



North Pacific Fisheries Commission

NPFC-2026-TCC09-Provisional 2026 CR

CMS CMM CMR Executive Summary

Abstract

This executive summary for the 2026 NPFC Provisional Compliance Report is attached.

CMS CMM CMR Executive Summary (para. 20)

The TCC forwards the Provisional Compliance Monitoring Report (CMR) to the Commission for consideration at its 10th annual meeting. The CMR includes an Executive Summary with recommendations or observations from TCC regarding:

a) Non-compliance trends

This was the second year implementing the CMS CMM, making non-compliance trends difficult to assess. However, Members noted some of the areas of potential non-compliance showed multiple, similar infractions, which could indicate possible trends in the future and possibly indicate larger scale problems. There were no repeat non-compliance issues noted from the 2025 CMR.

b) Existing obligations that should be amended or improved

It was again noted that an area which repeatedly prevents TCC from undertaking conclusive assessments concerns those obligations referring to fishing effort levels compared to the historic levels, present in several CMMs. Defining historical fishing level was tasked to the TCC SWG for Operations and no consensus was reached and this was forwarded to the Commission for further discussion. Without this information, existing obligations related to possible increased fishing efforts (in potential violation of some CMMs) are difficult, if not impossible, to adequately assess. There is no data or information for verification by Members or by the Secretariat. Thus, defining historical fishing levels in those CMMs which refer to such levels is imperative to be able to properly assess compliance.

c) Revisions to the list of obligations to be assessed

Members recommend the following obligations be added to the List of Obligations to be Assessed (Annex II of the CMS CMM):

- Para. 6 of the Transshipment Observer Program CMM (2025-17)
- Para. 20 of the Transshipment Observer Program CMM (2025-17)
- Para. 21 of the Transshipment Observer Program CMM (2025-17)
- Para. 22 of the Transshipment Observer Program CMM (2025-17)
- Para. 23 of the Transshipment Observer Program CMM (2025-17)
- Para. 27 of the Transshipment Observer Program CMM (2025-17)
- Para. 28 of the Transshipment Observer Program CMM (2025-17)
- Para. 29 of the Transshipment Observer Program CMM (2025-17)

- Para. 30 of the Transshipment Observer Program CMM (2025-17)
 - NOTE: A footnote to these obligations was suggested to only make assessment of these obligations related to Member actions in the Convention Area, considering legal challenges derived from the application of these obligations in the waters outside the Convention Area and in ports. There was disagreement on inclusion of this footnote and some Members voiced opinions that if the footnote was not included, they could not support the inclusion of these obligations to be assessed.
- Para. 34 of the HSBI CMM (2024-09)
- Para. 37 of the HSBI CMM (2024-09)

Members also suggest the Commission keep the List of Obligations to be Assessed open while the Commission considers new and amended CMMs, in case Members wish to add any obligations from such new or amended CMMs to the List of Obligations to be Assessed for next year.

It was suggested that paragraphs 28, 32, and 34 of the CMM on Transshipment (2025-03) be deleted from the list of obligations to be assessed. It was also suggested that, should historical existing level not be defined paragraphs 1 and 2 in Pacific Saury CMM (2024-08), paragraph 1 on the Chub Mackerel CMM (2024-07), and paragraph 1 of the Three Pelagics CMM (2025-11) be deleted from the list of obligations to be assessed. No consensus was reached on any of these suggestions.

A suggestion was also made by one Member to amend the chapeau to Annex II to change “wording” to “subject.” No consensus was reached on this suggestion.

d) Obstacles to implementation identified by Members and CNCs

One obstacle to implementation identified by Members was the interpretation of CMMs. In a few cases, Members interpreted CMMs differently, which led to considerable discussion about whether there were several non-compliance issues. There was considerable discussion on the obligations related to observers in the transshipment CMM and the new transshipment observer CMM. Suggestions were made to revisit the intent of this CMM.

Another, as mentioned, was lack of a definition of historical existing fishing level.

e) Capacity building assistance needs

This was not discussed by TCC.

TCC also identified areas where data gaps exist and provided general feedback on the process to improve future CMRs. This included:

- Members reviewed the Chair’s Letter of Concern sent to China after the 2025 Final Compliance Report. Members noted that it would be more transparent if Members were notified when such letters are sent in the future. Members also recommended that these Letters of Concern ask for a response, including what Member action was taken, and give a timeline for the response.
- While Members appreciate that the Secretariat provided more detail on the areas of identified potential non-compliance in this year’s Draft CMR (compared to last year), Members still asked for more detailed information to be provided by the Secretariat in future Draft CMRs, such as short factual descriptions of the activities that lead to the assignment of “potentially non-compliant,” not just the Member’s response. Members also requested the Secretariat more clearly specify the source of data being relied upon when identifying areas of potential non-compliance.
- Members requested a new format for the details concerning the marked areas of potential non-compliance.
- Members noted that compliance assessments and the CMR relies heavily on self-reported data/information, and leveraging additional sources of independent data and monitoring would assist the Secretariat and Members with identifying potential compliance issues.
- Additional work is still needed to avoid duplication and inconsistencies between IUU listing and the CMS CMR.
- Data gaps were noted in Member responses to the Implementation Questionnaire. In other words, some Members had more detailed responses than others, making assessment difficult in some places. To ensure that there is overall compliance with the CMMs, it is essential that Members provide details, for example, not only referencing their legislation, but explaining how the legislation is implemented in practice. If Members don’t respond at all, it is almost impossible to conduct an assessment.

- SWG PD co-lead's report reminded Members that the TCC agreed on a multiple year workplan, which includes work on the Implementation Questionnaire (which was completed), development of audit points, and other improvements to the CMS CMR process.