

Task 2.5: Regarding marlin and swordfish, assess whether the catches of FIP vessels from China, Taiwan, Solomon Islands and Vanuatu: complied with reduction in catches of striped marlin resulting in an 80% reduction of 2000-2003 levels (individual countries were to identify ways to accomplish this); and are limiting the number of fishing vessels targeting swordfish to levels from any year between 2000 and 2005. The level of marlin and swordfish catches will need to be confirmed as part of improved data collection.

To the greatest extent possible, Ocean Outcomes assessed China, Taiwan, Solomon Islands and Vanuatu's compliance with the following measures: Conservation and Management Measure (CMM) for Striped Marlin in the Southwest Pacific (CMM 2006-04); Conservation and Management for Swordfish (CMM 2009-03); and Conservation and Management Measure for North Pacific Striped Marlin (CMM 2010-01).

CMM 2010-01 is the only one of these three measures reported against in the WCPFC's annual Compliance Monitoring Report. In 2019, the Commission assessed as China "Priority non-compliant", and Taiwan was assessed as "compliant". Compliance with the other two measures are not publicly available, although compliance reporting is required by countries in the Annual Report Part 1.

The Technical Compliance Committee advised the Commission in 2019, the south west striped marlin and swordfish measures contain two of "nine quantitative limits where there are limited or no additional data presently available to WCPFC to verify the CCM's report on their implementation against the limit". The "TCC recommended that the Commission consider whether additional reporting or revised formulations of quantitative limits should be considered so that WCPFC has more ready access to data that can be used to verify a CCM's implementation of a quantitative limit". Revisions did not occur at the 2019 annual Commission meeting.

In the future it may be possible to verify compliance with CMM 2006-04 and 2009-03, if is acceptable to the fleets, by using the logbook data that the FIP may be able to obtain.

CONSERVATION AND MANAGEMENT MEASURE FOR STRIPED MARLIN IN THE SOUTHWEST PACIFIC Conservation and Management Measure 2006-04

- Para. "1. Commission Members, Cooperating Non-Members, and participating Territories (CCMs) shall limit the number of their fishing vessels fishing for striped marlin in the Convention Area south of 150 S, to the number in any one year between the period 2000 – 2004."

Para "4. In accordance with paragraph 1, CCMs shall provide information to the Commission, by 1 July 2007, on the number of their vessels that have fished for striped marlin in the Convention area south of 150 S, during the period 2000 – 2004, and in doing so, nominate the maximum number of vessels that shall continue to be permitted to fish for striped marlin in the area south of 150 S. CCMs shall report annually to the Commission the catch levels of their fishing vessels that have taken striped marlin as a bycatch as well as the number and catch levels of vessels fishing for striped marlin in the Convention Area south of 15°S."

- The Commission requires paragraph 4 to be reported in CCMs Annual Report Part 1, however it is not reported in the annual Compliance Monitoring Report.

- CMM 2018-07 paragraph 7 states that through the Compliance Monitoring Scheme the annual assessment of compliance for quantitative limits, shall be based on verifiable data indicating that a limit has not been exceeded. TTC15 report (2019): Para “125. TCC noted that there are presently nine quantitative limits where there are limited or no additional data presently available to WCPFC to verify the CCM’s report on their implementation against the limit. [CMM 2005-03 02 (NP albacore), CMM 2006-04 01 (SW Striped Marlin), CMM 2009-03 01, 02 (Swordfish), CMM 2010-01 05 (NP striped marlin), CMM 2017-01 45, 47, 48 (Tropical tuna vessel limits), CMM 2017-01 51, CMM 2017-08 (Pacific Bluefin)]. TCC recommended that the Commission consider whether additional reporting or revised formulations of quantitative limits should be considered so that WCPFC has more ready access to data that can be used to verify a CCM’s implementation of a quantitative limit.”

CONSERVATION AND MANAGEMENT FOR SWORDFISH Conservation and Management Measure 2009-03

- Para “1. Commission Members, Cooperating Non-Members and participating Territories (CCMs) shall exercise restraint through limiting the number of their fishing vessels for swordfish in the Convention Area south of 20°S, to the number in any one year between the period 2000- 2005 (listed in Annex 1).”

Para “2. In addition to vessel limits established under paragraph 1, CCMs shall exercise restraint through limiting the amount of swordfish caught by fishing vessels flagged to them in the Convention Area south of 20°S to the amount caught in any one year during the period 2000 – 2006.”

Para “8. CCMs shall report to the Commission the total number of vessels that fished for swordfish and the total catch of swordfish for the following:

- a. vessels flying their flag anywhere in the Convention Area south of 20°S other than vessels operating under charter, lease or other similar mechanism as part of the domestic fishery of another CCM;
- b. vessels operating under charter, lease or other similar mechanism as part of their domestic fishery south of 20°S; and
- c. any other vessels fishing within their waters south of 20°S. This information shall be provided in Part 1 of each CCM’s annual report. Initially, this information will be provided in the template provided at Annex 2 for the period 2000- 2009 and then updated annually.”

**Note: WCPFC11 confirmed a common understanding that “total catch” in this reporting requirement refers to both targeted and bycatch catches of swordfish.*

Para “10. The Executive Director shall compile and disseminate the information provided to the Commission by CCMs in accordance with paragraph 8 above to the Technical and Compliance Committee each year. The Technical and Compliance Committee shall monitor and review

compliance with this measure and make recommendations to the Commission as may be necessary.

- The Commission requires paragraph 4 to be reported in CCMs Annual Report Part 1, however it is not reported in the annual Compliance Monitoring Report.
- CMM 2018-07 paragraph 7 states that through the Compliance Monitoring Scheme the annual assessment of compliance for quantitative limits, shall be based on verifiable data indicating that a limit has not been exceeded. TTC15 report (2019): Para “125. TCC noted that there are presently nine quantitative limits where there are limited or no additional data presently available to WCPFC to verify the CCM’s report on their implementation against the limit. [CMM 2005-03 02 (NP albacore), CMM 2006-04 01 (SW Striped Marlin), CMM 2009-03 01, 02 (Swordfish), CMM 2010-01 05 (NP striped marlin), CMM 2017-01 45, 47, 48 (Tropical tuna vessel limits), CMM 2017-01 51, CMM 2017-08 (Pacific Bluefin)]. TCC recommended that the Commission consider whether additional reporting or revised formulations of quantitative limits should be considered so that WCPFC has more ready access to data that can be used to verify a CCM’s implementation of a quantitative limit.”

CONSERVATION AND MANAGEMENT MEASURE FOR NORTH PACIFIC STRIPED MARLIN Conservation and Management Measure 2010-01

Para 5. “Each flag/chartering CCM with vessels fishing in the convention area north of the equator shall be subject to the following catch limits for North Pacific Striped Marlin for the years 2011 and beyond:

...2013 and beyond: [20%] reduction of the highest catch between 2000 and 2003;”

Para “7. By 30 April 2011, each flag/chartering CCM shall report to the Commission verifiable information regarding its catch of North Pacific Striped Marlin by its flagged/chartered vessels north of the equator.”

Para “8. Each year CCMs shall report in their Part 2 annual reports their implementation of this measure, including the measures applied to flagged/chartered vessels to reduce their catch and the total catch taken against the limits established under paragraphs 5 and 7.”

2019 FINAL COMPLIANCE MONITORING REPORT (COVERING 2018 ACTIVITIES)

WCPFC16-2019-fCMR_adopted# 6 December 2019: “23. The United States raised a concern over discrepancies with the baseline data used to assess China’s limit for North Pacific Striped Marlin (CMM 2010-01, para 5). China noted that this was due to past data not differentiating striped marlin from other marlins. The European Union suggested that China work with the SPC to reconcile the data to assist future assessments and task the Secretariat to develop summary tables for this species similar to those for albacore and pacific bluefin tuna to assist future

assessments by TCC. TCC's assessment of China as priority non-compliant with the catch limit for north Pacific striped marlin (CMM 2010-01 paragraph 5) revealed a large discrepancy for the baseline period used to set the limits between the Commission held data reflected in the WCPFC Tuna Yearbook and China's self-declared limit."

China assessed as "Priority non-compliant". Taiwan was assessed as "compliant".