and any discards and report them to the relevant flag state authorities in accordance with their national data recording and reporting requirements.</p>
29	13	<p>Members of the Commission and CNCPs 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 every year. The Commission shall review such information at the annual meeting of every year.</p>
<p style="text-align: center;"><b>CMM 2025-08</b> <b>PACIFIC SAURY</b></p>		
30	1	<p>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.</p>
31	2	<p>Members fishing for Pacific saury in areas of their jurisdiction that are adjacent to the Convention Area shall refrain from rapid 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.</p>
32	9	<p>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 2025 by 55% from its reported catch in 2018 (Annex II), and shall take necessary measures so that the total catch in the Convention Area will not exceed the TAC set out in paragraph 8. Members of the Commission and CNCPs shall ensure that discards of Pacific saury count against their catch limits.</p>
33	10	<p>To comply with the TAC, the following measures shall be in place in 2025:</p> <p>(a) 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 as well as share each Member's catch of Pacific saury in the Convention Area on the Member's page of Commission's website without delay; and</p>

No.	Paragraph to be Assessed	OBLIGATION
		<p>(b) In the event that the total reported catch of all Members reaches 90% of the TAC set out in paragraph 8, the Executive Secretary shall notify all Members without delay. Those Members with more than 10,000 mt of catch limits shall close the fishery within 72 hours from the receipt of the notification. Those Members with less than 10,000 mt of catch limits may continue operations, but their total catch shall not exceed 90% of their catch limits.</p> <p>(c) If any Members commit to reduce its annual total catch of Pacific Saury by fishing vessels entitled to fly its flag in 2025 by 65.5% from its reported catch in 2018, it shall be exempted from the requirements stipulated in Paragraph 10 (b). In case of that, the TAC for the rest of the member referred in the paragraph 10 (b) shall be 121,500 metric tons minus the catch limit of member(s) that make such commitment. Such commitment shall be submitted to the Secretariat no later than May 1st, 2025, and be circulated to all Members, as well as TAC applied to those Members subject to paragraph 10 (c).</p>
34	11	Members of the Commission and CNCPs shall ensure that fishing vessels flying their flag that fish for Pacific saury in the Convention Area record their catches, including incidental catches of other NPFC species, and any discards and report them to the relevant flag state authorities in accordance with their national data recording and reporting requirements.
35	12	In the event that a Member reaches 70% of its catch limit set out in paragraph 9, 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 13. Upon receipt of the notification, the Executive Secretary shall circulate it to all the Members.
36	16	In order to prevent discards and contribute to the proper stock assessment, Members of the Commission shall take necessary measures to ensure that fishing vessels flying their flags in the Convention Area fishing for Pacific saury retain all the catch of Pacific saury on board.
<p style="text-align: center;"><b>CMM 2019-10</b> <b>SABLEFISH</b></p>		
37	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;"><b>CMM 2025-11</b> <b>JAPANESE SARDINE, NEON FLYING SQUID AND JAPANESE FLYING SQUID</b></p>		
38	1	Members of the Commission and Cooperating non-Contracting Parties (CNCPs) with substantial harvest of any of Japanese sardine, neon flying squid and Japanese flying

No.	Paragraph to be Assessed	OBLIGATION
		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.
39	6	Members of the Commission and CNCPs shall ensure that fishing vessels flying their flag that fish for the three Pelagic Species in the Convention Area record their catches, including incidental catches of other NPFC species, and any discards and report them to the relevant flag state authorities in accordance with their national data recording and reporting requirements.
40	7	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.
<p style="text-align: center;"><b>CMM 2025-12</b></p> <p style="text-align: center;"><b>VESSEL MONITORING SYSTEM</b></p>		
41	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.
42	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.
43	11	Each Member or CNCP shall ensure that its authorized NPFC fishing vessels conducting or planning to conduct fishing activities notify the Secretariat of their intention to enter and exit the Convention Area (Annex 2). The procedure used for such notification may be chosen by Members based on a list of options created by the Secretariat and approved by the Commission. Members shall inform the Secretariat of their preferred notification procedure.
44	13	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.
45	23	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.

No.	Paragraph to be Assessed	OBLIGATION
<p style="text-align: center;"><b>CMM 2025-03</b></p> <p style="text-align: center;"><b>TRANSSHIPMENTS</b></p>		
46	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
47	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.
48	8	All reporting shall comply with the procedures to be adopted by the Commission.
49	9	All reporting related to a transshipment shall include all marine species taken in the Convention Area, including bycatch and unregulated species, recorded by species using the FAO code.
50	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 and daily activity records, such as those in a navigation logbook.
51	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.
52	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.
53	15	If the transshipment does not start after 72 hours of the estimated start time, or within 50 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.
54	16	If the other transfer activity does not start after 72 hours of the estimated start time, or within 50 nautical miles of the estimated start location, as contained in the advance notification, the receiving vessel, or Commission Member or Cooperating non-

No.	Paragraph to be Assessed	OBLIGATION
		Contracting Party of the receiving vessel, shall modify the submitted advance notification.
55	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.
56	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.
57	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"> <li>(a) The Secretariat</li> <li>(b) The Commission Member, or Cooperating non-Contracting Party that provided this information.</li> </ul> <p>Following the investigation process, information shall be provided about any appropriate enforcement action taken in line with its national laws.</p>
58	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.
59	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.
60	26	The Commission shall establish a regional observer and/or electronic monitoring program no later than its 9 <sup>th</sup> Commission meeting. Until the Transshipment Observer Program enters into force, 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. Once this program enters into force, paragraphs 27, 28, 32-34 of this measure shall be superseded by the provisions of the new program.

No.	Paragraph to be Assessed	<b>OBLIGATION</b>
61	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.
62	29	A Commission Member, or Cooperating non-Contracting Party, shall take necessary measures to ensure that its receiving vessels engaging in a transshipment have an observer on board.
63	31	A Commission Member or CNCP shall take necessary measures to ensure that 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. If there are two vessels seeking to transship concurrently, but only one observer is present, one vessel must stand off and wait until the first vessel has finished. Only one offloading vessel may be secured to the receiving vessel unless a second observer is performing observer duties for a second transshipment.
64	32	<p>An observer shall have:</p> <ul style="list-style-type: none"> <li>(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</li> <li>(b) adequate and appropriate space to undertake their responsibilities pursuant to this measure.</li> </ul>
65	34	<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> <ul style="list-style-type: none"> <li>(a) the Commission Member, or Cooperating non-Contracting Party, of the flags of the receiving vessel and the offloading vessel; and</li> <li>(b) the Secretariat</li> </ul>
66	35	If an observer observes an activity or condition that is not consistent with conservation and management measures, the observer shall report the finding, and provide documented evidence, to the extent possible, without delay or upon disembarkation to the Secretariat. Once the Transshipment Observer Program enters into force, the observer will notify and transmit the report to the Observer service provider as well as the Secretariat. The Secretariat will then transmit the report to the authorities of the Commission Member or Cooperating non-Contracting Party of the flags of the receiving and offloading vessels.
67	36	Upon receipt of an observer report with documented evidence in particular Annex III indicating potential non-compliance, or instances of obstruction, intimidation, interference with, or otherwise prevention of the observer from performing their duties, concerning a vessel entitled to fly its flag, the Commission Member or Cooperating non-Contracting Party shall:



No.	Paragraph to be Assessed	OBLIGATION
		<ul style="list-style-type: none"> <li>a) treat the report with utmost sensitivity and discretion, in accordance with NPFC Data Sharing and Data Security Protocol</li> <li>b) make best efforts to respond to this notification through the Secretariat without delay and;</li> <li>c) undertake investigation on any condition or activity that is not consistent with conservation and management measures as per Article 17 of the Convention. The Commission Member or CNCP shall report any findings and/or relevant actions taken, in their Annual Report, and in the CMS Implementation Questionnaire (if applicable).</li> </ul>
68	46	<p>In the case of force majeure, the fishing vessel, or Commission Member or Cooperating non-Contracting Party, shall:</p> <ul style="list-style-type: none"> <li>(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</li> <li>(b) provide a transshipment declaration on the transshipment as soon as possible, but within 10 days of the transshipment.</li> </ul>
69	48	<p>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.</p>
70	49	<p>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.</p>
71	51	<p>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.</p>
<p style="text-align: center;"><b>CMM 2023-14</b> <b>SHARKS</b></p>		
72	6	<p>No fishing vessel shall engage in shark finning.</p>
73	7	<p>No fishing vessel shall:</p> <ul style="list-style-type: none"> <li>(a) retain on board, or otherwise possess or control, a shark fin that is not naturally</li> </ul>

No.	Paragraph to be Assessed	OBLIGATION
		<p>attached to the corresponding shark; or</p> <p>(b) transship, or land, a shark fin that is not naturally attached to the corresponding shark unless the fishing vessel complies with paragraph 8.</p>
74	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> <p>(a) the shark fin and the corresponding shark can be readily identified; and</p> <p>(b) one of the following methods is used:</p> <ul style="list-style-type: none"> <li>i the shark fin is stored in the same bag, preferably a biodegradable one, as the corresponding shark;</li> <li>ii the shark fin is bound to the corresponding shark using rope or wire; or</li> <li>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.</li> </ul>
75	9	<p>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.</p>
76	10	<p>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.</p>
<p style="text-align: center;"><b>CMM 2024-15</b></p> <p style="text-align: center;"><b>POLLUTION</b></p>		
77	4	<p>No fishing vessel shall discard or abandon fishing gear at sea. 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.</p>
78	8	<p>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</p>
79	11	<p>A Member or CNCP shall take necessary measures to ensure that its fishing vessels take all reasonable precautions to prevent:</p> <ul style="list-style-type: none"> <li>a) the abandonment, loss, or discard of fishing gear at sea; and</li> <li>b) the release of garbage, and plastics, at sea.</li> </ul>

No.	Paragraph to be Assessed	OBLIGATION
80	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.
81	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.
<p style="text-align: center;"><b>CMM 2024-16</b> <b>ANADROMOUS FISH</b></p>		
82	5	Members and CNCPs shall take necessary measures to ensure their fishing vessels do not retain on board or otherwise possess anadromous fish.
83	7	Members and CNCPs shall take necessary measures to ensure that if a fishing vessel incidentally captures anadromous fish, those fish shall be returned to the water without delay, in a manner that causes the least harm.
84	9	Members and CNCPs shall take necessary measures to ensure their fishing vessels maintain a record on board the vessel of incidentally caught and released anadromous fish in the Convention Area, to the extent possible by species. This record shall be made available to authorized inspectors. A species identification aid is in Annex 2.
85	11	Notwithstanding paragraph 10, a Commission Member or CNCP shall annually report all incidentally caught and released anadromous fish in the Convention Area to the Secretariat, to the extent possible by species.

**CONSERVATION AND MANAGEMENT MEASURE ON SHARKS**

*The North Pacific Fisheries Commission (NPFC),*

*Recognizing* the biological importance of sharks in the marine ecosystems as a key predatory species of the North Pacific Ocean, and the need to promote their long-term conservation;

*Concerned* with vulnerability of certain shark species to exploitation given their low biological productivity and complex spatial structures, and especially mindful that vulnerable species of sharks are more susceptible to overfishing even at low levels of fishing mortality;

*Greatly* troubled by the observed incidental catch of sharks by fishing vessels, and practice of shark finning on board fishing vessels engaging in fishing activities in the Convention Area;

*Mindful* of the lack of knowledge on sharks in the North Pacific Ocean because of the lack of available data on catch, effort, landings, and trade, and the consequent need to adopt a precautionary approach to fisheries management;

*Recalling* Article 7(1)(c) of the Convention which states that the Commission shall adopt, where necessary, conservation and management measures for species belonging to the same ecosystem or dependent upon or associated with the target stocks;

*Recalling* further Article 21(2) of the Convention which states that the Commission shall take into account the conservation and management measures or recommendations adopted by other regional fisheries management organizations that have competence in relation to areas adjacent to the Convention Area or in respect of fisheries resources not covered by this Convention, species belonging to the same ecosystem or dependent upon or associated with the target stocks, and that have objectives that are consistent with and supportive of the objective of this Convention;

*Adopts the following:*

## **Definitions**

1. This measure shall be interpreted in accordance with the Convention.
2. For the purpose of this measure, the following definitions apply:
  - (a) “shark” includes any species of shark, skate, ray, or chimaera (class Chondrichthyes), either in whole or in part; and
  - (b) “shark finning” refers to the practice of removing a shark’s fin from the corresponding shark and discarding the remainder of the shark prior to the point of first landing.

## **Scope**

3. This measure applies to all fishing vessels included in the NPFC Vessel Registry in the Convention Area not otherwise registered and operating within the area of competence of another regional fisheries management organization.

## **Shark Conservation and Management**

4. Recognizing there are no directed shark fisheries currently managed by the Commission, Commission Members and Cooperating non-Contracting Parties shall ensure that any directed shark fishing follow the process outlined in Article 3(h) of the Convention.
5. For greater clarity, paragraph 4 does not apply to fishing vessels authorized to engage in shark fisheries managed by another regional fisheries management organization.

### *Prohibition on Shark Finning*

6. No fishing vessel shall engage in shark finning.
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.

8. A fishing vessel may only remove a shark fin from the corresponding shark if the shark is incidentally caught, taken, or harvested, and if:

(a) the shark fin and the corresponding shark can be readily identified; and

(b) one of the following methods is used:

(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.

#### *On-Board Record of Interactions with Sharks*

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.

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.

11. The requirements contained in paragraph 9 will come into effect 1 January 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 materials <sup>10</sup>, 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.

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<sup>10</sup> For greater clarity, a reference to garbage in paragraphs 12 – 17 does not include garbage that is permitted to be released under Annex V of MARPOL.



## **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.
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 of 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.

**CONSERVATION AND MANAGEMENT MEASURE ON ANADROMOUS FISH**

*The North Pacific Fisheries Commission (NPFC),*

*Noting* that anadromous stocks belong to the same ecosystem and intermingle and associate with NPFC fisheries resources throughout their marine migration within the NPFC Convention Area;

*Noting* the NPFC convention article 3 paragraph (d) which says certain actions shall be taken including conservation and management measures for stocks associated with the target stocks of the NPFC;

*Understanding* the ecological, cultural, and economic importance of anadromous species to States who have prioritized and invested in the conservation and production of these stocks;

*Mindful* of the importance of continued scientific research to more fully understand the threat NPFC fisheries pose to anadromous stocks and our shared responsibility to take a pre-cautionary approach when managing NPFC fisheries that could impact anadromous stocks; and,

*Desiring* to ensure effective collaboration and cooperation between all Members of NPFC and NPAFC by ensuring that NPFC policies respecting anadromous fish protection complement and support the work and objectives of the NPAFC further to the Memorandum of Cooperation between the two organizations signed by the NPFC in 2019.

*Adopts the following:*

**DEFINITIONS**

1. This measure shall be interpreted in accordance with the Convention.
2. For the purpose of this measure, the following definitions apply:

- (a) “anadromous fish” means the fish of anadromous species listed in Annex 1, which migrate into the Convention Area, and “anadromous stocks” means the stocks thereof;
- (b) “directed fishing” means fishing activity targeted at a particular species or stock of fish;
- (c) “incidental taking or capture” means catching, taking, or harvesting a species or stock of fish while conducting directed fishing for another species or stock of fish; and,
- (d) “released” means a fish that has been caught and is returned to the water.

## **SCOPE**

- 3. This measure applies to all fishing vessels on the NPFC Vessel Registry operating in the Convention Area.

## **ANADROMOUS FISH CONSERVATION**

### *Prohibition on Directed Fishing for Anadromous Fish*

- 4. Members and CNCPs shall take necessary measures to ensure their fishing vessels do not engage in directed fishing for anadromous fish in the Convention Area.

### *Prohibition on the Retention of Anadromous Fish and Minimization of Incidental Capture*

- 5. Members and CNCPs shall take necessary measures to ensure their fishing vessels do not retain on board or otherwise possess anadromous fish.
- 6. For clarity, the prohibitions in paragraphs 4 and 5 do not apply to vessels authorized to conduct research activities under the competence of the NPAFC.

7. Members and CNCPs shall take necessary measures to ensure that if a fishing vessel incidentally captures anadromous fish, those fish shall be returned to the water without delay, in a manner that causes the least harm.
8. Members and CNCPs shall encourage their fishing vessels to conduct activities in a manner that avoids or minimizes to the maximum extent practicable the incidental capture of anadromous fish.

*On-Board Record of Incidentally Caught and Released Anadromous Fish*

9. Members and CNCPs shall take necessary measures to ensure their fishing vessels maintain a record on board the vessel of incidentally caught and released anadromous fish in the Convention Area, to the extent possible by species. This record shall be made available to authorized inspectors. A species identification aid is in Annex 2.
10. Subject to review in 2026, paragraph 9 does not apply to stick-held dipnetter vessels targeting Pacific saury and hook and line jigger vessels targeting squid.







*Annual Reporting and Data Sharing*

11. Notwithstanding paragraph 10, a Commission Member or CNCP shall annually report all incidentally caught and released anadromous fish in the Convention Area to the Secretariat, to the extent possible by species.
12. Where incidental catch and release data is reported to the Secretariat, the Secretariat shall share the data in aggregated form with the Scientific Committee and further to the Memorandum of Cooperation between NPFC and NPAFC signed on May 13, 2019, the North Pacific Anadromous Fish Commission in a manner consistent with NPFC's Data Sharing and Data Security Protocol.


**Anadromous Stocks**

Chum salmon	<i>Oncorhynchus keta</i>
Coho salmon	<i>Oncorhynchus kisutch</i>
Pink salmon	<i>Oncorhynchus gorbuscha</i>
Sockeye salmon	<i>Oncorhynchus nerka</i>
Chinook salmon	<i>Oncorhynchus tshawytscha</i>
Cherry salmon	<i>Oncorhynchus masou</i>
Steelhead trout	<i>Oncorhynchus mykiss</i>

## Species Identification Aid for Anadromous Species found in the North Pacific

Common Name/ Latin Name	Identifying Features	
Chum salmon/ <i>Oncorhynchus keta</i>	<ul style="list-style-type: none"> <li>- Mouth is white with a white gum line</li> <li>- Well developed teeth</li> <li>- no spots on tail or back</li> <li>- narrow caudal peduncle</li> <li>- white tip on anal fin</li> </ul>	
Coho salmon/ <i>Oncorhynchus kisutch</i>	<ul style="list-style-type: none"> <li>- Mouth is light with a white gum line</li> <li>- Medium size, sharp teeth</li> <li>- Spots only on upper lobe of tail</li> <li>- Spots on back</li> <li>- Wide caudal peduncle</li> </ul>	
Pink salmon/ <i>Oncorhynchus gorbuscha</i>	<ul style="list-style-type: none"> <li>- Mouth is white with a black gum line</li> <li>- Almost no teeth</li> <li>- Large oval spots on back</li> <li>- Pointed lower jaw</li> <li>- Very small scales</li> </ul>	
Sockeye salmon/ <i>Oncorhynchus nerka</i>	<ul style="list-style-type: none"> <li>- Mouth is white with a White gum line</li> <li>- Almost toothless</li> <li>- No spots on tail or back</li> <li>- Large, bright gold, glassy eye</li> </ul>	
Chinook salmon/ <i>Oncorhynchus tshawytscha</i>	<ul style="list-style-type: none"> <li>- Mouth is dark with a black gum line</li> <li>- Large, sharp teeth</li> <li>- Spots on both lobes of tail</li> <li>- Large spots on back</li> </ul>	
Cherry salmon/ <i>Oncorhynchus masou</i>	<ul style="list-style-type: none"> <li>- Small black spots on the back</li> <li>- Dark underlying hue under its silvery scales</li> <li>- Resembles coho salmon</li> </ul>	



Steelhead trout/ <i>Oncorhynchus</i> <i>mykiss</i>	<ul style="list-style-type: none"> <li>- Small black spots on back</li> <li>- Uniform spots on square Tail</li> <li>- No teeth in throat, at back of tongue</li> <li>- Slender lateral profile</li> </ul>	
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**CONSERVATION AND MANAGEMENT MEASURE ON NPFC TRANSSHIPMENT  
OBSERVER PROGRAM**

*The North Pacific Fisheries Commission (NPFC),*

*Noting* Article 7(2)(a) of the Convention which states that the Commission shall establish procedures for the regulation and monitoring of transshipment of fisheries resources and products of fisheries resources taken in the Convention Area;

*Noting further* Article 7(2)(b) of the Convention which states that the Commission shall develop and implement a North Pacific Ocean Fisheries Observer Program taking into account relevant international standards and guidelines;

*Recognizing* that paragraph 26 of the Conservation and Management Measure on Transshipment states that the Commission shall establish a regional observer program no later than its 9<sup>th</sup> Commission meeting;

*Adopts the following:*

## **Definitions**

For the purpose of this CMM, the following definitions apply:

- a) “Observer service provider” means an external, non-governmental and independent entity that provides observer services to receiving vessels
- b) “Observer” means an individual employed by an observer service provider for the purpose of working as an observer aboard fishing vessels
- c) “Authorized observer” means an observer on the list of authorized observers maintained by the NPFC Secretariat.

## **General**

1. The Commission hereby establishes the NPFC Transshipment Observer Program, under Article 7, subparagraph 2(b) of the Convention, which shall be coordinated and administered by the Secretariat of the Commission, in accordance with this measure.
2. The objectives of the NPFC Transshipment Observer Program shall be to collect verified transshipment data, collect additional information related to the fisheries in the Convention Area, and to monitor the implementation of the conservation and management measures (CMM) adopted by the Commission.
3. To complement the Secretariat’s annual report on the implementation of the CMM on Transshipment, the Secretariat shall also report annually to the Commission with regard to the implementation of the NPFC Transshipment Observer Program and on other matters relevant to the efficient operation of the Program. The Secretariat shall, upon request of a Member or Cooperating non-Contracting Party (CNCP) and in a manner consistent with any applicable confidentiality requirements, provide the requesting Member or CNCP any specific data in relation to transshipment activities conducted.
4. The Secretariat may enter into a contract with an observer service provider that demonstrate their capacity to meet the requirements of this measure and to provide authorized observers to support the administration of the NPFC Transshipment Observer Program including, inter alia, the provision, training, equipment, deployment, and recovery of observers. Such contracts shall be valid for up to three years and contain provisions authorizing the Secretariat to end contract services should the observer service provider not perform the duties of the contract completely, in a timely manner or otherwise according to the responsibilities detailed in the CMM, but not before a new contract is in place.
5. The terms of any such contract entered into under paragraph 4 shall require the observer service

provider to appoint the authorized observers, place them on board the authorized receiving vessels planning to or engaging in transshipment of NPFC fisheries resources or products of fisheries resources in accordance with the CMM on Transshipments and ensure that authorized observers have a designated contact point for deployed observers to implement this CMM. The observer service provider should appoint and deploy authorized observers in a manner to ensure cost effectiveness and avoid duplications, for example by sourcing trained and qualified observers from existing regional and Member and CNCP observer programs.

6. Members and CNCPs shall accept the deployment of authorized observers to their receiving vessels as required by this CMM and ensure that their vessels which carry observers are outfitted with appropriate safety equipment for the entirety of each voyage and are compliant with relevant international standards.

#### **Authorization and training of observers**

7. The Secretariat shall maintain a list of authorized observers for the NPFC Transshipment Observer Program, who meet the requirements of paragraphs 8, 10, and 11.
8. The terms of any such contract entered into under paragraph 4 shall require the observer service provider to ensure that authorized observers have the training, knowledge, skills, and abilities to perform all of their duties and functions. To this end, an authorized observer will, at a minimum, have:
  - a) sufficient experience in identifying, or satisfactorily completed training to identify NPFC species and fishing gear;
  - b) satisfactory knowledge of NPFC conservation and management measures;
  - c) the ability to observe and record information accurately; and
  - d) sufficient training in technical matters and safety.
9. In addition to the requirements under paragraph 8, the terms of any such contract entered into under paragraph 4 shall encourage the observer service provider to ensure that authorized observers have a satisfactory knowledge of the language of the flag of the vessel to which they are deployed.
10. The terms of any such contract entered into under paragraph 4 shall require the observer service provider to ensure that all authorized observers are independent and impartial. To this end, an authorized observer shall:
  - a) be neither part of the crew, nor have any employment or family or business relationship to the ownership or operator of a fishing vessel included in the NPFC Vessel Registry;

- b) to the extent possible not be deployed on consecutive fishing trips on the same vessel;
- c) not have a direct financial interest with vessels, processors, agents and retailers involved in the catching, taking, harvesting, transporting, processing or selling of fish or fish products, other than the provision of observer services, including but not limited to ownership, or business links; and,
- d) not solicit or accept, directly or indirectly, any gratuity, gift, favour, entertainment, inordinate accommodation, loan or anything of monetary value from anyone who either conducts activities that are regulated by a Member or CNCP connected with its services or the Commission, or has interests that may be substantially affected by the performance or non-performance of the observer's official duties.

11. The terms of any such contract entered into under paragraph 4 shall require the observer service provider to ensure authorized observers receive proper safety training and equipment to perform their duties. To this end, an authorized observer shall:
  - a) receive safety training that meets the International Maritime Organization (IMO) safety training standards, before they are deployed on a vessel for the first time and at appropriate intervals thereafter;
  - b) be equipped with appropriate safety equipment that is in good working order, routinely checked and renewed to carry out their duties on board a vessel. Safety equipment includes but is not limited to each observer being equipped with a lifejacket or personal flotation device, personal locator beacons (PLBs), immersion suits, hard hat, proper deck working boots or shoes, gloves and protective glasses (including sunglasses), and other safety equipment appropriate to the specific fishing operations and activities, including ocean area and distance from shore; and
  - c) be equipped with, and have control and sole use of an independent two-way satellite communications device capable of sending and receiving voice or text communications suitable for use when the vessel is at sea.

### **Electronic Monitoring Systems (EMS)**

12. The Commission shall endeavor to develop and adopt minimum standards for EMS to monitor transshipment at sea and a list of Secretariat responsibilities in relation to an EMS. Once EMS standards are adopted by the Commission, the Commission will determine how to incorporate EMS into the NPFC Transshipment Observer Program, including whether to use EMS to complement and/or replace any of the duties of an observer outlined in this CMM.

### **Observer Responsibilities**

13. The terms of any such contract entered into under paragraph 4 shall require the observer service

provider to ensure that authorized observers perform their duties completely, in a timely manner, and otherwise according to the responsibilities detailed in this CMM. Observer service providers shall monitor the performance of authorized observers, and may recommend to the Secretariat the removal of an authorized observer from the authorized observer list.

14. The terms of any such contract entered into under paragraph 4 shall require the observer service provider to ensure that authorized observers monitor and collect information on each transshipment and, to the greatest extent possible, monitor whether each transshipment is conducted in a manner consistent with the CMM on Transshipment. In particular, an authorized observer shall verify the quantities of transshipped fisheries resources, the species of transshipped fisheries resources, including bycatch and unregulated species, and the form of product transshipped.
15. To fulfill paragraph 14, an authorized observer shall:
  - a) collect information to monitor the receiving vessel's compliance with the CMMs, including:
    - i. the date, time and the position of the vessel when engaged in transshipping;
    - ii. their own estimation of the quantities of products by species, including bycatch and unregulated species, transshipped by vessel;
    - iii. the name of the offloading vessel concerned, and its registration number; and
  - b) acknowledge the transshipment declaration and compare the data collected as per 15(a) with the data reported by the vessel in the advance notification and transshipment declaration;
  - c) compile the information in an observer transshipment report, as per Annex I, immediately after each transshipment;
  - d) keep the observer transshipment report onboard and provide the report, as soon as possible, but no later than 10 days from the disembarkation, to the observer service provider responsible for the NPFC Transshipment Observer Program, for subsequent transmission to:
    - i. the Commission Member, or CNCP, of the flags of the receiving vessel and the offloading vessel;
    - ii. the Coastal Members, if applicable; and
    - iii. the Secretariat.
  - e) exercise any other functions as defined by the Commission.
16. The terms of any such contract entered into under paragraph 4 shall require the observer service provider to ensure that authorized observers shall treat as confidential all information with respect to the fishing operations of the receiving vessels and of their owners and accept this requirement in writing as a condition of employment as an authorized observer.

17. The terms of any such contract entered into under paragraph 4 shall require the observer service provider to ensure that authorized observers, while on board a receiving vessel, comply with the applicable laws and regulations of the Member or CNCP exercising jurisdiction over the receiving vessel to which the observer is deployed.
18. The terms of any such contract entered into under paragraph 4 shall require the observer service provider to ensure that authorized observers respect the hierarchy and general rules of behavior which apply to all receiving vessel personnel, provided such rules do not interfere with the duties of the observer under this measure.
19. The terms of any such contract entered into under paragraph 4 shall require the observer service provider to ensure that authorized observers not unduly interfere with the lawful operations of the vessels and in carrying out their duties shall give due consideration to the operational requirements of the vessels.

### **Observer Rights**

20. To facilitate the performance of their duties specified in paragraph 15, and to ensure their safety, Members and CNCPs shall take necessary measures to ensure that the masters of the vessels to which authorized observers are deployed provide the authorized observer with:
  - a) full, unobstructed, and safe access to each fishing vessel involved in the transshipment, including, inter alia,
    - i. reasonable assistance from the crew;
    - ii. gear;
    - iii. equipment;
    - iv. records, including electronic records;
    - v. communication equipment;
    - vi. fish holds;
    - vii. satellite navigation equipment;
    - viii. radar display viewing screens when in use;
    - ix. VMS; and
    - x. scale used for weighing transshipped product.
  - b) accommodations on the receiving vessel, including lodging, food, potable water, medical facilities and adequate sanitary facilities, equal to those of officers;
  - c) adequate space on the bridge or pilot house of the receiving vessel for clerical work, as well as space on deck adequate for the performance of their duties;
  - d) the ability to determine the most advantageous location and method for viewing

transshipment operations and estimating species and quantities transshipped. The master of the receiving vessel, giving due regard to safety and practical concerns, shall accommodate the needs of the authorized observer, including, upon request, temporarily placing product on the receiving vessel deck for inspection by the observer and providing adequate time for the observer to perform their duties. Observations shall be conducted in a manner that minimizes interference and avoids compromising the quality of the products transshipped;

- e) freedom from physical, psychological, or sexual abuse or harm, assault, resistance, opposition, impedance, harassment, sexual harassment, intimidation, interference with, influence, bribery or attempted bribery;
- f) freedom from undue obstruction in the discharge of their duties as specified under this measure;
- g) freedom from performing duties normally performed by crew members;
- h) access to verify safety equipment on board the receiving vessel (through a safety orientation tour provided by officers or crew) before the vessel leaves the dock;
- i) access to communicate at any time the occurrence of safety issues to the vessel captain, service provider, the Secretariat, and flag Member or CNCP, as appropriate;
- j) internet connectivity, when available;
- k) observer data, records, documents, equipment and belongings not being accessed, harmed, or destroyed; and
- l) notification at least 1 hour prior to a transshipment that is scheduled to commence to allow sufficient time for the observer to be prepared.

21. Members and CNCPs shall ensure that an authorized observer be allowed to visit the offloading vessel in a transshipment and have access to the offloading vessel in accordance with paragraph 22 in this CMM.
22. Members and CNCPs shall ensure that the master of the offloading vessel and master of the receiving vessel provide all necessary assistance to an authorized observer to ensure safe transport between the receiving and offloading vessel. Should conditions present an unacceptable risk to the welfare of the observer such that a visit to the offloading fishing vessel is not feasible prior to the start of a transshipment operation, the transshipment may still be carried out.
23. Members and CNCPs shall ensure that observer rights and emergency procedures applicable to authorized observers on receiving vessels also apply to the authorized observers when they are fulfilling their obligations on offloading vessels during the transshipment, including while transferring on and off the offloading vessel.



24. The terms of any such contract entered into under paragraph 4 shall require the observer service provider ensure that authorized observers are informed that should they experience physical, psychological, or sexual abuse or harm, assault, obstruction, harassment, sexual harassment, intimidation, or otherwise unsafe working conditions, they are highly encouraged to document the incident and report it to the observer service provider. Upon receiving a report, the observer service provider shall immediately inform the Secretariat. The Secretariat shall then transmit the report to the flag Member or CNCP of the vessel involved. Per paragraph 37 of the CMM on Transshipment, the flag Member or CNCP shall conduct an investigation into the incident. The flag Member or CNCP shall report any findings and/or relevant actions taken to address the issue without delay to the observer service provider and the Secretariat, for transmission to all Members and relevant CNCPs. The observer service provider has discretion to not deploy an observer on a vessel because of concerns about risk to the observer's health, safety, or welfare if an investigation is ongoing.
25. The terms of any such contract entered into under paragraph 4 shall require the observer service provider to notify all authorized observers of any ongoing investigations, and the findings and/or relevant actions taken of any completed flag Member or CNCP investigation pursuant to paragraph 24.
26. The terms of any such contract entered into under paragraph 4 shall require the observer service provider to ensure that authorized observers may refuse a deployment to a receiving vessel for justified reasons, including when a safety issue has been identified on the receiving vessel. The observer service provider shall document and provide the reason for refusal to the Secretariat. The Secretariat shall forward the documentation to the relevant Member or CNCP for investigation.

### **Procedure in the Event of an Emergency**

27. If an observer is missing or is presumed to have fallen overboard, the Member or CNCP whose flag the receiving vessel is flying shall ensure that the vessel:
- a) immediately ceases fishing operations and commences search and rescue and searches for at least 72 hours, unless the observer is found sooner, or unless instructed by the Member whose flag the vessel is flying to continue searching longer;
  - b) immediately notifies the flag Member or CNCP and observer service provider;
  - c) immediately alerts other vessels in the vicinity by using all available means of communication;
  - d) cooperates fully in any search and rescue operation;

- e) whether or not the search is successful, returns to the nearest port, as requested by the Member or CNCP whose flag the vessel is flying, for further investigation;
  - f) provides a report to the Secretariat, observer provider and appropriate authorities on the incident; and
  - g) cooperates fully in any and all official investigations, and preserves any potential evidence and the personal effects and quarters of the missing observers before the new observer is on board.
28. In the event that an observer suffers from a serious illness or injury that threatens his or her health or safety, the Member or CNCP whose flag the receiving vessel is flying shall take necessary measures to require that the receiving vessel:
- a) immediately ceases fishing operations, as long as practicable, and takes all reasonable actions to care for the observer and provide any medical treatment available and possible on board the vessel;
  - b) immediately notifies the flag Member or CNCP and observer provider of the situation, including to advise if a medical evacuation is warranted, and where appropriate seeks external medical advice;
  - c) facilitates the disembarkation and transport of the observer to a medical facility equipped to provide the required care, as soon as practicable; and
  - d) cooperates fully in any and all official investigations into the cause of the illness or injury.
29. In the event that an observer dies, the Member or CNCP whose flag the receiving vessel is flying shall ensure that the receiving vessel:
- a) immediately ceases fishing operations;
  - b) immediately notifies the flag Member or CNCP and the observer service provider;
  - c) immediately returns to the nearest port, as requested by the Member or CNCP whose flag the vessel is flying, for further investigation;
  - d) provides a report to the Secretariat, observer service provider and appropriate authorities on the incident; and
  - e) cooperates fully in any and all official investigations, and preserves any potential evidence and the personal effects and quarters of the deceased observer before the new observer is on board.
30. Members and CNCPs shall take and implement necessary steps, as a matter of due diligence, to prevent incidents causing serious harm or death to observers on board vessels flying their flag, and, if appropriate, to sanction or punish those involved, including through criminal investigation and prosecution. The Members and CNCPs shall cooperate to that end and ensure

results of investigations conducted and any actions taken related to observer assault or harassment will be provided promptly to the observer provider and the Secretariat, for transmission to all Members and the relevant CNCPs.

### **Observer fees**

31. The costs of implementing this program shall be financed by the flag Member or CNCP of offloading vessels wishing to engage in transshipment operations. The fee shall be calculated on the basis of the total costs of the program. This fee shall be paid into a special account of the Secretariat and the Executive Secretary shall manage the account for administering the program.
32. Members and CNCPs shall not allow their fishing vessels to engage in a transshipment unless they have paid their fees, as required under paragraph 31.
33. This CMM shall enter into force on 1 April 2026.

## OBSERVER TRANSSHIPMENT REPORT

### INSTRUCTIONS

In completing the observer transshipment report, the observer shall ensure that:

1. the information is as **accurate** as possible, and legible; and
2. the information is provided in **clear, legible print** in accordance with the clarifications below (either by hand or electronically).

The observer must provide the completed transshipment declaration with the completed observer transshipment report. It is the responsibility of the observer to provide sufficient reasoning in order to effectively explain any non-compliance.

### CLARIFICATIONS

To assist in the accurate completion of the observer transshipment report:

- use the DD-MM-YYYY format to specify the date (e.g. 01-11-2022);
- use the HH:MM format, and the 24-hour clock (UTC, or specify time zone) to specify the time (e.g. 23:15);
- use the Degrees (°) Minutes (′) format to specify the latitude and longitude (e.g. 40° 26′ N, 79° 58′ W);
- “Interruptions” refers to any stoppage in observation of the transshipment by the observer.
- for “FAO CODE”, utilize the FAO 3-alpha codes found at [www.npfc.int/priority-species](http://www.npfc.int/priority-species), or Fisheries and Aquaculture - All Information Collections - ASFIS List of Species for Fishery Statistics Purposes ([fao.org](http://fao.org));
  - the Codes for major NPFC species are; SAP (Pacific saury), MAS (chub mackerel), MAA (blue mackerel), JAP (Japanese sardine), OFJ (neon flying squid) and SQJ (Japanese flying squid).
- for “STATE OF FISH”, state whether the fisheries resource, or product of fisheries resource, is: (1) fresh (FRS), or (2) frozen (FRZ)

## OBSERVER TRANSSHIPMENT REPORT (1/3)

*Per the NPFC's CMM on the NPFC Transshipment Observer Program, this form shall be completed by the authorized observer for each transshipment activity and submitted to the observer service provider as soon as possible, but no later than 10 days following the disembarkation of the observer.*

### PART I – TRANSSHIPMENT INFORMATION

1	Date of Transshipment			
2	Time of Transshipment			
3	Location of Transshipment	<input type="checkbox"/> High Seas	<input type="checkbox"/> National Waters	<input type="checkbox"/> Port
4	Longitude and Latitude			
5	<b>Receiving Vessel:</b> <ul style="list-style-type: none"> <li>Vessel Name</li> <li>NPFC Vessel ID</li> <li>Name of Vessel Master</li> </ul>			
6	<b>Offloading Vessel:</b> <ul style="list-style-type: none"> <li>Vessel Name</li> <li>NPFC Vessel ID</li> <li>Name of Vessel Master</li> </ul>			

### PART II –TRANSSHIPMENT INFORMATION

7	Observed (Y/N)	
8	Total Hours Observed	
9	Interruption(s) in Observation (Y/N)	
10	Number of Interruptions	
11	Total Time Interrupted	

## OBSERVER TRANSSHIPMENT REPORT (2/3)

### PART III – OBSERVER ESTIMATION OF PRODUCTS TRANSSHIPPED

FAO Code	State of Fish	Type of Product	Unit	Kg per unit	Number of Units	Total (kg)	Consistent with transshipment declaration? (Y/N) (Note any discrepancies in Part V below)

### PART IV – OBSERVATION OF OFFLOADING VESSEL

12	Boarded Offloading Vessel ? <input type="checkbox"/> Yes <input type="checkbox"/> No
13	Product Remaining on Offloading Vessel Following Transshipment (if applicable):

FAO Code	State of Fish	Type of Product	Unit	Kg per unit	Number of Units	Total (kg)	Consistent with transshipment declaration? (Y/N) (Note any discrepancies in Part V below)

**Source:** ☐ Hold Inspection ☐ Verbal Report from Vessel Master

## OBSERVER TRANSSHIPMENT REPORT (3/3)

### PART V - COMMENTARY

In this section, the authorized observer shall note for both the offloading and receiving vessels:

- any discrepancies between their estimation of product transshipped and what was declared on the advance notification and transshipment declarations, not to exclude estimates of bycatch and unregulated species, and the form of products transshipped.;
- any other observed non-compliance with CMM *on Transshipments*
- any observed non-compliance with the NPFC Convention or other NPFC CMMs

### PART VI – OBSERVER SIGNATURE

<b>14</b>	<b>Observer</b>	
	Name	
	Nationality	
	Signature	