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Tri Marine Western and Central Pacific Skipjack and Yellowfin Fishery

3rd Surveillance Audit Report

Certificate Code: F-SCS-0094

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Glossary

B	Biomass
$B_{current}$	Average total biomass for recent years
B_{MSY}	Biomass at MSY
C, C_{latest}	Catch, Latest catch
CCM	WCPFC Commission Members, Cooperating Non-Members and Participating Territories are termed CCMs
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CMM	Conservation and Management Measure
CMR	Compliance Monitoring Report
CMS	Compliance, monitoring and surveillance
CoC	Chain of Custody
CPUE	Catch per Unit Effort
EAFM	Ecosystem Approach to Fisheries Management
EEZ	Exclusive Economic Zone
ELAPS	Effort Limit Area for Purse Seine (applies to U.S. vessels)
ERA	Ecological Risk Assessment
EU	European Union
ETP	Endangered, Threatened or Protected
F	Fishing mortality
FAD	Fish Aggregating Device
Fcurrent	Average fishing mortality-at-age for recent years
FFA	Forum Fisheries Agency
FEP	Fishery Ecosystem Plan
FL	Fork length
F_{LIM}	Fishing Mortality Limit Reference Point
F_{MSY}	Fishing Mortality at MSY
FMP	Fisheries Management Plan
FSM	Federated States of Micronesia
HCR	Harvest Control Rule
HTMC	Harmonized Minimum Terms and Conditions
IATTC	Inter-American Tropical Tuna Commission
IFIMS	Industry Fisheries Information Management System (for PNA)
IPOA	International Plan of Action
ISC	International Scientific Committee for Tuna and Tuna like Species in the N. Pacific
ISO	International Standard Organization
ISSF	International Seafood Sustainability Foundation
IUCN	International Union for the Conservation of Nature
IUU	Illegal, Unreported and Unregulated
IW	International waters
LRP	Limit Reference Point
MCS	Monitoring, Control and Surveillance
MMPA	Marine Mammal Protection Act
MOU	Memorandum of Understanding
MP	Management Plan
MSC	Marine Stewardship Council
MSE	Management Strategy Evaluation

MSY	Maximum Sustainable Yield
MSFCMA	Magnuson-Stevens Fishery Conservation and Management Act
NFD	Non-fishing day
NMFS	National Marine Fisheries Service
NGO	Non-Government Organisation
NOAA	National Oceanographic and Atmospheric Administration
NPOA	National Plan of Action
OFP	Offshore Fisheries Program (of the SPC)
P1, P2, P3	The three guiding Principles of the MSC
PAE	Party allowable effort
PASAI	Pacific Association of Supreme Audit Institutions
PCR	Public Certification Report
PI	Performance Indicator
PICT	Pacific Island Country or Territory
PIP	Pacific Island Party (to the US Treaty)
PITIA	Pacific Islands Tuna Industry Association
PNA	Parties to the Nauru Agreement
PNAO	Parties to the Nauru Agreement Office
PNG	Papua and New Guinea
PRI	Point of Recruitment Impairment
PSA	Productivity Susceptibility Analysis
RBF	Risk-Based Framework
RFMO	Regional Fisheries Management Organisations
RMI	Republic of the Marshall Islands
ROP	Regional Observer Program
SB	Spawning stock biomass
$SB_{current}$	Average spawning biomass over recent years
SB_{MSY}	Spawning biomass at MSY
SC	Scientific Committee (of the WCPFC)
SCS	SCS Global Services
SEAPODYM	Spatial Ecosystem and Population Dynamics Model
SICA	Scale Intensity Consequence Analysis
SIDS	Small Island Developing States
SPC	Secretariat to the Pacific Community
SPREP	South Pacific Regional Environment Programme
SPTT	South Pacific Tuna Treaty (the U.S. Treaty)
TAC	Total Allowable Catch
TAE	Total Allowable Effort
TCC	Technical Compliance Committee of the WCPFC
TEP	Threatened, Endangered and Protected Species
TMI	Tri Marine International
TRP	Target Reference Point
UNCLOS	United Nations Law of the Sea
UNFSA	United Nations Fish Stocks Agreement
UoA	Unit of Assessment
UoC	Unit of Certification
US or USA	United States of America
VDS	Vessel Day Scheme
VMS	Vessel Monitoring System
WCPFC	Western and Central Pacific Fisheries Commission
WCPO	Western and Central Pacific Ocean

WPRFMC	Western Pacific Regional Fishery Management Council

General Information

Fishery name	Tri Marine Western and Central Pacific Skipjack and Yellowfin Tuna Fishery			
2 Unit(s) of assessment	Species/Stock (27.4.2.1)	1) Western and Central Pacific skipjack tuna (Katsuwonus pelamis 2) Western and Central Pacific yellowfin tuna (Thunnus albacares)		
	Management System (vessels pursuing the stock) (27.4.2.3)	US flagged vessels registered to fish in the WCPFC convention area fishing in the Effort Limit Area for Purse Seine (ELAPS), comprised of all areas of high seas and US exclusive economic zones (EEZs) between 20 degrees north and 20 degrees south in the Western and Central Pacific Fisheries Commission (WCPFC) Convention area, as well as EEZs of PNA member countries; and EEZs of Cook Islands, Tokelau, Fiji, Vanuatu, and Samoa.		
	Methods of capture (gear type) (27.4.2.2)	Purse seine: Free school sets, unassociated with fish aggregating devices		
Date certified	June 2 2016	**Date of expiry**	June 2 2021	
Surveillance level and type	The third surveillance audit was a remote audit (See Appendix 4)			
Date of surveillance audit	June 11th and 12th, closing meeting on the 18th of June			
Justification	NA			
Surveillance stage (tick one)	1st Surveillance			
	2nd Surveillance			
	3rd Surveillance	X		
	4th Surveillance			
	Other (expedited etc)			
Surveillance team	Lead assessor: Mr. Alexander Morison Assessor(s): Mr. Frank Meere			
CAB name	SCS Global Services			
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	Contact name(s)	Matt Owens		

2 Executive Summary & Conclusion

This report is the third annual review of the Tri Marine Western and Central Pacific Skipjack and Yellowfin Tuna Fishery since its certification in June of 2016. This surveillance assessment was conducted by Mr. Alexander "Sandy" Morison and Mr. Frank Meere. The surveillance audit was conducted via remote[1] calls to relevant people between June 11 and June 18, 2019.

Per the MSC process requirements (FCPv2.1), the surveillance audit focuses on any changes to the fishery since initial/last assessment and progress toward meeting conditions identified in the re-certification. Prior to the audit the assessment team requested information regarding changes to the fishery, including but not limited to: management systems, regulations, personnel, scientific base of information, and traceability. Relevant changes are presented in Section 3: Background. The team also requested information pertaining to progress on the four conditions that remained open after the second surveillance audit. Progress on conditions is presented in Section 5: Results. Detailed background regarding the fishery and basis for original scoring may be found in the full assessment report: https://fisheries.msc.org/en/fisheries/tri-marine-western-and-central-pacific-skipjack-and-yellowfin-tuna/@@assessments

2.1 Results Summary

Six conditions were identified in the full assessment (Table 1), one of which was closed at the first surveillance audit (PI 3.2.3) and another at the second surveillance audit (PI 2.1.2). Based on assessed progress at this third annual surveillance, the remaining conditions have been evaluated as being on target (PIs 1.2.1, 1.2.2).

Table 1 Summary of Assessment Conditions

Condition number	Performance indicator (PI)	Status	PI original score	PI revised score
1 (skipjack)	1.2.1	On Target	70	Not revised
2 (skipjack)	1.2.2	On Target	60	Not revised
3 (yellowfin)	1.2.1	On Target	70	Not revised
4 (yellowfin)	1.2.2	On Target	60	Not revised
5 (both)	2.1.2	Closed in Year 2	75	80
6 (both)	3.2.3	Closed in Year 1	75	80

It is SCS's view that the Tri Marine Western and Central Pacific Skipjack and Yellowfin Tuna Fishery Fishery continues to meet the standards of the MSC and complies with the 'Requirements for Continued Certification.' SCS recommends the continued use of the MSC certificate through to the end of this certificate cycle when conditions are expected to close, pending subsequent surveillance audit outcomes.

[1] The Surveillance Frequency and Type was modified from 'onsite' to 'remote' in the Year 2 surveillance report for this fishery, on account on that the remaining open conditions are all found under Principle 1, and focus on RFMO level actions. Verification of progress on these conditions can be conducted remotely.

3 Background

3.1 Catch Data

Table 2 provides a summary of catch data for 2016-2018. The UoA does not operate under a TAC system, and instead operates under an effort management system. The distribution of fishing effort and changes to the fleet operations are detailed in the background section titled "Changes to the fishing operations and traceability systems" below.

Table 2. Skipjack and yellowfin catch by set type for Tri Marine vessels and all U.S. Purse Seine Vessels, 2017 (in metric tons). Source: Observer data provided by NOAA.
(PNA = EEZs of countries who are PNA members; IW = International Waters; US = EEZs of U.S. territories. UoA comprises unassociated (green shaded) fields only).

			Fleet & Year					
			Tri Marine (UoC)			All US (non-Tri Marine) (UoA)		
Species	Set Type	Location	2016	2017	2018	2016	2017	2018
Skipjack	Unassociated	PNA	9,155	1,788	1,035	29,843	20,040	25,015
		IW	11,548	2,626	4,048	21,743	6,190	9,627
		US	1,346	85	237	1,123		
		Other	153	61	105	2,255	496	382
		TOTAL	**22,202**	**4,559**	**5,425**	**52,708**	**26,726**	**35,025**
Yellowfin	Unassociated	PNA	1,139	1,048	124	8,726	4,859	2,506
		IW	114	776	3,866	315	2,471	3,688
		US		165	510			
		Other			14	17		
		TOTAL	**1,253**	**1,989**	**4,514**	**9,058**	**7,330**	**6,194**
Skipjack	Associated	PNA	9,562	5,368	7,408	57,138	44,516	42,022
		IW	14,498	2,284	9,922	20,428	2,995	8,236
		US	1,031	554	105	738	121	50
		Other	578	1,929	1,483	6,067	8,360	3,949
		TOTAL	**25,669**	**10,135**	**18,919**	**84,372**	**55,992**	**54,258**
Yellowfin	Associated	PNA	980	1,007	543	3,869	5,683	5,767
		IW	1,374	407	1,419	1,893	629	1,160
		US	191	84	57	875	16	12
		Other	135	323	87	636	978	362
		TOTAL	**2,680**	**1,821**	**2,107**	**6,637**	**7,305**	**7,301**

3.2 Updates on the management system and regulations

The UoA encompasses the US purse seine fleet licensed and operating in the WCPFC Convention area, specifically in the Effort Limit Area for Purse Seine (ELAPS), comprised of all areas of high seas and US exclusive economic zones (EEZs) between 20 degrees north and 20 degrees south in the Western and Central Pacific Fisheries Commission (WCPFC) Convention area, as well as EEZs of PNA member countries; and EEZs of Cook Islands, Tokelau, Fiji, Vanuatu, and Samoa.

The Western and Central Pacific Fisheries Commission is the Regional Fisheries Management Organization (RFMO) presiding over the Western and Central Pacific Ocean. The WCPFC was established in 2004 by the Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean. The U.S. is one of 26 member nations of the Commission and supports its obligations via domestic legislation - the Western and Central Pacific Fisheries Implementation Act of 2007. The U.S. limits the total number of days that U.S. purse seine vessels may fish in the Convention Area (between 20° N. and 20° S. latitude) on the high seas and U.S. EEZ (ELAPS) according to WCPFC CMMs.

The fleet operates under the United States government as the national management authority, in accordance with the Treaty on Fisheries between the Governments of Certain Pacific Island States and the Government of the United States of America, also referred to as the U.S. Treaty or South Pacific Tuna Treaty. The U.S. Treaty is a multilateral fisheries access agreement established between the U.S. and 16 Pacific Island Parties (PIPs). When the U.S. vessels fish in these Pacific Islands EEZs, they are subject to associated national and regional/sub-regional management measures.

This overarching management structure remains unchanged from the full assessment. There are some updates and changes that have occurred within each of these management components, which are summarized in this background.

WCPFC

New Conservation and Management Measures implemented in 2019 by the WCPFC are listed in Table 3.

Table 3. Updates to CMMs Implemented in the WCPFC in 2019. (From WCPFC website)

CMM 2018-01	Conservation and Management Measure for bigeye, yellowfin and skipjack tuna in the Western and Central Pacific Ocean
CMM 2018-02	Conservation and Management Measure for Pacific Bluefin Tuna
CMM 2018-03	Conservation and Management Measure to mitigate the impact of fishing for highly migratory fish stocks on seabirds
CMM 2018-05	Conservation and Management Measure for the Regional Observer Programme
CMM 2018-06	Conservation and Management Measure for WCPFC Record of Fishing Vessels and Authorisation to Fish
CMM 2018-07	Conservation and Management Measure for Compliance Monitoring Scheme

CMM 2018-02 and 2018-03 are not relevant to the UoA as CMM 2018-02 does not provide regulations for purse seine vessels and this fleet does not target or catch significant volumes of Pacific bluefin tuna. CMM 2018-03 relates to longline fishing and this UoA only covers purse seining.

CMM 2018-07

CMM 2018-07 provides an update from CMM 2017-07 pertaining to the WCPFC Compliance Monitoring Scheme (CMS).

The stated purpose of the CMM remains unchanged as:

(i) assess CCMs' compliance with their WCPFC obligations;

(ii) identify areas in which technical assistance or capacity building may be needed to assist CCMs to attain compliance;

(iii) identify aspects of CMMs which may require refinement or amendment for effective implementation;

(iv) respond to non-compliance by CCMs through remedial and/or preventative options that include a range of possible responses that take account of the reason for and degree, the severity, consequences and frequency of non-compliance, as may be necessary and appropriate to promote compliance with CMMs and other Commission obligations; and

(v) monitor and resolve outstanding instances of non-compliance by CCMs with their WCPFC obligations.

An independent review of the WCPFC CMS was completed in March of 2018. The report found positive trends in reporting obligations by CCMs. In addition to the analysis and identification of key issues and challenges, the panel made three recommendations (McKay et. al 2018):

- Continue to research options for improving the presentation of CMS summaries that describe trends in compliance [Secretariat]
- Additional consolidated summaries for historical (Flag State Investigation) FSI information be included in FSI reporting [Secretariat]
- Additional consolidated summaries of historical capacity development information be included in capacity assistance reporting [Secretariat]

This provided input to substantial discussion at the December 2018 Commission meeting and resulted in further refinement of the CMS.

The following section – Section II was added:

The implementation of the CMS and its associated processes shall be conducted in accordance with the following principles for the purpose of the application of this measure:

(i) Effectiveness: Effectively serve the purpose of this CMM to assess compliance by CCMs and assist the TCC in fulfilling the provisions of Article 14(1)(b) of the Convention;

(ii) Efficiency: Avoid unnecessary administrative burden or costs on CCMs, the Commission or the Secretariat and assist TCC in identifying and recommending removal of duplicative reporting obligations; and

(iii) Fairness: Promote fairness, including by ensuring that obligations and performance expectations are clearly specified, that assessments are undertaken consistently and based on a factual assessment of available information and that CCMs are given the opportunity to participate in the process.

(iv) Cooperation towards Compliance: Promote a supportive, collaborative, and non- adversarial approach where possible, with the aim of ensuring long-term compliance, including considering capacity assistance needs or other quality improvement and corrective action.

The thrust of the scheme remains the same – to assess compliance by CCMs. The current scheme provides details of the areas to be assessed in the following year. These are spelt out in Attachment V to the Annual Report. TCC is working to set up a risk-based approach for future areas of assessment.

The CMM identifies future work as follows:

During 2019

(i) development of a process for assessing CCM actions in accordance with para 7(ii)(b) to replace para 27.

(ii) a comprehensive review of all the Commission's reporting requirements, with recommendations to remove duplicative reporting as well as ensure the Commission's data and information needs are met;

(iii) the development of audit points to clarify the Commission obligations assessed under the CMS, as well as the development of a checklist to be used by the proponents of any proposal to include a list of potential audit points for the consideration of the Commission;

(iv) explore investment in technology solutions to facilitate improvements to the compliance case file system.

During 2019 - 2020

(v) the development of a risk-based assessment framework to inform compliance assessments and ensure obligations are meeting the objectives of the Commission;

During 2020-2021

(vi) the development of corrective actions to encourage and incentivise CCMs' compliance with the Commission's obligations, where non-compliance is identified;

(vii) the development of the guidelines for participation of observers in closed meetings of the Commission and its subsidiary bodies which consider the Compliance Monitoring Report.

US Compliance and Compliance Monitoring

The assessment team reviewed the most recent WCPFC Compliance Monitoring Report (CMR) and TCC meeting documents in the consideration of US flag state performance relative to PI 3.2.3. (WCPFC-TCC 2018). This report covers activities in 2017. The United States was recorded outside the category of compliant in the case of 2 CMM clauses only.

- CMM 2007-01 Paragraph 14 (vii) which provides the following:

(vii) The Commission ROP shall be operated to ensure that observers shall not be unduly obstructed in the discharge of their duties. To this extent, CCMs of the Commission shall ensure that vessel operators comply with the Guidelines in Annex B — Guidelines for the Rights and Responsibilities of Vessel Operators, Captains and Crew.

This is the subject of "Flag State Investigation".

- CMM 2014-02 Paragraph 9 (a) which provides the following:

(a) Each flag CCM shall ensure that fishing vessels on the high seas in the Convention Area comply with the requirements established by the Commission for the purposes of the Commission VMS and are equipped with ALCs that shall communicate such data as determined by the Commission.

This was assessed as "Non-Compliant".

Neither of these matters appear to relate to the UoA based on the most recent information from the NOAA Enforcement Charging Information (https://www.gc.noaa.gov/enforce-office7.html) and from Tri Marine. This information was supported during surveillance audit discussion with Ms. Valerie Post (NOAA Hawaii). The assessment team noted that the US approach to compliance monitoring of its fleets operating in the WCPFC includes accessing and reviewing all observer records not just the specific potential compliance violations flagged by the WCPFC CMS.

CMM 2018-01 Conservation and Management Measure for Bigeye, Yellowfin and Skipjack Tuna

CMM 2018-01 is a revision of CMM 2017-01 following a review of this CMM at WCPFC15. It contains the key measures that apply to the target species bigeye, yellowfin, and skipjack tuna for 2019.

This measure provides further bridging arrangements for these species pending the establishment of harvest strategies.

The agreed target reference point for skipjack tuna is unchanged (paragraph 13):

"The spawning biomass of skipjack tuna is to be maintained on average at a level consistent with the interim target reference point of 50% of the spawning biomass in the absence of fishing, adopted in accordance with CMM 2015-06"

The interim target for yellowfin tuna remains unchanged (paragraphs 14):

"Pending agreement on a target reference point the spawning biomass depletion ratio (SB/SBF=0) is to be maintained at or above the average SB/SBF=0 for 2012-2015."

Other points to note:

- Agreed to retain the existing FAD closures until the end of 2021 – a three-month FAD closure in EEZs and high seas for July-September, plus an additional two months FAD closure in the high seas (April/May or November/December).
- An additional paragraph was added to the measure to help clarify the definition of FADs for compliance monitoring, whereby small plastic objects and rubbish that do not have a tracking buoy will not be considered a FAD.
- WCPFC15 also adopted strengthened text regarding non-entangling FADS which provides specifications on design and construction which will be effective from 1 January 2020.
- The limit of 250 drifting FADs with activated buoys per vessel will also be carried over until 2021.
- CMM 2017-01 called for agreement on setting and allocation of hard efforts or catch limits for purse seine fishing in the high seas for all CCMs by 2019; the deadline was revised to 2020.

CMM 2014-06 Updated Work Plans (updated in 2018)

CMM 2014-06 was adopted with the objective

> "that the Commission shall develop and implement a harvest strategy approach for each of the key fisheries or stocks under the purview of the Commission according to the process set out in this conservation and management measure (CMM)".

<u>2018 update</u>

Some key changes for this update of the workplan include:

(ii) Deferred 2019 commencement of MSE work on bigeye and yellowfin tuna noting capacity and resource limits of the science service provider;

(iii) Addition of three items for 2019:

(iv) South Pacific albacore—Identifying a range of alternative catch pathways to the interim TRP and timeframes that achieve this;

(v) Skipjack—SC to advise on required analyses to support TRP review;

(vi) Science Service Provider to review potential options to capture multi species issues under the HS process;

(vii) Regarding the need for clarity on whether decisions on harvest strategy elements are "interim". The proposed approach is for the workplan to not state whether a future decision will be interim or otherwise but to simply schedule the decision and then let the Commission determine its interim nature;

(viii) A more substantial review of the Harvest Strategy Workplan, with inclusion of more detail, is anticipated during SC15 and WCPFC16.

US Treaty

The U.S. South Pacific Tuna Treaty underwent significant changes since the time of full assessment scoring the Tri Marine fishery. These changes were reported on in the 1st annual surveillance and updated in the 2nd surveillance audit. The new Treaty is in place to 2022, though prices have only been established through 2020. There have been no significant changes to the Treaty since the last audit.

Days to be made available to US Vessels under the Treaty are now as follows[2]:

- 2421 days in the EEZs of PNA members and Tokelau where the Vessel Day Scheme (VDS) is being applied;
- 300 days in the Kiribati EEZ;
- 350 days in the Cook Islands EEZ; and
- 600 days in the EEZs of Fiji, Niue, Samoa, Tonga, and Vanuatu.

ELAPS

Outside of the Treaty, US purse seine fishing effort in the WCPFC is controlled via ELAPS, in accordance with requirements of CMM 2018-01. As per paragraph 25 of CMM 2018-01 (and specified in Table 1), the US establishes limits in its EEZs in the Convention area, providing for 558 fishing days in its EEZ. US effort in the high seas of the Convention area is also specified via the WCPFC Tropical Tuna CMM 2018-01 (Paragraphs 26-28, Table 2), in which the US is allocated 1,270 days. This provides a total of 1,828 days.

PNA

PNA manages fishing in its waters via an effort-based system using Total Allowable Effort (TAE), implemented through its VDS. This TAE is distributed among its members as a Party Allowable Effort (PAE). A summary of the total allocated and used fishing days for 2016-2018 (Table 4) shows that, although purse seine fishing effort has been increasing in recent years, it has remained less than the

[2] The number of days for PNA members and Tokelau have been updated from the 2018 PNA PSVDS Administrator's report, other days have not been updated.

PAE days available and relatively constant. The effort has also remained less than the effort levels in 2010 which have been selected as the upper limit on the TAE.

Table 4. Purse seine effort in PNA waters and the allocated PAE days for 2016-2018 (Source: PNA VDS-T&SC7/WP.1a, PNA VDS-T&SC7/WP.3, PNA PA24 WP.2a).

Metric	2016	2017	2018
PAE days	45,881	45,590	45,005
PAE days used	38,994	41,756	39,543
% PAE used	85%	91%	88%

Non-PNA PIPS (Cook Islands, Tokelau, Fiji, Vanuatu, and Samoa)

(Content Sourced from the respective annual reports: WCPFC-SC 2019)

Fishing in PNA Party waters is governed under the PNA management measures, and thus the assessment of the Tri Marine fleet focuses on the relevant management of PIPs not party to PNA.

In 2018 the Cook Islands authorised 50 purse seine fishing vessels to fish in its EEZ, 16 Korean purse seine vessels, 6 Kiribati, 2 Vanuatu, 2 Nauru, 2 Spanish and 1 Marshall Islands flagged vessel 1 Tuvaluan flagged vessel, in addition to the US multilateral Treaty vessels. The total purse seine catch estimate in the Cook Islands EEZ was approximately 34,400t.

The Cook Islands purse seine fishery has been limited to 1,250 days in any consecutive 4 quarter period. The US fleet took 46% of the overall purse seine catch followed by Korea (29%) and then Kiribati (12%). Foreign flagged purse seine vessel catch totalled 34,382t. The catch was predominantly skipjack tuna, comprising 96% of the total purse seine catch

Tokelau is part of the PNA PS VDS program, with a TAE set outside of the PNA TAE, but adjusted in proportion. Tokelau has no domestic commercial fishery. In 2018, there was a 0.5% proportionate decrease in days across all PNA VDS participants and Tokelau's days for 2018 were decreased from 1,000 days to 972. All of Tokelau's 2018 fishing days were utilised by way of sale to bilateral fishing partners, traded between VDS participating members, contributed to the UST Pool and contributed to the sub-regional Pooling Parties pool days.

In 2018, excluding the UST vessels, a total of 44 purse seine vessels were licensed by Tokelau, 24 from Korea, 10 from Kiribati, 5 from Taiwan, 4 from the Philippines and 1 from Tuvalu. In 2018, US purse seine vessels caught a total of 15,783mt with 408 days of effort. This represented the highest number of days among foreign purse seine fleets, and second highest catches behind Korea which caught 17,705mt with 320 days of effort.

Fiji remains a predominantly longline fishery. There is no national purse seine fleet, but Fiji is a party to the US Treaty and thereby grants US purse seine access.

In Vanuatu, purse seine effort has increased in recent years following a period where Vanuatu-flagged vessels had been re-flagged to the US and PNG under the FSM arrangement. In 2017, catch was 6,744mt and this increased to 12,479 in 2018. Catch was predominantly skipjack tuna (85%) with yellowfin tuna catch representing 13%. Tuna fishing in Samoa remains predominantly longline, with

purse seine activity limited to vessels under the US Treaty. Samoa has a limit of 150 purse seine fishing days in its EEZ.

3.3 Update on scientific base of information, including stock assessments

3.3.1 Skipjack tuna

There have been no meetings of the WCPFC or its Scientific Committee since the last surveillance audit (in December 2018) and therefore there is no additional information to be considered as part of this surveillance audit.

No stock assessment for skipjack tuna has been conducted since 2016 and the WCPFC Scientific Committee has not changed its advice since then. This was that skipjack stock is most probably at or close to the target reference point of 50%SB F=0, and that fishing mortality still remains below the level that would result in the MSY and is estimated to have decreased moderately in the last several years. The stock is therefore not overfished and is not experiencing overfishing.

3.3.2 Yellowfin tuna

There have been no meetings of the WCPFC or its Scientific Committee since the last surveillance audit (in December 2018) and therefore there is no additional information to be considered as part of this surveillance audit.

Based on the most recent assessment, the Scientific Committee (SC13) advised that it appears that the stock is not experiencing overfishing 96% probability) and it appears that the stock is not in an overfished condition (92% probability).

3.3.3 Principle 2 species

The only main Retained species identified in the full assessment is bigeye tuna. There were no main Bycatch species. ETP species included sharks and rays, cetaceans and turtles. There were no conditions identified on the basis of impacts to main or ETP species, and updated catch data obtained by the assessment team does not indicate any change to these scoring conclusions.

An update of the catch composition of the fleet by UoC vessels (Table 6) has confirmed that there have been no changes that would warrant revisiting scores for any P2 species.

Table 5. Catch data for UoC vessels in 2018

Common name	Retained Catch (t)	Discarded Catch (t)	Total (t)	% of Total
Skipjack	24,344	208	24,552	69%
Yellowfin	6,621	29	6,650	19%
Bigeye	4,255	17	4,272	12%
Blue marlin	10	4	14	<0.1%
Wahoo	4	27	32	<0.1%
Mahi mahi	3	8	11	<0.1%
Rainbow runner	2	6	9	<0.1%
Striped marlin	2	1	3	<0.1%
Black marlin	1	0	1	<0.1%
All other species	1	55	56	0.16%
Grand Total	1566	4	1570	100%

3.3.3.1 Bigeye tuna

The catch of bigeye tuna was a greater component of the catch by UoC vessels in 2018 with a retained catch of over 4,000 tonnes confirming its status at the assessment of a main primary species (Table 6).

There have been no meetings of the WCPFC or its Scientific Committee since the last surveillance audit (in December 2018) and therefore there is no additional information to be considered as part of this surveillance audit.

In 2018 the SC concluded that the stock is not experiencing overfishing and it is not in an overfished condition.

3.3.3.2 Shark finning

A condition had been placed on the fishery (Condition 5, for PI 2.1.2) requiring additional evidence to show that it was highly likely that shark finning was not taking place. This condition was closed at the second surveillance audit. We have confirmed that there are still no instances recorded of breaches of the shark finning requirements by USA vessels among the Tri Marine fleet (pers. comm Ms. Valerie Post, NOAA Hawaii).

3.4 Updates on Personnel involved in science, management or industry

There have been no changes to the Personnel involved in the science, management or industry.

3.5 Changes to the fishing operations and traceability systems

There have been no changes to the fishing operations and traceability systems for the UoC since the 2nd surveillance audit.

Table 6. Summary Table: Vessel Days Allocated and Used by the US and Tri Marine Fleet. Source: Tri Marine Management Company. Days reported in decimals rounded.

Allocation Type	US Fleet			Tri Marine			
	2017^ allocated	2016 allocated	2016 used	2017^ allocated	2017 Used	2016 allocated	2016 used
ELAPS high seas	1,270	1,270	1623	NA	74	41	51
ELAPS US EEZ	558	558	99	NA	48		
US Treaty- PNA*	3200	2404	3315	848	120	424	423
Kiribati	300	300	707	75	256	278	254
US Treaty- non-PNA**	1250	NA	440	NA	90	NA	21

*Includes Tokelau and excludes Kiribati because Kiribati days allocated separately from PNA in the US Treaty
^Under the 2017 Treaty a lower number of initial days are established in some cases, and allocated days are not considered limits. Bilateral agreements can be arranged for days outside of the Treaty, and days are tradeable.
** Non-PNA Treaty EEZs include Cook Islands, Fiji, Vanuatu, and Samoa. 2016 days were not allocated but paid at year-end based on days fished and are therefore considered 'NA.'

Traceability systems

Since acquiring certification Tri Marine has sought and obtained MSC Chain of Custody certification. The CoC certificate was awarded to Tri Marine Management Company on June 17, 2016. The CoC certificate was recently successful extended and the new CoC certificate expires on June 15, 2022. As the fishery assessment team determined that Chain of Custody must begin at sea at the set haul level, the vessels included in the UoC are covered under the Chain of Custody scope. For more information, please visit the MSC supplier directory: http://cert.msc.org/supplierdirectory/details/Tri_Marine_Management_Company-_Inc-_lprnTrade_Name-_Samoa_Fishing_Management-_Inc-rprn/path/9e3bd218-316e-4138-b1c3-a34c8faba917/pk/9ad32c3e-3c6b-4f4f-93f6-a621015ba297/VController.aspx?f=1&sidx=0.

There have been no changes to fishing operations that would result in a change to the traceability risks identified in the full assessment report.

4 Assessment Process

4.1 Assessment Methodologies

This surveillance was the second following the full assessment of the Tri Marine Western and Central Pacific skipjack and yellowfin purse seine fishery completed in 2016 in accordance with MSC Certification Requirement v1.3.

MSC Scheme Document	Issue Date
MSC Certification Requirements and Guidance (Standard) v1.3	2010
MSC Fisheries Certification Requirements (Process) v2.1	February 28, 2019
General Certification Requirements v.2.3	February 28, 2019
Surveillance Reporting Template v1.0	October 8, 2014

Table 7. Scheme Documents

Year	Surveillance activity	Number of auditors	Rationale
3	Off-site audit	2 auditors, remote	Remaining open conditions are all found under Principle 1, and focus on RFMO level actions. Verification of progress on these conditions primarily includes a review of updated scientific reports and CMMs from WCPFC meetings and receipt of written evidence of efforts by Tri Marine. Beyond open conditions, changes to the fishery are likewise primarily reflected in published reports and policy documents at the RFMO level. There is a precedent for remote surveillance audits in harmonized fisheries.

Table 8. Schedule of surveillance audits.

Surveillance Level	Year 1	Year 2	Year 3	Year 4
Level 5	On-site surveillance audit	On-site surveillance audit	Off-site surveillance audit	On-site surveillance audit & re-certification site visit.

The surveillance audit was carried out in accordance with the default assessment tree of the MSC Fisheries MSC Certification Requirements and Guidance (Standard) v1.3, under which the fishery was originally certified. Following the MSC guidelines for implementation timeframes, the surveillance was conducted in accordance with the new process requirements in FCR v2.1.

The issues for the certifier, in addition to checking progress against conditions to close out, is to determine whether a random check on the performance of the fishery verifies continued compliance

with the MSC standards and to document the most recent research, landings, and survey trends relating to the fishery.

4.1.1 Audit Process

The notification of the surveillance audit was published on the MSC website on May 10, 2019, over 30 days prior to the audit.

SCS identified relevant stakeholders for this fishery through professional networks of SCS and the audit team and know-how of the organizations working in the area. A list of over 75 individuals from different organizations was compiled including representatives from the government, private sector and non-profit sectors working at regional and national levels. The main form of communication to stakeholders has been via email to personal or organizational email addresses. Stakeholders on the list received an email with the surveillance announcement, the MSC stakeholder template to provide input and an invitation to participate at the onsite.

No stakeholder written comments were received prior to the closing of the 30 day consultation period. No stakeholders requested a private meeting with the team.

A summary of conditions and document request list was provided to the client in April 2019. The client submitted an initial bundle of documentation in response prior to the onsite. Prior to the meeting, an audit agenda was provided, as well as feedback on the preliminary document submission with further detailed requests from the assessment team.

Audit Meetings

The audit meetings were conducted via remote calls to relevant people between June 11 and June 18, 2019. Both audit team members, Mr. Morison, and Mr. Meere participated in each call.

Table 10 identifies the participants relevant to the surveillance audit. Table 11 provides the agenda for the discussions held.

Table 9. Participants in a site visit for the Third surveillance conducted remotely with calls between June 11 and June 18, 2019

Name	Affiliation	Role
Mr. Alexander Morison	SCS Global Services	Surveillance Team
Mr. Frank Meere	SCS Global Services	Surveillance Team
Matt Owens	Tri Marine	Client
Valerie Post	Stakeholder	NOAA

Table 10. Remote meetings held for the Third surveillance audit in June 2019

Date	Topics
11 June 2019	Surveillance client opening meeting; updates on changes in the fishery; updates on progress on conditions with Matt Owens, Tri Marine
15 June 2019	Discussion on US Gov't level issues and fleet compliance with Valerie Post, NOAA.
18 June 2019	Closing meeting and general wrap-up with client

The client processed a Freedom of Information Request Act (FOIA) request to obtain updated catch data and conducted outreach to NOAA and the WCPFC in fulfillment of document requests.

4.2 Harmonization Considerations

The Tri Marine Western and Central Pacific skipjack and yellowfin fishery are subject to harmonization requirements due to its overlap with numerous other WCPO skipjack and yellowfin fisheries. As indicated in the Second Surveillance Report a combined CAB variation request had been submitted to the MSC regarding harmonization of highly migratory species (HMS) fisheries in the MSC system. The MSC published a response to this request on Febuary 14, 2019. The variation response is available at (https://fisheries.msc.org/en/fisheries/tri-marine-western-and-central-pacific-skipjack-and-yellowfin-tuna/@@assessments); in brief, the MSC has agreed that conditions for Principle 1 for all certified tuna fisheries under the jurisdiction of the WCPFC should be aligned with regard to timelines and that these should follow the agreed Harvest Strategy Workplan adopted by WCPFC in 2017 (Attachment L to WCPFC14 report).

This means that for the fishery being evaluated here, some adjustment to the timeframes for the CAP are needed to match this agreed work plan. Although, the timelines in this work plan were further amended in 2018, it is the timelines in the 2017 version that are to be reflected in milestones in the CAP. In doing so we note that, because WCPFC meets in December each year, the evaluation of the relevant milestone condition would occur in a fishery's surveillance audit the following year based on the outcome of the Commission's meeting in December of the previous year.

To further improve harmonization among fisheries, there is also a new requirement for those fisheries that were originally scored under v1.3 (such as this fishery) to be re-scored under v2.0 as part of the next surveillance audit. Specifically, for fisheries scored against v1.3:

- they are to be upgraded to v2.0 at the next surveillance audit;

- CABs shall follow specific process requirements that have been prepared by the MSC specifically for P1 upgrades (see Appendix 8.5);
- Because the stock has already been fully assessed against FCR v2.0 at the time this rescoring will be done, a reduced upgrade process applies that does not require peer review and additional reporting requirements.

Harmonization discussions were held among CABs with tuna fisheries in the WCPFC around potential changes to Principle 1 Conditions for overlapping WCPO fisheries after this surveillance audit was conducted. The call included CAB represenatives of Control Union Pesca, Lloyd's Register, SCS, and several predominant MSC assessors (i.e. Jo Gascoigne, Kevin McLoughlin, Kevin Stokes, and Alexander Morison). These discussions focused on written and oral submissions received from the PNAO to CABs (see Appendix 2) that contained some new information and additional arguments to support increases to scores for PI 1.2.1a, PI 1.2.2a, and PI 1.2.2c. No agreement was reached that the evidence was sufficient to justify increasing scores and removing conditions for these PIs at this stage. Therefore, no changes to scores are proposed for this fishery.

4.3 Assessment Team

The surveillance team consisted of Mr. Frank Meere and Mr. Alexander Morison. Mr. Morison was a member of the full assessment team. Assessment team experience and qualification summaries were provided in the assessment announcement. A brief summary is provided here:

Alexander "Sandy" Morison – Morison Aquatic Sciences

Mr. Morison is a consultant specializing in fisheries and aquatic sciences. He has over 30 years of experience in fishery science and assessment at state, national, and international levels and has held senior research positions for state and national organizations in Australia. He is currently chair of the Ecologically Related Species Working Group of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) and has been engaged in the Kobe process for harmonization of measures across the tuna RFMOs.

Mr. Morison has considerable experience with issues of tuna and other pelagic species through various positions in addition to his current role with CCSBT. He was Australia's representative on the Science Working Group during the establishment of the South Pacific Regional Fisheries Management Organisation and was the inaugural chair of the Jack Mackerel Working Group during that time. He has also chaired Australia's East Coast Tuna and Billfish Resource Assessment Group.

Mr. Morison has participated as part of a team undertaking MSC pre-assessments for several fisheries and is also trained as a lead auditor for MSC assessments.

- Heard Island and MacDonald Islands Mackerel Icefish: Reassessments and surveillance audits (Principle 1).
- Heard Island and MacDonald Islands Patagonian toothfish: First assessment, reassessment and surveillance audits (Principle 1).

- Lakes and Coorong Fishery (South Australia): Reassessments and surveillance audits (Principle 1)
- Macquarie Island Patagonian toothfish fishery: First assessment, reassessment and surveillance audits (Principle 1).
- Kyoto Danish Seine Fishery: Reassessment (Principle 1).
- Western Rock Lobster Fishery: Surveillance audits and reassessment. (Principle 1)
- PNA Western and Central Pacific unassociated purse seine fishery (skipjack tuna): Surveillance audits (Principle 1).
- PNA Western and Central Pacific unassociated purse seine fishery (yellowfin tuna): Expedited assessment (Principle 1).
- Northeastern Tropical Pacific purse seine yellowfin & skipjack tuna: first assessment (Principle 2)
- Tri Marine Western and Central Pacific skipjack and yellowfin tuna: first assessment (Team leader, Principle 1 and Principle 2).
- Peel-Harvey Inlet, blue swimmer crab and sea mullet fisheries (Principle 1).
- Western Australia deep-sea crab fishery (Principle 1).
- Australian pearl oyster fishery (Principle 1).
- Pre-assessments of three other fisheries (confidential).

Mr. Morison was the facilitator for an assessment of the ecological risks from Queensland's East Coast Trawl Fishery that looked at the full range of ecological components. He was senior author of the report that synthesized background information and the results of an expert workshop and was a co-author of the summary and technical reports that described the results of the project. He was subsequently engaged to assist with an assessment of this fishery's vulnerability to climate change.

Sandy is also contracted by the Australian Fisheries Management Authority to chair the South East Fisheries Resource Assessment Group and the Shark Fisheries Resource Assessment Group is the Scientific Representative on the South East Fishery Management Advisory Committee and is a member of the South East Scalefish and Shark Fishery Resource Assessment Group. He has also been the scientific representative on other Resource Assessment Groups. Sandy has experience with the assessment of invertebrate, chondrichthyan, and teleost fisheries including commercial and recreational fisheries in freshwater, estuarine, and marine habitats and fisheries operating in tropical, temperate, and polar environments.

He has particular expertise with fish age and growth and has been involved in the development and implementation of harvest strategies for several fisheries. He has over 20 publications in peer-reviewed scientific journals (8 as senior author), 8 book chapters, and over 100 project reports, technical reports, client reports and papers in workshop and conference proceedings.

Frank Meere- FRM Consulting Pty Ltd

Frank has extensive fisheries management and policy expertise underpinned by qualifications in applied economics and has worked in domestic and international fisheries management and policy for

more than 27 years. Prior to joining fisheries, Frank worked for the Australian Government for 10 years in a range of other positions and agencies.

In 1989 he joined the Australian Fisheries Service and was involved in the development and drafting of new Commonwealth fisheries legislation and in the early '90s, the establishment of Australian Fisheries Management Authority (AFMA). He worked for more than ten years in key senior positions within AFMA and left the organization in 2003 after five years as its Managing Director. Frank then worked on the High Seas Task Force – a Ministerial Taskforce on IUU fishing on the high seas, for two years where he took prime responsibility for the economics and trade and management and enforcement aspects of the HSTF work and subsequent report.

Frank has extensive international fisheries management experience having served on Australian Government delegations to RFMOs, been involved in the development of new RFMOs, participated as a member of the 2008 Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) performance review panel, in 2017 acted as the independent Chair of the South Pacific Regional Fisheries Management Organisation (SPRFMO) Jack Mackerel Allocation Working Group and is currently serving as the independent Chair of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) Compliance Committee.

Frank has particular expertise in analyzing and developing practical policy and administrative approaches to complex fisheries management issues and is particularly interested in seeking market-based approaches to management challenges. He is a member of the International Institute of Fisheries Economics and Trade.

Frank runs his own consulting company and is active in international fisheries governance (including IUU fishing) and management issues. He is based in Australia and works predominantly overseas.

Mr. Meere affirms he has no conflict of interest in conducting this assessment.

5 Results

This section provides a review of open conditions on the fishery certification, with an associated evaluation of progress and resulting status as of this second annual surveillance.

Table 11. Condition 1

Performance Indicator(s) & Score(s)	**Insert relevant PI number(s)**	**Insert relevant scoring issue/ scoring guidepost text**	**Score**
	1.2.1 (Skipjack)	**a) The harvest strategy is responsive to the state of the stock and the elements of the harvest strategy work together towards achieving management objectives reflected in the target and limit reference points.**	**70**
Condition	SI a) By the fourth surveillance audit, demonstrate that the harvest strategy for skipjack tuna is responsive to the state of the stock and the elements of the harvest strategy work together towards achieving management objectives reflected in the target and limit reference points.		
Milestones	At the first annual surveillance audit and subsequent surveillance audits, the client will provide evidence that it is actively working to ensure that the harvest strategy for WCPO skipjack tuna is responsive to the state of the stock and that the elements of the harvest strategy work together towards achieving the management objectives reflected in the target and limit reference points. Score 70. At the fourth surveillance audit, the client will provide evidence that the harvest strategy is responsive to the state of the stock and that the elements of the harvest strategy work together towards achieving management objectives reflected in the target and limit reference points. Score 80.		
Client action plan	Year 1: 1. Tri Marine will actively support the adoption of a WCPFC Harvest Strategy Workplan, which establishes a process and timeframes to adopt a harvest strategy for WCPO skipjack tuna (in line with WCPFC CMM 2014-06). 2. Tri Marine will advocate for a harvest strategy that includes management action responses to changes in skipjack stock status and harvest control rules aimed at maintaining the WCPO skipjack stock at or near target reference points (in line with WCPFC CMM 2014-06). Years 1-3: 3. Tri Marine will actively support work towards the development and adoption of a harvest strategy for WCPO skipjack that includes management action responses to changes in skipjack stock status and harvest control rules aimed at maintaining the WCPO skipjack stock at or near target references points. Year 4: 4. A harvest strategy for WCPO skipjack will be adopted that includes management action responses to changes in skipjack stock status and harvest control rules aimed at maintaining the WCPO skipjack stock at or near target reference points.		

	Tri Marine's support and advocacy will largely be through active participation in WCPFC meetings as part of the US, American Samoa, and Solomon Islands delegations. Such participation will include communicating specific desired policies to support meeting this condition.
Progress on Condition [Year 1]	Tri Marine staff have remained actively engaged in WCPFC processes in 2016 with staff attending the SC and TCC as members of the Solomon Islands delegation and attending the Commission meeting as members of either the Chinese, Solomon Islands or US delegations. The assessment team notes that for future surveillance audits, we recommend Tri Marine take greater efforts to document its efforts in supporting the adoption of a harvest control rule and strategy for skipjack and yellowfin in alignment with the terms of its action plan. Progress towards the development of a harvest strategy for skipjack includes the adoption of CMM 2015-06 which specifies an interim target reference point for skipjack tuna at 50 percent of the estimated recent average spawning biomass in the absence of fishing, (SB F=0, t1-t2), defines how this is to be calculated and specifies that the Commission shall use the target reference in the formulation of a harvest control rule and a harvest strategy for fisheries targeting WCPO skipjack tuna in accordance with CMM 2014-06. The Commission adopted an updated Harvest Strategy Workplan (WCPFC Summary Report Attachment N) which includes indicative timeframes for the activities needed to complete the development of a harvest strategy for skipjack tuna. For skipjack tuna, there are now in place an agreed limit reference point, interim target reference point, a monitoring strategy, and a stock assessment. This leaves the formulation of a harvest control rule as the remaining item to be implemented for a full harvest strategy to be in place. Under the Harvest Strategy Workplan, the Commission is scheduled to 'consider advice on progress towards harvest control rules' for skipjack tuna in 2018 and 2019. The workplace as a harmonized basis for determining progress on conditions presents several concerns due to its lack of specificity, lack of binding timelines, and the shifts that have already taken place in its year 1 revision (See background: WCPFC). However, the current (revised) Workplan and progress thus far are sufficient to consider that the condition is on-target as of this year one surveillance.
Progress on Condition [Year 2]	The engagement of Tri Marine staff in WCPFC processes has continued, with representatives at the Scientific Committee (SC 14, Matt Owens), the Technical and Compliance Committee (TCC13 Amanda Hamilton and Angelina Tan) and at the Commission meetings (with nine representatives among the Chinese, Solomon Islands, US and American Samoan delegations at WCPFC14). Tri Marine was a signatory to letters to WCPFC from the International Sustainability Seafood Foundation (ISSF) to all tuna RFMOs on behalf of a wide range of companies, non-governmental organizations, and fishing industry associations. One letter advocated for a range of measures including the development of "precautionary harvest strategies, including specific timelines to adopt target reference points, harvest control rules and the other elements of a harvest strategy approach that ensures sustainable fisheries for all tuna stocks" (ISSF 2017a). A second letter advocated for "leadership on four critical areas that are fundamental to sustainable tuna management and that necessitate immediate action: ▪ Progressing the development and adoption of Harvest Strategies; ▪ Adopting a precautionary conservation and management measure for tropical tuna species (the bridging measure);

	▪ Adopting provisions for the use of non-entangling Fish Aggregating Device (FAD) designs, and other precautionary FAD management measures; and ▪ Increasing observer coverage in longline fisheries including through the use of human and electronic monitoring." (ISSF 2017b) Tri Marine, as a member of IPNLF, also submitted a position statement submitted by the organization in December 2018 that among other areas of focus called for the continued progress of harvest strategies for all major tuna stocks. Finally, Tri Marine provided a copy of a position paper provided to the WCPFC13, titled: "Tri Marine Position on Harvest Strategies – WCPFC13". Copies of both of these documents are available in Appendix 3. Copies of these are available in Appendix 3. The Commission adopted additional updates to its Harvest Strategy Workplan in 2017 (WCPFC14-2017-DP27_rev1, Attachment L) but there were no changes to the work plan for skipjack tuna. The harvest strategies and control rules for skipjack are still scheduled for completion within the condition timeline/certificate cycle and this aspect of the condition remains on-target. Both in consideration of harmonized fishery assessment outcomes and Tri Marine's efforts relative to its client action plan, the assessment team concludes the condition is on target. Tri Marine has followed the client action plan for year 2 by actively supporting the implementation of the WCPFC Harvest Strategy Workplan and has actively advocated for a harvest strategy that that includes management action responses to changes in skipjack stock (HCRs).
Progress on Condition [Year 3]	There has been no additional meeting of WCPFC bodies since the 2nd Surveillance audit activities were completed earlier this year (December 2018) so there has been no additional opportunities for the client to engage in further advocacy. Both in consideration of harmonized fishery assessment outcomes and Tri Marine's efforts relative to its client action plan, the assessment team concludes the condition is on target.
Status of condition	**Open; On target**

Table 12. Condition 2

	Insert relevant PI number(s)	Insert relevant scoring issue/ scoring guidepost text	Score
Performance Indicator(s) & Score(s)	**1.2.2 (Skipjack)**	**a) Well defined harvest control rules are in place that is consistent with the harvest strategy and ensures that the exploitation rate is reduced as limit reference points are approached.** **b) The selection of the harvest control rules takes into account the main uncertainties.** **c) Available evidence indicates that the tools in use are appropriate and effective in achieving the exploitation levels required under the harvest control rules.**	**60**
Condition	SI a) By the fourth surveillance audit, demonstrate that well-defined harvest control rules are in place for skipjack tuna that are consistent with the harvest strategy and ensure that the exploitation rate is reduced as limit reference points are approached. SI b) By the fourth surveillance audit, provide evidence that the selection of the harvest control rules shall take into account the main uncertainties. SI c) By the fourth surveillance audit, provide evidence that indicates that the tools in use are appropriate and effective in achieving the exploitation levels required under the harvest control rules.		
Milestones	At the first annual surveillance audit and subsequent surveillance audits, the client will provide evidence that it is actively working to ensure that well-defined harvest control rules taking into account the main uncertainties are in place for skipjack tuna that are consistent with the harvest strategy and ensure that the exploitation rate is reduced as limit reference points are approached. Score 60. By the fourth surveillance audit, the client will provide evidence that well-defined harvest control rules taking into account the main uncertainties are in place for skipjack tuna that are consistent with the harvest strategy and ensure that the exploitation rate is reduced as limit reference points are approached. Score 80.		
Client action plan	Year 1: 1. Tri Marine will actively support the adoption of a WCPFC Harvest Strategy Workplan which establishes a process and timeframes to adopt a harvest strategy for WCPO skipjack tuna (in line with WCPFC CMM 2014-06). 2. Tri Marine will advocate for a harvest strategy that includes well-defined harvest control rules taking into account the main uncertainties for skipjack tuna that are consistent with the harvest strategy and ensure that the exploitation rate is reduced as limit reference points are approached. 3. If a target reference point for skipjack is not adopted by WCPFC12, Tri Marine will actively support PNA (and/or other WCPFC members') ongoing efforts for the adoption of a target reference point. Years 1-3: 4. Tri Marine will actively support work towards the development and adoption of a harvest strategy for WCPO skipjack that includes management action responses to		

	changes in skipjack stock status and harvest control rules aimed at maintaining the WCPO skipjack stock at or near target references points. 5. Tri Marine will advocate that PNA establish more explicit linkages between total allowable effort (TAE) of the VDS and the harvest strategy (effort limited to that which maintains the stock at target reference point), including reductions in PAE as the limit reference point is neared. Year 4: 6. Tri Marine will demonstrate that the WCPFC has well defined and effective harvest control rules taking into account the main uncertainties are in place for skipjack that is consistent with the harvest strategy and ensures that the exploitation rate is reduced as limit reference points are approached. Tri Marine's support and advocacy will largely be through active participation in WCPFC meetings as part of the US, American Samoa, and Solomon Islands delegations. Such participation will include communicating specific desired policies to support meeting this condition.
Progress on Condition [Year 1]	Tri Marine staff have remained actively engaged in WCPFC processes in 2016 with staff attending the TCC and SC as members of the Solomon Islands delegation and attending the Commission meeting as members of either the Chinese, Solomon Islands or US delegations. The assessment team notes that for future surveillance audits, we recommend Tri Marine take greater efforts to document its efforts in supporting the adoption of a harvest control rule and strategy for skipjack and yellowfin, in alignment with the terms of its action plan. As described under Condition 1 above, the Commission adopted an updated Harvest Strategy Workplan (WCPFC Summary Report Attachment N) under which the Commission is scheduled to 'consider advice on progress towards harvest control rules' for skipjack tuna in 2018 and 2019. Also noted above, the work plan as a harmonized basis for determining progress on conditions presents several concerns due to its lack of specificity, lack of binding timelines, and the shifts that have already taken place in its year 1 revision (See background: WCPFC). However, the current (revised) Workplan and progress thus far are sufficient to consider that the condition is on-target as of this year one surveillance.
Progress on Condition [Year 2]	As described under Condition 1, the engagement of Tri Marine staff in WCPFC processes has continued, with representatives at the Scientific Committee (SC 14, Matt Owens), the Technical and Compliance Committee (TCC13 Amanda Hamilton and Angelina Tan) and at the Commission meetings (with nine representatives among the Chinese, Solomon Islands, US and American Samoan delegations at WCPFC14). Additional advocacy steps are also described under Condition 1. Efforts have remained focused at the WCPFC level, in alignment with other harmonized fisheries subject to the same conditions. Both in consideration of harmonized fishery assessment outcomes and Tri Marine's efforts relative to its client action plan, the assessment team concludes the condition is on target. Tri Marine has followed the client action plan for year 2 by actively supporting the implementation of the WCPFC Harvest Strategy Workplan and has actively advocated for a harvest strategy that that includes management action responses to changes in skipjack stock (HCRs).

Progress on Condition [Year 3]	There has been no additional meeting of WCPFC bodies since the 2nd Surveillance audit activities were completed earlier this year (December 2018) so there has been no additional opportunities for the client to engage in further advocacy. Both in consideration of harmonized fishery assessment outcomes and Tri Marine's efforts relative to its client action plan, the assessment team concludes the condition is on target.
Status of condition	Open; On target

Table 13. Condition 3

Performance Indicator(s) & Score(s)	Insert relevant PI number(s)	Insert relevant scoring issue/ scoring guidepost text	Score
	1.2.1 (Yellowfin)	**The harvest strategy is responsive to the state of the stock and the elements of the harvest strategy work together towards achieving management objectives reflected in the target and limit reference points.**	**70**
Condition	SI a) By the fourth surveillance audit, demonstrate that the harvest strategy for yellowfin tuna is responsive to the state of the stock and the elements of the harvest strategy work together towards achieving management objectives reflected in the target and limit reference points.		
Milestones	At the first annual surveillance audit and subsequent surveillance audits, the client will provide evidence that it is actively working to ensure that the harvest strategy for WCPO yellowfin tuna is responsive to the state of the stock and that the elements of the harvest strategy work together towards achieving the management objectives reflected in the target and limit reference points. Score 70. At the fourth surveillance audit, the client will provide evidence that the harvest strategy is responsive to the state of the stock and that the elements of the harvest strategy work together towards achieving management objectives reflected in the target and limit reference points. Score 80.		
Client action plan	Year 1: 1. Tri Marine will actively support the adoption of a WCPFC Harvest Strategy Workplan, which establishes a process and timeframes to adopt a harvest strategy for WCPO yellowfin tuna (in line with WCPFC CMM 2014-06). 2. Tri Marine will advocate for a harvest strategy that includes management action responses to changes in yellowfin stock status and harvest control rules aimed at maintaining the WCPO yellowfin stock at or near target reference points (in line with WCPFC CMM 2014-06). Years 1-3: 3. Tri Marine will actively support work towards the development and adoption of a harvest strategy for WCPO skipjack that includes management action responses to changes in yellowfin stock status and harvest control rules aimed at maintaining the WCPO yellowfin stock at or near target references points. Year 4: 4. A harvest strategy for WCPO skipjack will be adopted that includes management action responses to changes in yellowfin stock status and harvest control rules aimed at maintaining the WCPO yellowfin stock at or near target reference points. Tri Marine's support and advocacy will largely be through active participation in WCPFC meetings as part of the US, American Samoa and Solomon Islands delegations. Such participation will include communicating specific desired policies to support meeting this condition.		
Progress on Condition [Year 1]	Tri Marine staff have remained actively engaged in WCPFC processes in 2016 with staff attending the TCC and SC as members of the Solomon Islands delegation and attending the Commission meeting as members of either the Chinese, Solomon Islands or US		

	delegations. The assessment team notes that for future surveillance audits, we recommend Tri Marine take greater efforts to document its efforts in supporting the adoption of a harvest control rule and strategy for skipjack and yellowfin in alignment with the terms of its action plan. Progress towards the development of a harvest strategy for yellowfin tuna includes the adoption of an updated Harvest Strategy Workplan (WCPFC Summary Report Attachment N) which includes indicative timeframes for the activities needed to complete its development. The elements of a harvest strategy that are still to be formulated for yellowfin tuna are a target reference point (one that is more specific than the general objective of CMM 2016-01) and a harvest control rule. Under the Harvest Strategy Workplan, the Commission is scheduled to agree to a Target Reference Point and to develop harvest control rules for yellowfin tuna in 2018. The specific activities required for the development of a harvest control rule, however, that are detailed for other species and involve advice from the SC and the TCC, have not yet been scheduled for yellowfin tuna. The workplace as a harmonized basis for determining progress on conditions presents several concerns due to its lack of specificity, lack of binding timelines, and the shifts that have already taken place in its year 1 revision (See background: WCPFC). However, the current (revised) work plan and progress thus far are sufficient to consider that the condition is on-target as of this year one surveillance.
Progress on Condition [Year 2]	The engagement of Tri Marine staff in WCPFC processes has continued, with representatives at the Scientific Committee (SC 14, Matt Owens), the Technical and Compliance Committee (TCC13 Amanda Hamilton and Angelina Tan) and at the Commission meetings (with nine representatives among the Chinese, Solomon Islands, US and American Samoan delegations at WCPFC14). As described under Condition 1, Tri Marine were a signatory to two letters to WCPFC from the International Sustainability Seafood Foundation (ISSF) on behalf of a wide range of companies, non-governmental organizations and fishing industry associations, advocating for a range of measures including progressing the development of precautionary harvest strategies (ISSF 2017a, 2017b). Tri Marine also submitted a position statement provided for WCPFC13, and as a member of IPNLF, a position statement from that organization provided for WCPFC15. See Condition 1 results for more detail and Appendix 3. The Commission adopted additional updates to its Harvest Strategy Workplan in 2017 (WCPFC14-2017-DP27_rev1, Attachment L) including several changes to the work plan for yellowfin: ▪ An expectation that the “SC provide advice on a range of performance indicators to evaluate the performance of harvest control rules” in 2017 was amended to state that this advice would only be for the Tropical Longline Fishery. ▪ An expectation that the Commission agree to a TRP in 2018 has been amended to propose only that there be: “SC and Commission discussion of management objectives for fisheries and/or stocks, and subsequent development of candidate TRPs for BET and YFT.” ▪ The agreement on a TRP has been deferred to 2019. ▪ An extension of activities to 2021. In 2020 and 2021 the work plan is expecting that the Commission “consider advice on progress towards harvest control rules”….

	We note again that the lack of specific timeframes and the flexible timing allowed are contrary to the normal expectations of a Client Action Plan, although this level of flexibility is understandable for a process that is governed by the need for consensus among RFMO members. Even if not further modified, the revised work plan timeline for yellowfin tuna, however, may not deliver all aspects of a harvest strategy within the current certificate cycle. We will continue to monitor progress but in line with harmonized fishery assessments at this stage consider that this aspect of the condition remains on target. Both in consideration of harmonized fishery assessment outcomes and Tri Marine's efforts relative to its client action plan, the assessment team concludes the condition is on target. Tri Marine has followed the client action plan for year 2 by actively supporting the implementation of the WCPFC Harvest Strategy Workplan and has actively advocated for a harvest strategy that that includes management action responses to changes in yellowfin stock (HCRs).
Progress on Condition [Year 3]	There has been no additional meeting of WCPFC bodies since the 2nd Surveillance audit activities were completed earlier this year (December 2018) so there has been no additional opportunities for the client to engage in further advocacy. Both in consideration of harmonized fishery assessment outcomes and Tri Marine's efforts relative to its client action plan, the assessment team concludes the condition is on target.
Status of condition	Open; On target

Table 14. Condition 4

	Insert relevant PI number(s)	Insert relevant scoring issue/ scoring guidepost text	Score
Performance Indicator(s) & Score(s)	**1.2.2 (Yellowfin)**	**a) Well defined harvest control rules are in place that is consistent with the harvest strategy and ensures that the exploitation rate is reduced as limit reference points are approached.** **b) The selection of the harvest control rules takes into account the main uncertainties.** **c) Available evidence indicates that the tools in use are appropriate and effective in achieving the exploitation levels required under the harvest control rules.**	**60**
Condition	SI a) By the fourth surveillance audit, demonstrate that well-defined harvest control rules are in place for yellowfin tuna that are consistent with the harvest strategy and ensure that the exploitation rate is reduced as limit reference points are approached. SI b) By the fourth surveillance audit, provide evidence that the selection of the harvest control rules shall take into account the main uncertainties. SI c) By the fourth surveillance audit, provide evidence that indicates that the tools in use are appropriate and effective in achieving the exploitation levels required under the harvest control rules.		
Milestones	At the first annual surveillance audit and subsequent surveillance audits, the client will provide evidence that it is actively working to ensure that well-defined harvest control rules taking into account the main uncertainties are in place for yellowfin tuna that are consistent with the harvest strategy and ensure that the exploitation rate is reduced as limit reference points are approached. Score 60. By the fourth surveillance audit, the client will provide evidence that well-defined harvest control rules taking into account the main uncertainties are in place for yellowfin tuna that are consistent with the harvest strategy and ensure that the exploitation rate is reduced as limit reference points are approached. Score 80.		
Client action plan	Year 1: 1. Tri Marine will actively support the adoption of a WCPFC Harvest Strategy Workplan which establishes a process and timeframes to adopt a harvest strategy for WCPO yellowfin tuna (in line with WCPFC CMM 2014-06). 2. Tri Marine will advocate for a harvest strategy that includes well-defined harvest control rules taking into account the main uncertainties for yellowfin tuna that are consistent with the harvest strategy and ensure that the exploitation rate is reduced as limit reference points are approached. Years 1-3: 3. Tri Marine will actively support work towards the development and adoption of a harvest strategy for WCPO yellowfin that includes management action responses to changes in yellowfin stock status and harvest control rules aimed at maintaining the WCPO skipjack stock at or near target references points. 4. Tri Marine will advocate that the adoption of additional WCPFC management measures for yellowfin.		

	Year 4: 5. Tri Marine will demonstrate that well defined and effective harvest control rules taking into account the main uncertainties are in place for yellowfin that are consistent with the harvest strategy and ensure that the exploitation rate is reduced as limit reference points are approached. Tri Marine's support and advocacy will largely be through active participation in WCPFC meetings as part of the US, American Samoa, and Solomon Islands delegations. Such participation will include communicating specific desired policies to support meeting this condition.
Progress on Condition [Year 1]	Tri Marine staff have remained actively engaged in WCPFC processes in 2016 with staff attending the TCC and SC as members of the Solomon Islands delegation and attending the Commission meeting as members of either the Chinese, Solomon Islands or US delegations. The assessment team notes that for future surveillance audits, we recommend Tri Marine take greater efforts to document its efforts in supporting the adoption of a harvest control rule and strategy for skipjack and yellowfin in alignment with the terms of its action plan. Under the updated Harvest Strategy Workplan adopted in 2016, the Commission is scheduled to develop a harvest control rules for yellowfin tuna in 2018. The specific activities required for the development of a harvest control rule, however, that are detailed for other species and involve advice from the SC and the TCC, have not yet been scheduled for yellowfin tuna. The workplace as a harmonized basis for determining progress on conditions presents several concerns due to its lack of specificity, lack of binding timelines, and the shifts that have already taken place in its year 1 revision (See background: WCPFC). However, the current (revised) work plan and progress thus far are sufficient to consider that the condition is on-target as of this year one surveillance.
Progress on Condition [Year 2]	As described under Condition 3, the engagement of Tri Marine staff in WCPFC processes has continued, with representatives at the Scientific Committee (SC 14, Matt Owens), the Technical and Compliance Committee (TCC13 Amanda Hamilton and Angelina Tan) and at the Commission meetings (with nine representatives among the Chinese, Solomon Islands, US and American Samoan delegations at WCPFC14). As described under Condition 1, Tri Marine were a signatory to two letters to WCPFC from the International Sustainability Seafood Foundation (ISSF) on behalf of a wide range of companies, non-governmental organizations and fishing industry associations, advocating for a range of measures including progressing the development of precautionary harvest strategies (ISSF 2017a, 2017b). Tri Marine also submitted a position statement provided for WCPFC13, and as a member of IPNLF, a position statement from that organization provided for WCPFC15. See Condition 1 results for more detail and Appendix 3. Both in consideration of harmonized fishery assessment outcomes and Tri Marine's efforts relative to its client action plan, the assessment team concludes the condition is on target. Tri Marine has followed the client action plan for year 2 by actively supporting the implementation of the WCPFC Harvest Strategy Workplan and has actively advocated for a harvest strategy that that includes management action responses to changes in yellowfin stock (HCRs).

Progress on Condition [Year 3]	There has been no additional meeting of WCPFC bodies since the 2nd Surveillance audit activities were completed earlier this year (December 2018) so there has been no additional opportunities for the client to engage in further advocacy. Both in consideration of harmonized fishery assessment outcomes and Tri Marine's efforts relative to its client action plan, the assessment team concludes the condition is on target.
Status of condition	Open; On target

Table 15. Condition 5

<table>
<tr><td rowspan="2">Performance Indicator(s) & Score(s)</td><td>Insert relevant PI number(s)</td><td>Insert relevant scoring issue/ scoring guidepost text</td><td>Score</td></tr>
<tr><td>2.1.2</td><td>e) It is highly likely that shark finning is not taking place.</td><td>75</td></tr>
<tr><td>Condition</td><td colspan="3">SI e) By the fourth surveillance audit, demonstrate that it is highly likely that shark finning is not taking place or that if rare cases are reported, that measures are taken to address the issue.</td></tr>
<tr><td>Milestones</td><td colspan="3">At the first surveillance audit and subsequent audits, the client will provide evidence that it has taken all reasonable precautions to ensure that shark finning is not taking place on its vessels. If isolated incidents are reported, the client will provide evidence that the incidents have been fully investigated and that the offending vessel and/or crew members have been sanctioned appropriately.</td></tr>
<tr><td>Client action plan</td><td colspan="3">Years 1-4:

1. Tri Marine will ensure that all vessel officers and crews are fully aware of its existing public policy prohibiting shark finning through crew briefings and physically displaying the policy in the vessel.

2. Employee contracts will continue to clearly stipulate that shark finning is prohibited and any crew taking part in shark finning will be immediately dismissed.

3. Vessel captains will be responsible for immediately reporting any shark finning incidents to the General Manager of Tri Marine Fishing Management, LLC.

4. If incidents are reported by authorities, Tri Marine will fully cooperate in any investigations conducted. Similarly, Tri Marine will conduct its own internal investigation of the incident.

5. All vessel masters will annually complete ISSF’s skippers’ training in best-practice by-catch handling, including sharks.</td></tr>
<tr><td>Progress on Condition [Year 1]</td><td colspan="3">As evidence for the progress on this condition and in compliance with their action plan, Tri Marine submitted the following documentation to the assessment team:
▪ A signed shark finning policy for a Cape Fleet vessel
▪ A copy of the Tri Marine shark finning policy
▪ A photo of the policy on a ship bulletin
▪ Copies of contracts of crew members stipulating that shark finning is prohibited
▪ Records of completion of the ISSF skipper training for Tri Marine skippers, and the skipper guidebook, which includes curriculum on proper shark handling and reinforces a ban on finning.
Tri Marine also noted in its provision of skipper training records that one skipper had not submitted his training form for the ISSF training. The assessment team does not consider this to present a material risk to the fulfillment of the condition, as all other records demonstrate that Tri Marine is upholding its good faith efforts to prevent shark finning aboard its vessels.</td></tr>
</table>

	Fulfillment of the condition requirements is primarily dependent on the continued demonstration that shark finning is not taking place in a systematic way, and that any isolated incidents are being dealt with appropriately. Tri Marine affirmed that no shark finning incidents had taken place aboard Cape Fleet vessels since its initial assessment, and sought observer records as supporting evidence. Mr. Owens of Tri Marine submitted an FOIA request for these records to NMFS Pacific Islands Regional Office (PIRO) office who said they could not fulfill this request because this data was not held by PIRO. However, NOAA authorized the release of this data from SPC under the Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the Commission on July 12, 2017. SPC records confirmed that no incidents of shark finning have occurred on Tri Marine vessels 2014-2016. The assessment team considers that on the basis of zero observer records of finning incidents by the UoC, and the demonstrated compliance with its Action Plan measures, the fishery is on target on this condition.
Progress on Condition [Year 2]	Building upon the evidence provided at the first annual surveillance, the assessment team considered the following additional and updated evidence: ▪ Recent charging and enforcement cases as reported on the NOAA General Counsel website (https://www.gc.noaa.gov/enforce-office7.html). There were no cases recording or implying shark finning on the UoA fleet. ▪ The client obtained a confirmation from NOAA that "it hasn't prosecuted any allegations of shark finning involving the Tri Marine fleet since the one incident in 2012." (Valerie Post, Pers. Comm) ▪ The most recent Compliance Monitoring Report (CMR) monitors compliance with CMM 2010-07 Paragraph 9, which states "CCMs shall take measures necessary to prohibit their fishing vessels from retaining on board, transshipping, landing, or trading any fins harvested in contravention of this Conservation and Management Measure (CMM)." The United States has been deemed compliant with this measure. ▪ Tri Marine provided evidence of an internal 'Compliance Committee' which proactively seeks to identify and address cases and causes of noncompliance. The evidence of actions taken by Tri Marine to prevent shark finning and noncompliance within its fleet, ongoing evidence that shark finning is not occurring in a systematic fashion within the UoC, and relative strength of the United States legislation and MCS systems in addition to WCPFC CMMs support the assessment team's conclusion that this condition may be closed.
Status of condition	Closed

Table 16. Condition 6

Performance Indicator(s) & Score(s)	Insert relevant PI number(s)	Insert relevant scoring issue/ scoring guidepost text	Score
	3.2.3	**b) Sanctions to deal with non-compliance exist, are consistently applied and thought to provide effective deterrence.**	**75**
Condition	SI b) By the fourth surveillance audit, demonstrate that sanctions to deal with non-compliance exist, are consistently applied and thought to provide effective deterrence.		
Milestones	At the first annual surveillance audit and subsequent surveillance audits, the client will provide evidence that it is actively working towards the development of sanctions to deal with non-compliance. Score 75 By the fourth surveillance audit, the client will provide evidence that responses to non-compliance exist, are complied with and thought to provide effective deterrence. Score 80.		
Client action plan	Years 1-3: 1. Tri Marine will advocate for the development of a process to complement WCPFC's Compliance Monitoring Scheme which identifies a range of responses to non-compliance including cooperative capacity-building initiatives, more transparent decision-making processes for dealing with non-compliance and the imposition of penalties, and other actions necessary to promote compliance with WCPFC Conservation and Management Measures. 2. Tri Marine will advocate for the adoption of responses to non-compliance, including cooperative capacity-building initiatives and, as appropriate, penalties and other actions necessary to promote compliance with WCPFC Conservation and Management Measures. Year 4: 3. Tri Marine will fully support the consistent application of responses to non-compliance which provide effective deterrence. Tri Marine's support and advocacy will largely be through active participation in WCPFC meetings (particularly TCC which is responsible for the Compliance Monitoring Scheme and annual reviews and the Intersessional Working Group on Responses to Non-Compliance) as part of the US, American Samoa and Solomon Islands delegations. Such participation will include communicating specific desired policies to support meeting this condition.		
Progress on Condition [Year 1]	Amanda Hamilton of Tri Marine represents the company at WCPFC TCC meetings where she advocates for greater transparency and clear responses to non-compliance (M. Owens, pers. comm.). Compliance is enforced by each country that is a member of the Commission, not the Commission itself. The US considers itself to be proactive and transparent in its enforcement, but there are challenges in bringing the same level of transparency and accountability to the RFMO level. A lack of transparency in flag state enforcement actions and the closed nature of the TCC meetings regarding the Compliance Monitoring scheme are challenges for which there has been demonstrable progress in recent years.		

	The most recent CMM on the Compliance Monitoring Scheme (CMS) (2015-07) differs from its predecessor in providing for more detailed recognition of Capacity Assistance and Investigation Status Reports in the CMS. The 2016 Final Compliance Monitoring Report (Covering 2015) accordingly added two new categories for Capacity Assistance Needed and Flag State Investigation in its Compliance or Implementation Status tables, which classify flag state areas of noncompliance by CMM or data provision article. The assessment team recognizes there has been an increasing level of detail provided in these compliance tables in recent years that demonstrates progress toward greater transparency. For more information on developments to the CMS, see "Updates on the management system and regulations". In the course of the surveillance audit, SCS engaged in harmonization discussions with other CABs evaluating WCPFC fisheries. One differing score between SCS and other CABs was SCS's scoring of PI 3.2.3 at 75 due to WCPFC deficiencies in transparency. The majority of CABs agreed that PI 3.2.3 can achieve an SG80 or higher if it can be demonstrated how the deficiencies that have now been identified at the WCPFC level are accounted for by national compliance systems and procedures. SCS has taken this into consideration, and evaluated further the US approach to CMS in WCPFC fisheries, primarily via a phone interview with Ms. Alexa Cole, Deputy Section Chief in the NOAA Office of General Counsel. The assessment team is satisfied that the US compliance monitoring is responsive to the WCPFC CMS and provides significant transparency about charges, penalties and enforcement decisions. Therefore, SG80 is considered met, and this condition is closed. As noted in the background, the assessment team will continue to monitor developments to the WCPFC CMS and US compliance performance at each annual surveillance.
Status of condition	Ahead of Target: Condition Closed

6 Conclusion

The Tri Marine Western and Central Pacific skipjack and yellowfin purse seine fishery continue to meet the standard of the MSC and comply with the requirements for continued certification. SCS recommends the continued use of the MSC certificate. In the course of the second surveillance audit, one PI (2.1.2) was rescored in closing the condition on this PI. PIs 3.2.3 and 1.2.3 had been rescored in Year 1. The remaining conditions were assessed as open and on-target in the third year surveillance.

Table 17. Final Principle Scores as of 2nd Annual Surveillance (changes in Year 2 highlighted)

Final Principle Scores		
Principle	Score Skipjack	Score Yellowfin
Principle 1 – Target Species	86.9	83.1
Principle 2 – Ecosystem	87.0	87.0
Principle 3 – Management System	85.8	85.8

Table 18. Summary of Scores as of 3rd Annual Surveillance (changes since certification highlighted, scores <80 in red)

Principle	Component	PI No.	Performance Indicator (PI)	Skipjack	Yellowfin
One	Outcome	1.1.1	Stock status	100	90
		1.1.2	Reference points	90	90
		1.1.3	Stock rebuilding		
	Management	1.2.1	Harvest strategy	70	70
		1.2.2	Harvest control rules & tools	60	60
		1.2.3	Information & monitoring	90	80[3]
		1.2.4	Assessment of stock status	95	95
Two	Retained species	2.1.1	Outcome	80	80
		2.1.2	Management	80	80
		2.1.3	Information	85	85
	Bycatch species	2.2.1	Outcome	80	80
		2.2.2	Management	85	85
		2.2.3	Information	85	85
	ETP species	2.3.1	Outcome	95	95
		2.3.2	Management	80	80
		2.3.3	Information	80	80
	Habitats	2.4.1	Outcome	100	100
		2.4.2	Management	100	100
		2.4.3	Information	100	100
	Ecosystem	2.5.1	Outcome	80	80
		2.5.2	Management	85	85
		2.5.3	Information	90	90
Three	Governance & policy	3.1.1	Legal & customary framework	80	80
		3.1.2	Consultation, roles & responsibility	90	90
		3.1.3	Long term objectives	90	90
		3.1.4	Incentives for sustainable fishing	90	90
	Fishery specific mgt.	3.2.1	Fishery specific objectives	90	90
		3.2.2	Decision-making processes	80	80
		3.2.3	Compliance & enforcement	80	80
		3.2.4	Research plan	90	90
		3.2.5	Mgt. performance evaluation	80	80

[3] The score was 100 in the PCR but was rescored to 80 in the first year surveillance based on new information provided. See the rescoring table in Appendix 1 for more information.

7 References

Davies, N., Harley, S., Hampton, J. and McKechnie, J. (2014). Stock assessment of yellowfin tuna in the western and central Pacific Ocean. Scientific Committee, Tenth Regular Session, 6-14 August 2014. WCPFC-SC10-2014/SA-WP-04. Western and Central Pacific Fisheries Commission, Majuro, Republic of the Marshall Islands.

McKay, Don; Wright, Andrew & Rogers, Christopher. 2018. Review of the Commission's Compliance Monitoring Scheme. Produced for the WCPFC March 2018.

ISSF (2017a). Letters to tuna RFMOs regarding the sustainability of tuna stocks. WCPFC14-2017-OP02. 7 November 2017 Available online at https://www.wcpfc.int/system/files/WCPFC14-2017-OP02%20Letters%20on%20sustainability%20of%20tuna%20submission%20by%20ISSF.pdf

ISSF (2017b). Letter to WCPFC on Sustainability of Tuna Stocks WCPFC14-2017-OP08. 28 November 2017. Available online at https://www.wcpfc.int/system/files/WCPFC14-2017-OP08%20Letter%20to%20WCPFC%20on%20sustainability%20of%20tuna%20submission%20by%20ISSF.pdf

PNA (2017). TAE For 2018-2020 for Purse Seine VDS. (Extract from the Summary Record of PA22).

PNA (2018). Purse seine fishing activity in PNA waters. WCPFC15 -2018-DP18.

Scott, G., M. Pilling, S. Brouwer and J. Hampton (2016). Evaluation of candidate harvest control rules for the tropical skipjack purse seine fishery. SC12-MI-WP-06.

Tremblayer-Boyer L, McKechnie S, Pilling GM, and Hampton J, (2017). Stock assessment of yellowfin tuna in the western and central Pacific Ocean WCPFC-SC13-2017/SA-WP-06. Rev1 August 4th.

SPC (2018). Key decisions for managers and scientists under the harvest strategy approach for WCPO tuna stocks and fisheries. WCPFC-SC14-2018/ MI-WP-05.

WCPFC (2018). Reference document for the review of CMM 2017-01 and development of harvest strategies under CMM 2014-06. (Bigeye, Yellowfin, and Skipjack Tuna). WCPFC15-2018-11. 6 November 2018.

WCPFC-SC (2018). Outcomes document. Fourteenth Regular Session of the Scientific Committee. Busan, South Korea. 8–16 August 2018.

WCPFC-SC (2018a). Annual Report to the Commission Part 1: Information on Fisheries, Research, and Statistics: United States of America. WCPFC-SC14-AR/CCM-27

WCPFC-SC (2018b). Annual Report to the Commission Part 1: Information on Fisheries, Research, and Statistics: Cook Islands. WCPFC-SC14-AR/CCM-04

WCPFC-SC (2018c). Annual Report to the Commission Part 1: Information on Fisheries, Research, and Statistics: Tokelau. WCPFC-SC14-AR/CCM-24

WCPFC-SC (2018d). Annual Report to the Commission Part 1: Information on Fisheries, Research, and Statistics: Fiji. WCPFC-SC14-AR/CCM-07

WCPFC-SC (2018e). Annual Report to the Commission Part 1: Information on Fisheries, Research, and Statistics: Samoa. WCPFC-SC14-AR/CCM-21

WCPFC-SC (2018f). Annual Report to the Commission Part 1: Information on Fisheries, Research, and Statistics: Vanuatu. WCPFC-SC14-AR/CCM-28

WCPFC-TCC (2018). 2017 Final Compliance Monitoring Report (Covering 2016 Activities). WCPFC-TCC14-2018-IP02.

WCPFC-TCC (2018a). Catch and Effort Tables on Tropical Tuna CMMs. WCPFC-TCC14-2018- IP08.

Williams P and Reid C (2018). Overview of Tuna Fisheries in the Western and Central Pacific Ocean, including Economic Conditions – 2017. WCPFC-SC14-2018/GN-WP-01. Rev. 1* (5 August 2018).

Appendices

Appendix 1. Re-scoring evaluation tables

Rescoring of PI 1.2.3 – Yellowfin tuna—Rescored at the Year 1 Surveillance

PI 1.2.3		Relevant information is collected to support the harvest strategy		
Scoring Issue		SG 60	SG 80	SG 100
a	**Guidepost**	Some relevant information related to stock structure, stock productivity, and fleet composition is available to support the harvest strategy.	Sufficient relevant information related to stock structure, stock productivity, fleet composition, and other data is available to support the harvest strategy.	A comprehensive range of information (on stock structure, stock productivity, fleet composition, stock abundance, fishery removals and other information such as environmental information), including some that may not be directly related to the current harvest strategy, is available.
	Met?	Yes	Yes	No
	Justification	This SI was originally scored as meeting the SG100 level, but after harmonization discussions, a number of data gaps have been identified, as noted in MEC 2015, resulting in a harmonized score of SG80 and an overall PI score of SG80. The following presents the harmonized rationale based on that found in MEC 2015: Stock structure - the WCPO yellowfin fishery is assessed and managed as a single stock. However, suggestive evidence for population structure is emerging for the tropical tunas (e.g. Kolody et al., 2013). Williams (2013) identified data gaps (for all key species, rather than yellowfin in particular) as follows: ▪ Vietnamese domestic fleet: no annual catch data provided (but this now appears to be provided – see Davies et al. 2014); ▪ Philippines and Indonesian fleets: catch data not broken down by gear type; operation (logsheet) data not provided; ▪ Taiwanese fleet: no operational data, aggregated effort data or size data prior to 2004; likewise for the Japanese coastal fleet up to the present data; likewise for the Japanese pole and line fleet prior to 1972; ▪ Several countries may have historical data which has not been identified ▪ Historical estimates of coverage rates from log sheets and port sampling are missing in some cases; ▪ Some key (distant water) fleets provide only aggregated rather than operation level data – this is identified as a constraint on stock assessments, and on the use of more details spatial models such as SEAPOPDYM. Overall, given the size and complexity of the fishery, the range and comprehensiveness of the data available is impressive and improving all the time. Nonetheless, these data gaps do constrain stock assessments – as does bias and lack of precision in some of the data sets, particularly historical data. Perhaps more importantly, the stock assessment continues to rely on commercial CPUE as an index of stock abundance, and although these data are carefully analyzed and standardized as far as possible, there are no fishery-independent data sets with which they can be compared, while issues such as spatial and temporal changes in catchability remain problematic. **On this basis, the team concluded that SG80 is met, but SG100 is not met.**		

References	Davies N., Harley S., Hampton J. and McKechnie S. 2014. Stock assessment of yellowfin tuna in the Western and Central Pacific Ocean. Scientific Committee, 10th Regular Session. WCPFC-SC10-2014/SA-WP-04. Rev1, 25 July 2014 Kolody D, Grewe P, Davies C, and Proctor C 2013. Are Indian Ocean tuna populations assessed and managed at the appropriate spatial scale? A brief review of the evidence and implications. IOTC-2013-WPTT15-13. MEC 2015. MSC Public Certification Report Walker Seafoods Australian albacore, yellowfin tuna and swordfish longline fishery. August 2015. ME Certification Ltd. Hampshire UK. Williams, P. 2013. Scientific data are available to the Western and Central Pacific Fisheries Commission. SC 9th Regular Session. Pohnpei, Federated States of Micronesia, 6-14 August 2013. WCPFC-SC9-2013/ST WP-1
OVERALL PERFORMANCE INDICATOR SCORE:	~~90~~ 80

Rescoring of PI 2.1.2e – Rescored at the Year 2 Surveillance

PI 2.1.2		There is a strategy in place for managing retained species that is designed to ensure the fishery does not pose a risk of serious or irreversible harm to retained species		
Scoring Issue		SG 60	SG 80	SG 100
e	**Guidepost**	It is likely that shark finning is not taking place.	It is highly likely that shark finning is not taking place.	There is a high degree of certainty that shark finning is not taking place.
	Met?	Yes	~~No~~ Yes	No
	Justification	The low levels of shark finning that have been recorded with 100% observer coverage (0% for the Tri Marine fleet and 0.1% of sets for other U.S. vessels in 2013) and the measures contained in CMM 2010-07 lead us to conclude that it is <u>likely</u> that shark finning is not taking place in any systematic way. This meets the requirements of the SG 60. ~~We do not, however, consider that it is <u>highly likely</u> that shark finning is not taking place given the concerns expressed by the TCC about the level of reporting, the ambiguity of the fin-to-carcass ratio method for monitoring compliance, the subsequent inability of the WCPFC to determine compliance with this measure, and the lack of any clear sanctions for the few reported cases on non-compliance.~~ Updated information from observer records for trips by UoA vessels has been obtained for the period since 2014. The client obtained a confirmation from NOAA that "it hasn't prosecuted any allegations of shark finning involving the Tri Marine fleet since the one incident in 2012." The assessment team has also received additional information about the investigative and reporting processes for US vessels. Any potential breaches of this requirement reported by WCPFC observers are referred to NOAA for investigation. Following such investigations, any findings that actual infractions have occurred are made public on the NOAA website (http://www.gc.noaa.gov/enforce-office6.html) where charging information and enforcement decisions and orders pertaining to all USA vessels can be found. We have confirmed that records for the years 2014-2017 contain no instances of breaches of the shark finning requirements by USA vessels in the Tri Marine fleet. The evidence from observer reports that there have been no incidents of shark finning for UoC vessels since 2012 indicates that the ban on shark finning has been effectively implemented. We therefore consider that it is now highly likely that shark finning is not taking place. The requirements of the SG 80 level are therefore ~~not~~ considered to be met. SG100 requirements are still not considered met.		
References				
OVERALL PERFORMANCE INDICATOR SCORE:				**~~75~~ 80**

Rescoring of PI 3.2.3 -- Rescored at the Year 1 Surveillance

PI 3.2.3		Monitoring, control and surveillance mechanisms ensure the management measures in the fishery are enforced and complied with.		
Scoring Issue		SG 60	SG 80	SG 100
a	MCS implementation			
	Guidepost	Monitoring, control and surveillance **mechanisms** exist, and are implemented in the fishery and there is a reasonable expectation that they are effective.	A monitoring, control and surveillance **system** has been implemented in the fishery and has demonstrated an ability to enforce relevant management measures, strategies and/or rules.	A **comprehensive** monitoring, control and surveillance system has been implemented in the fishery and has demonstrated a consistent ability to enforce relevant management measures, strategies and/or rules.
	Met?	Yes	Yes	No
	Justification	At the regional level, the WCPFC seeks to ensure compliance through VMS, IUU vessel list, port state controls, flag state responsibilities, observers, logbooks and transshipment monitoring. There have been a number of positive developments since 2006 which apply to all RFMOs: a legally binding instrument on Port State Measures to prevent, deter and eliminate IUU fishing ("Port State Measures Agreement"); the work of FAO to develop a global record of fishing vessels and to develop criteria to assess the performance of flag States (Medley and Powers 2015). The WCPFC's Technical and Compliance Committee is also continuing consideration of port State measures, chartering arrangements, catch/statistical documentation, the control of nationals, and compliance monitoring and reporting. The WCPFC relies largely on the IUU vessel listing process as an incentive for compliance. WCPFC established a Compliance Monitoring Scheme (CMS) with CMM 2010-03 which was implemented from 2011-2014 as initial trials. A further CMM (CMM 2014-07) is again being implemented as a trial, largely dependent on the submission by members of information in annual reports. FFA has a regional MCS strategy (2010-2015) endorsed by Forum Fisheries Committee Ministers, which includes regional operations and cooperation, a regionally agreed benchmark level of observer coverage (100% for the purse seine fishery since 2010), at sea and at port inspections. MCS is also supported by the QUAD Operational Working Group. This group comprises the aerial and naval arms of Australia, France, New Zealand and the U.S. to provide aerial and surface assets to assist regional surveillance. FFA has the responsibility for facilitating the coordination of the surveillance assets provided by the QUAD nations in support of national and multilateral fishing surveillance and response activities. At the national level, FFA provides policy and services to its members to build national capacity and regional solidarity to control fishing in the Pacific, including illegal, unreported and unknown fishing. As well as VMS, this includes technical expertise, information sharing and projects around monitoring activities, regional surveillance operations, the FFA Observer Program, FFA licence information and staff training and support. The PNA Agreement and Te Vaka Moana Agreement promote regional cooperation between parties on MCS activities. Regional (WCPFC and FFA) MCS systems includes harmonized Terms and Conditions of Access, a regional VMS system, Regional Register of Foreign Fishing Vessels and a range or regional MCS cooperation programmes, including the Niue Treaty and the Agreed Minute of Cooperation in MCS between the US and FFA member states. On June 17, 2014, the USA released a Presidential Memorandum entitled "Establishing a Comprehensive Framework to Combat Illegal, Unreported and Unregulated Fishing and Seafood Fraud." Among other actions the Memorandum established a Presidential Task Force, co-chaired by the Departments of State and Commerce and made up of a broad range of other federal agencies. The Task Force was directed to report to the President within six months with "recommendations for the implementation of a comprehensive		

PI 3.2.3		Monitoring, control and surveillance mechanisms ensure the management measures in the fishery are enforced and complied with.
		framework of integrated programs to combat IUU fishing and seafood fraud that emphasizes areas of greatest need." The Task Force released its recommendations on December 18, 2014 for public comment. On March 15, 2015, the Task Force released its Action Plan (USA 2015). The plan identifies actions that will strengthen enforcement domestically and highlights ways in which the US will work with foreign partners to strengthen international governance, enhance cooperation, and build capacity to combat IUU fishing and seafood fraud. The observer scheme is proven to have worked effectively, with a number of safeguards in place to ensure that non-compliance and inaccurate reporting are identified. Sanctions to deal with non-compliance exist. In the MSC assessment of the PNA purse sine fishery, Banks et al. (2011) suggest that some evidence exists to demonstrate fishers comply with the management system under assessment, including, when required, providing information of importance to the effective management of the fishery. The NOAA website provides evidence of fisheries enforcement cases in relation to U.S. vessels. As indicated in the background information, in 2013 for example, the owners, operators and fishing masters of purse seine vessels were found guilty of conducting sets in violation of the WCPF Convention Implementation Act resulting in fines of approximately US$1.5 million. These cases were the result of reports from FFA observers (http://www.nmfs.noaa.gov/ole/newsroom/stories/13/04_090413_purse_seine_fad_case.html). The MSC assessment of the PNA purse seine fishery (Banks et al. 2011) provided a recommendation for the PNAO to undertake a biennial review of MCS arrangements in the purse seine fishery, using the MRAG national/regional study (MRAG 2009) as a benchmark. Surveillance audits for the fishery do not indicate whether this has yet occurred. A problem among many fisheries management systems, and tuna is no exception, is monitoring transshipment to prevent illegal catch entering the legal market. Transshipment at sea is prohibited (CMM 2009-06) and there is monitoring of in port transshipment. WCPFC is also developing a Catch Documentation Scheme which should reduce the opportunities for IUU fishing and complement the vessel register. Port State Measures have been implemented to an extent, but significant gaps remain. However, these initiatives are in the process of being fully implemented. FFA proposed a CMM to improve port state measures at WCPFC in 2014. However, there was no consensus to adopt this proposal and FFA members advised the Commission of their commitment to continuing the development of port State measures, and will consider implementing this proposal through their internal processes (WCPFC 2014a). Some States have taken action to make it a violation of their domestic laws for their nationals to engage in activities that conflict with the fisheries laws of other countries. Perhaps the most powerful example is the Lacey Act in the USA, which is directed at the illicit trade in illegally caught fish and wildlife. USA prosecutors have used the Lacey Act's provisions to deal with importations of illegally caught fish. In Guam and American Samoa, important ports for offloading tuna, the Lacey Act has been used to deal with violations of the laws of a number of Pacific island states (Medley and Powers 2015). At the national level, many of the CMMs established by WCPFC put clear obligations on parties as the flag states. Ultimately, it is the flag State that is responsible to the relevant RFMO for any failure to ensure that its measures are implemented and for the resulting violations of those measures by that State's vessels. The combination of MCS and compliance mechanisms at WCPFC, PNA and US and other national levels creates a strong system of MCS measures across all relevant management levels, meeting SG 60 and SG 80 requirements. This system cannot be said to be comprehensive, however. SG100 is not met.

PI 3.2.3		Monitoring, control and surveillance mechanisms ensure the management measures in the fishery are enforced and complied with.		
B	Sanctions			
	Guidepost	Sanctions to deal with non-compliance exist and there is some evidence that they are applied.	Sanctions to deal with non-compliance exist, **are consistently applied** and thought to provide effective deterrence.	Sanctions to deal with non-compliance exist, are consistently applied and **demonstrably** provide effective deterrence.
	Met?	Yes	~~No~~ Yes	No
	Justification	A range of sanctions exists to deal with non-compliance at the regional level. Conservation measures are set by WCPFC, but enforcement is carried out by national authorities. There are some capacity differences between nations, but weaknesses are addressed through joint initiatives and support from FFA Regional coordination. The blacklisting of non-member vessels (IUU lists) has become a widespread practice among all RFMOs including WCPFC. There are no trade sanctions against nation-states, although theoretically, these may be possible (Medley and Powers 2015). Sanctions are only applied to fishing entities, such as IUU vessels, and vessels that are detected as being non-compliant with CMMs. WCPFC notifies Flag States of non-compliant vessels, which the Flag States should order to withdraw from Commission Area. These sanctions appear to be applied consistently. The extent of IUU fishing is difficult to quantify. IUU fishing continues to be a problem, although tightening of port state controls and implementing a Catch Documentation Scheme should further reduce the problem (Medley and Powers 2015). A formal compliance monitoring system is being developed, while the TCC discusses compliance issues based on available information of infringements from observers and other sources. Responses to transgressions are discussed at the TCC and reported on in the Compliance Monitoring Report. However, discussion of compliance issues at the TCC is held in closed session. This is not the case with other tuna RFMOs. A Compliance Monitoring Report is provided to the Commission meeting (WCPFC 2014a; Attachment H). This provides a matrix of compliance with CMMs by CCM, and incremental progress has been demonstrated towards transparency in reporting on flag state compliance, whereby additional detail on compliance status of each flag state has been added in recent years. The report still does not provide information on outcomes of investigations into noncompliance, nor specific cases, such that a reader may judge whether non-compliance is dealt with consistently. The MCS system is currently undergoing independent review, which may result in further revision in coming years. Sanctions to deal with non-compliance exist and there is evidence that they are applied, meeting SG 60. However, the lack of transparency in WCPFC dealing with non-compliance prevents judgement as to whether sanctions are consistently applied. SG 80 is not met by the WCPFC. There is clear evidence of legal requirements being enforced by US authorities and transcripts of legal proceedings provide evidence of sanctions which result. The NOAA website provides evidence of fisheries enforcement cases in relation to U.S. vessels (see background information on MCS and 3.2.3a above), prohibitions, landing restrictions, and catch documentation schemes. SG60 and SG80 requirements are met. There is not sufficient detail available to the public to demonstrate deterrence, and therefore SG100 is not met. The U.S. has developed partnerships with Pacific nations in the WCPO to assist with enforcement in that area. Nine “Shiprider” agreements have been signed enabling Pacific nations to place local law enforcement personnel on board U.S. Coast Guard vessels and give the Coast Guard authority to patrol their territorial waters and conduct vessel boardings. In FY 2012, the U.S. Coast Guard conducted 121 boardings under bilateral enforcement agreements with seven Pacific Island Nations: Cook Islands, Federated States of Micronesia, Kiribati, Republic of the Marshall Islands, Nauru, Palau, and Tuvalu, with 21		

PI 3.2.3		Monitoring, control and surveillance mechanisms ensure the management measures in the fishery are enforced and complied with.		
		violations documented. Of these, four stemmed from WCPFC measures, while 17 were infractions of national laws applicable within the EEZ of Pacific Island Nations (NOAA 2013). The US reviews all WCPFC observer records, beyond those flagged for potential non-compliance by the WCPFC (A. Cole, pers. Comm). Harmonization discussions amongst CABs have resulted in the interpretation that this PI can be scored at SG80 despite WCPFC deficiencies if it can be demonstrated how the deficiencies that have now been identified at the WCPFC level are accounted for by national structures. The assessment team considers that the US compliance monitoring system does account for WCPFC deficiencies on the basis of its additional efforts in monitoring for non-compliance and its transparency in reporting results of enforcement actions online. **The SG80 is therefore met overall.**		
C	**Compliance**			
	Guidepost	Fishers are **generally thought** to comply with the management system for the fishery under assessment, including, when required, providing information of importance to the effective management of the fishery.	**Some evidence exists** to demonstrate fishers comply with the management system under assessment, including, when required, providing information of importance to the effective management of the fishery.	There is a **high degree of confidence** that fishers comply with the management system under assessment, including, providing information of importance to the effective management of the fishery.
	Met?	Yes	Yes	No
	Justification	WCPFC has a permanent working group on compliance (the TCC) with a role to review and monitor compliance with WCPFC management measures. The working group also recommends measures to promote compatibility among the national fisheries management measures, addressing matters related to compliance with fisheries management measures, 51nalyse information on compliance and report the findings to the WCPFC, which will, in turn, inform the members and non-members. An annual report is produced as part of the compliance review. Identified infringements are reported. Not all fisheries comply and clearly, there is some non-compliance by some vessels as reported by the TCC. However, reporting on compliance is not as complete as other RFMOs, at least in the public domain (Medley and Powers 2015). Logbook data are supplied as part of licence requirements; VMS and observer reports provide additional evidence of general compliance with the management system, meeting SG 60. WCPFC reports indicate that the compliance is adequate in the fisheries considered here, meeting SG 80. As indicated above, there is evidence of sanctions being implemented by the U.S. Government for some purse seine vessels for a low level of non-compliance, also suggesting SG 80 requirements are met. There are still gaps in transparency across the WCPFC and US levels that prevent a high degree of confidence from being achieved.		
D	**Systematic non-compliance**			
	Guidepost		There is no evidence of systematic non-compliance.	
	Met?		Yes	
	Justification	**While issues have been identified, there is no evidence that they are widespread or systematic.**		
References		Banks et al. 2011; Medley and Powers 2015; FFA Strategic MCS Plan (2010); WCPFC 2014a; WCPFC TCC minutes; NOAA 2013; WCPFC CMM 2015-17		

PI 3.2.3	Monitoring, control and surveillance mechanisms ensure the management measures in the fishery are enforced and complied with.
OVERALL PERFORMANCE INDICATOR SCORE:	~~**75**~~ **80**
~~**CONDITION NUMBER (if relevant): Condition 6**~~ ~~**Demonstrate that sanctions to deal with non-compliance exist, are consistently applied and thought to provide effective deterrence.**~~	

Appendix 2. Stakeholder submissions

One stakeholder submission was received by SCS concerning another MSC assessment. It was also relevant to this fishery as it pertains to yellowfin and skipjack and was the subject of cross-CAB harmonisation discussions (described in 4.2 Harmonization Considerations) so the submission has also been considered as part of this surveillance audit.

Table 19. Summary of Stakeholder Submissions

Organization	Representative	Date Received	Medium of submission (verbal/written)	Summary of verbal sub. /Section in report written sub.	Associated Quotes Numbers
PNAO	Richard Banks &Les Clark	6 April 2019 for another assessment.	Attachment to email submission	Copy of written submission and response is included below.	

Table 20. Summary of Stakeholder Comments and Reponses by Performance Indicator

Comment Number	Performance Indicator	Summary	Team Response*
1	1.2.1a	Scoring issue is met at SG100 level for SKJ at least	No agreement that HS meets SG80 level yet. With no HCR in place (just 'available') all the required elements of a HS are not present and therefore could not yet be considered to be working together.
2	1.2.2a	HCRs are still not well defined (so SG80 is still not met) but they are 'generally understood' and 'in place' rather than just 'available' for SKJ.	No agreement that HCRs are generally understood for any tuna species. Conditional pass still only met using the availability criteria.
3	1.2.2c	Because generally understood HCRs are 'in place' the tools in use can be evaluated and there is evidence that these are appropriate and effective meeting SG80.	No agreement that even generally understood HCRs are in place. Therefore SG80 requirements still cannot be met.

The PNAO submission and SCS's response are included below.

PNAO SUBMISSION ON SKJ AND YFT HS and HCR

FOR THE 1st SURVEILLANCE AUDIT ON THE RENEWED CERTIFICATION ON THE PNA WESTERN AND CENTRAL PACIFIC SKIPJACK AND YELLOWFIN, UNASSOCIATED / NON-FAD SET, TUNA PURSE SEINE FISHERY

Overview

The figure below illustrates the status of the 4 major tuna stocks (albacore, bigeye, skipjack, yellowfin) globally. The figure shows the superior performance of the WCPO harvest strategies in managing these stocks. At this point, the WCPO tuna fisheries are generally the only major tropical tuna fisheries globally where the major target stocks (bigeye, skipjack, and yellowfin) are being fished sustainably. Notably, around 60% of the WCPO catch of tropical tunas indicated in the figure is taken in PNA waters and a significant amount, in addition, is taken by PNA flag vessels outside PNA waters.

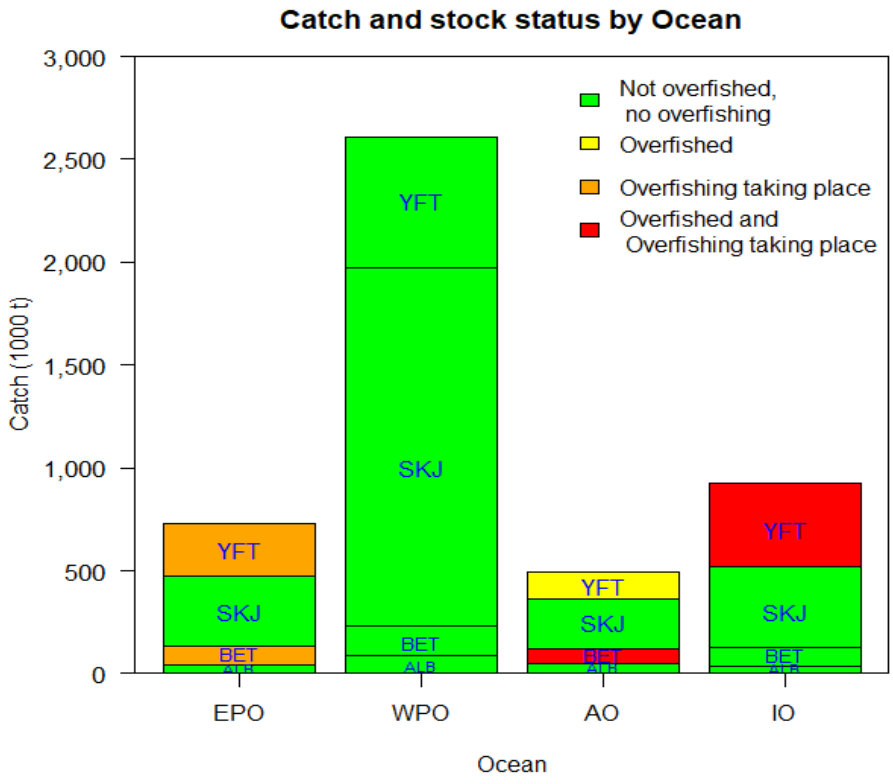

Figure 1. Catch and Stock Status by Ocean (Source: SPC Status of the WCPO stocks presentation to the 24th Annual meeting of the Palau Arrangement)

In the view of the PNA, the WCPO outcome indicated in the figure is a result of the effective control of harvests in the WCPO, particularly under the VDS.

At a more detailed level, this figure, taken with the results of the most recent assessments for bigeye, skipjack and yellowfin, and the projections referred to below indicate that the management objectives for all 3 stocks as set out in the stream of Tropical Tuna CMMs over time:

- Are currently being achieved;
- Have always been achieved; and
- Are likely to continue to be achieved

This is no accident and it's not because the stocks are lightly exploited. In the PNAO view, this outcome results from the effectiveness of the current controls on harvests, particularly as a result of the PNA VDS. However, the harvest controls in place are not complete, and there are uncertainties, gaps, and risks that require to be addressed to ensure that WCPO tropical tuna fisheries continue to be sustainable. The adoption of more well-defined harvest control rules is a key element in that work, along with the strengthening of other elements of harvest strategies.

Specific Comments on Skipjack and Yellowfin Harvest Strategy and Harvest Control Rule Scoring Issues

The notes below relate to the skipjack UoA, but the PNAO considers that the same comments broadly apply to the yellowfin tuna UoA.

1.2.1 Harvest strategy

1.2.1a Harvest strategy design

PNAO sees three aspects in which new information point to increasing the score for this SI to 100. They are:

a) **The revision in the status of the bigeye stock**. Previously assessments on the skipjack stock have considered that:

"The record of failing to reduce fishing mortality on bigeye tuna so that they have now become overfished (see PI 2.1.1), reduces the level of confidence that the harvest strategy would be responsive to the state of the stock or that the elements will work together when required to do so to achieve the management objectives" (WPSTA PCR, p167)

It is now clear that the bigeye tuna stock is not overfished, and never was overfished. It must, therefore, follow that the fact that the bigeye stock, and the yellowfin stock, and the skipjack stock are not overfished and have never been overfished at least removes the previous reduction in confidence in the responsiveness and effectiveness of the harvest strategy referred to above.

More generally, there is now evidence of:

- effective actions being taken to reduce effort and catch when the scientific advice was that the stock was overfished, including as indicated below;

(i) the FAD closure

Resulted in about 16% reduction in bigeye catch for a 2-months FAD closure, 21% - 3-month and 26% in a 4-month closure. 22% overall for 2009-2017.

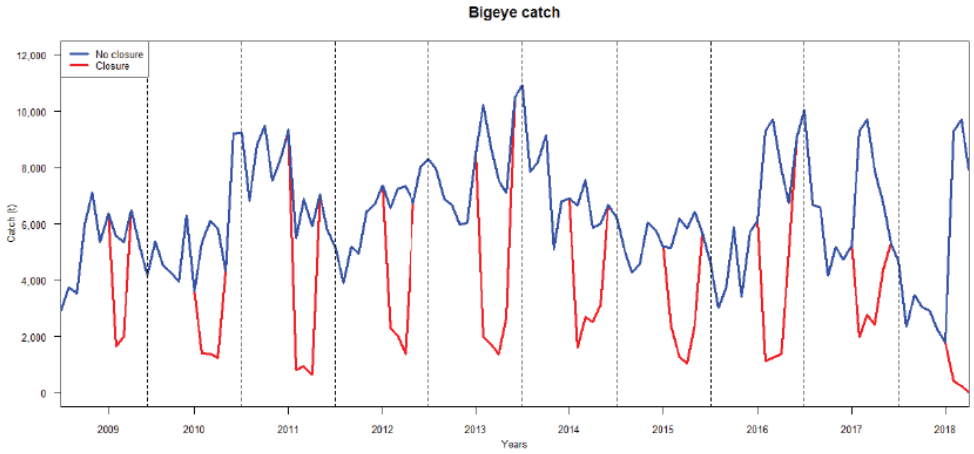

Figure 2. Bigeye Stock Status (source: SPC Status of Stocks Presentation to the 24thAnnual meeting of the Parties to the Palau)

(ii) and the measures adopted being likely to rebuild the stock:

Table 1. Average rebuilding time to each bigeye stock rebuilding level (%$SB_{F=0,y\text{-}10\text{-}y\text{-}1}$), under scenarios of purse seine FAD effort and longline catch.

Average rebuilding level	Basis	Status quo	'Pessimistic'	'2016 choices'	'Optimistic'	'Closure'
20% $SB_{F=0}$	Adopted LRP[1]	7 years	7 years	6 years	5 years	2 years
24% $SB_{F=0}$	Consistent with 20% risk of falling below LRP	10 years	12 years	7 years	6 years	3 years
25% $SB_{F=0}$	Consistent with 15% risk of falling below LRP	12 years	21 years	8 years	7 years	4 years
26% $SB_{F=0}$	Consistent with 10% risk of falling below LRP	14 years	>30 years	9 years	7 years	4 years
28% $SB_{F=0}$	Consistent with 5% risk of falling below LRP	>30 years	>30 years	11 years	8 years	5 years

[1] this is consistent with a half of all runs falling below the LRP (a 50% risk)

Figure 3. Bigeye stock rebuilding (source: WCPFC13-2016-12: Biologically reasonable rebuilding timeframes for bigeye tuna WCPFC13-2016-12 https://www.wcpfc.int/node/28504)

(iii) and action to allow increases in effort and catch consistently with scientific advice from the latest assessment that the unfished biomass was substantially higher than previously estimated (by 70%) which must increase the level of confidence

that the harvest strategy would be responsive to the state of the stock and that the elements will work together when required to do so to achieve the management objectives.

b) **The process of preparation of CMM 2017-01 and CMM 2018-01:** the preparation of the replacement Tropical Tuna CMM for CMM 2013-01 illustrates the way in which the current harvest strategy, including the "generally understood" HCR respond to the state of the stock. The key elements include:

(i) updated assessments for skipjack (2016) and bigeye and yellowfin (2017, with a revised bigeye assessment in 2018)

(ii) scientific advice on the status and management of these 3 stocks from the Scientific Committee;

(iii) Two special sessions of the Commission in 2017 and priority attention to the Tropical Tuna Measure during the annual Commission sessions in 2017 and 2018

(iv) Presentations to those sessions of a range of scientific analyses including

- Projections of spawning biomass and fishing mortality in relation to SBmsy and Fmsy (for bigeye and yellowfin); the TRP for skipjack and the LRPs for all 3 stocks presented to the 2017 special WCPFC session https://www.wcpfc.int/node/29808.
- Evaluations of Management options presented to the 2017 and 2018 Commission sessions https://www.wcpfc.int/node/30045 and https://www.wcpfc.int/node/30171. This analysis was a response to the Special WCPFC Intersessional Meeting to Progress the Draft Bridging Measure for Tropical Tunas held on August 2017. The meeting tasked SPC to evaluate the performance of a range of measures for skipjack management against these parameters:
    - Catches
    - Vulnerable biomass
    - the spawning biomass depletion ratio (SB/SBF=0) is to be maintained on average at the target reference point
    - the fishing mortality is to be maintained at or below the average fishing mortality level in 20112014
    - the fishing mortality at FMSY - the risk of breaching the adopted limit reference point of 20% of the estimated recent average spawning biomass in the absence of fishing
    - [relative impact on spawning biomass by fishery sector/gear]
- Preparation of the CMM as a "bridging" measure to the creation of a formal harvest strategy
- Systematic revision of the CMM based on the conclusions of the SPC Evaluation of Management Options with the aims of:

(i) achieving the objectives set in the measure, including keeping the SKJ TRP around the TRP; and

(ii) ensuring a very low risk of breaching the LRPs for all 3 stocks

c) **The form of CMM 2017-01 and CMM 2018-01:** one of the rationales set down by some CABs for the previous scoring of 60 for SI 1.2.1 a) was that the processes for determining VDS TAE and PAE are not transparent and that it is unclear how the TAE is determined, based on stock status advice". This was never the case, but there were some complexities in the determination of the TAE which have now been simplified to make the process of determining the TAE even more transparent. That includes:

(i) In CMM 2017-01 and 2018-01, EEZ effort limits have been reformulated as numbers of days rather than historical effort levels. The WCPFC effort limit for PNA EEZs is now clearly 44,033 days as set out in Table 1 of CMMs 2017-01 and 2018-01 where it was previously defined as the 2010 effort level; with an associated TAE of 1,000 days for Tokelau which Table 1 indicates is "managed cooperatively through the PNA Vessel Day Scheme"

(ii) the VDS TAE for 2019 has been determined at 45,033 days as set out below. In this formulation, the Length Adjustment Factor has been kept at zero to clarify the link with Table 1 the Tropical Tuna CMMs.

Proposed TAE for 2019 and Proposed Provisional TAE for 2020 and 2021

	Determining the TAE (days)				
	TAE 2017	**TAE 2018**	**Provisional TAE for 2019**	**Proposed TAE for 2019**	**Proposed Provisional TAE for 2020 and 2021**
Estimated 2010 Logsheet effort	44,033	44,033	44,033	44,033	44,033
Length Adjustment factor	1.30%	0.0%	0.0%	0.0%	0.0%
PNA TAE	***44,605***	***44,033***	***44,033***	***44,033***	***44,033***
Tokelau TAE	*985*	*972*	*972*	*1,000*	*1,000*
Total VDS TAE (PNA + Tokelau)	***45,590***	***45,005***	***45,005***	***45,033***	***45,033***

Figure 4. Proposed TAE for 2019 and Proposed Provisional TAE for 2020 and 2021.

The set of effort limits adopted in the CMM reflects

(i) the scientific advice that the spawning biomass was around the TRP and action should be taken to keep the spawning biomass near the TRP; and

(ii) the projection results which indicated that maintaining effort at recent levels would keep the SKJ spawning biomass around the TRP

1.2.2 Harvest Control Rules and Tools

1.2.2a HCRs Design and Application

The re-assessment found that appropriate generally understood HCRs are "available". In the view of the PNAO, the available evidence now indicates that the generally understood HCRs should be considered as "in place".

Relevant MSC advice[4] includes (emphases added):

a) When determining whether there is a 'generally understood' HCR **in place** in the fishery under assessment, assessors need to determine whether the fishery will in future take appropriate management action in line with what they perceive as the 'generally understood' rule. Evidence that positive action has been taken in the past should be considered to be evidence that there is a generally understood rule **in place**.

b) Conservation and Management Measures (CMMs) approved by RFMO Commissions and for example, regarded as 'active' resolutions, may thus be accepted as **in place** even if they might still be overturned at some point in the future.

c) Evidence and examples of the positive actions taken in response to generally understood HCRs should be provided for the target stock in the case that generally understood HCRs are **'in place'**

d) However, in some circumstances – where F has been constrained at F<FMSY by controls on effort or catches, then this could be given as part of the evidence that the 'generally understood' HCRs **are being effective**. Evidence for the effectiveness of an HCR should, in fact, require the consistent achievement of the target exploitation level

The fishery meets these tests in that:

a) There have been a series of management actions relating to skipjack tracing from the broadening of the Tropical Tuna CMMs by the Commission since CMM 2013-01 to include explicitly target the CMMs at managing skipjack as well as bigeye and yellowfin and the associated tightening of the VDS through to the process and outcomes of the preparation of CMMs 2017-01 and 2018-01. Notably, this process has now been through a full cycle from the adoption of a 4-year measure in 2012 (for 2013-2017) to the adoption of a new 3-year measure in 2017 (for 2018-2000). This record of management actions provide evidence that there is a "generally understood" rule in place, and that appropriate management action will in future be taken in line with this "generally understood" rule.

[4] From the MSC Interpretation on Harvest Control Rules (HCRs)

b) The Tropical Tuna CMMs have been and continue to be, “in place.”

c) Evidence and examples of the positive actions taken in response to the “generally understood” HCRs for skipjack are provided in a) above; and

d) The figure below illustrates the effectiveness of the PNA VDS working together with the WCPFC Tropical Tuna CMM to cap and bring down purse seine effort and skipjack fishing mortality since 2010 to achieve an exploitation level well below FMSY consistent with maintaining the spawning biomass around the TRP.

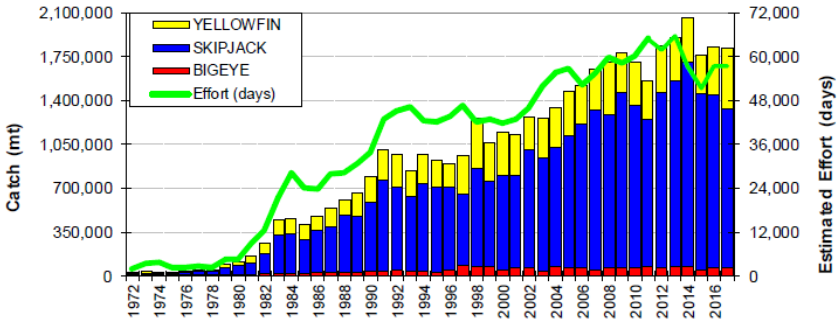

Figure 3.1.2 Purse seine catch (mt) of bigeye, skipjack and yellowfin and estimated fishing effort (days fishing and searching) in the WCP–CA

Figure 5. Purse seine catch (mt) of bigeye, skipjack and yellowfin and estimated fishing effort (days fishing and searching in the WCP-CA (source: Figure 3.1.2: WCPFC-SC14-2018/GN-WP-01: Overview of Tuna Fisheries in the Western and Central Pacific Ocean, including Economic Conditions – 2017: https://www.wcpfc.int/node/32155)

In addition, further evidence of the “generally understood” HCR for skipjack being in place includes:

a) the process of preparation of the current Tropical Tuna CMM including the adoption of clear objectives for all 3 tropical tuna stocks; the evaluation of management options in the manner summarised above and the outcome in terms of the revision of the CMM in response to the status of the stock and the advice on the effectiveness of different management options to achieve the agreed management objectives.

b) The ongoing work on the design of a formal HCR for skipjack centered on the form of candidate HCRs illustrated below.

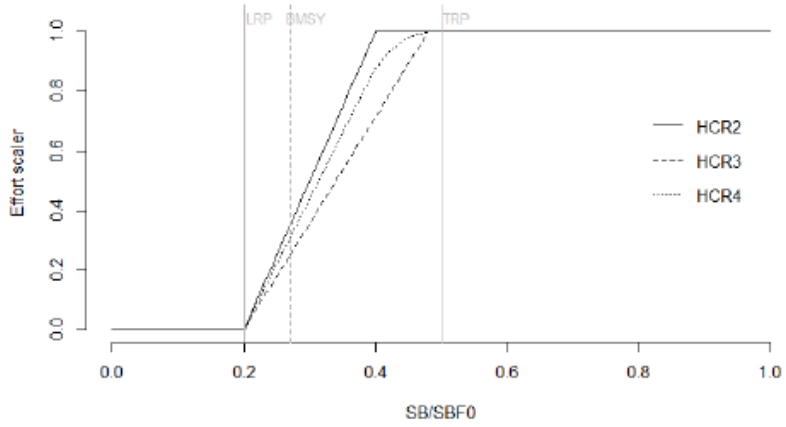

Figure 6. Candidate HCR (*source: Figure 1: Evaluation of candidate harvest control rules for the tropical skipjack purse seine fishery: SC12-MI-WP-06: https://www.wcpfc.int/node/27431*).

including work reported in:

- WCPFC-SC14-2018/ MI-WP-04: Performance indicators for comparing management procedures using the MSE modeling framework: https://www.wcpfc.int/node/30982
- WCPFC-SC14-2018/ MI-WP-05: Key decisions for managers and scientists under the harvest strategy approach for WCPO tuna stocks and fisheries; https://www.wcpfc.int/node/30993 and
- The design of the current Tropical Tuna CMM to "create a bridge to the adoption of a harvest strategy for bigeye, skipjack, and yellowfin tuna stocks and/or fisheries in accordance with the work plan and indicative timeframes set out in the Agreed Work Plan for the Adoption of Harvest Strategies under CMM 2014-06".

1.2.2c HCRs Evaluation

This SI requires an assessment of evidence showing that the tools in use are effective in achieving the exploitation levels required under the HCRs.

The re-assessment considered that "Given SIa finds HCRs are 'available', the tools are not considered to be in use and SG80 is not met." consistent with the MSC advice that "Due to the scoring rules, if HCRs are only regarded as 'available' in scoring issue (a), it is not possible to score more than 60 for issue (c) since the SG80 refers to the tools 'in use' in the fishery in assessment, not the tools 'in use or available'

However, following the argument above that the available evidence now indicates that the generally understood HCRs should be considered as “in place” rather than “available”, this rationale no longer applies and it follows that an assessment should be made of the extent to which the tools in use are effective in achieving the exploitation levels required under the HCRs.

The range of tools used to control skipjack harvests includes effort limits and capacity limits. Other measures such as the FAD closure designed to management bigeye also have an effect on control of skipjack harvests. These measures are clearly “in use” and are effective because the exploitation levels required under the “generally understood” HCRs have all been achieved. If the tools weren’t “in use” the harvests wouldn’t have been controlled as effectively as they have been.

Therefore, on the basis that additional information indicates that the “generally understood” HCRs are “in place” rather than available, the PNAO view is that SIc should be assessed on the basis of the tools being “in use”, and that SG80 is met.

SCS Response to 2019 PNAO Submission

This response is to the latest written submission provided to SCS on 6 April 2019 by PNAO as a stakeholder response for the PNG-FIA assessment which the PNAO also later requested to be considered for other assessments or surveillance audits which were being undertaken in early 2019. It has been drafted by SCS but reflects the outcomes of the most recent harmonization discussions. Harmonisation is one of the MSC's main priorities in ensuring the credibility of the standard. In 2016 CAB representative and team members participated in a Harmonisation Workshop which resulted in agreed scores for Principle 1 for the yellowfin tuna and skipjack tuna stocks in the western Pacific managed by the Western and Central Pacific Fisheries Commission (WCPFC). The input provided by the PNAO submission triggered harmonisation discussions amongst CABs to review the previously agreed-upon scores for these stocks. The harmonisation discussions did not result in a change to scores, however, they led CABs to seek further guidance on interpretation of the standard from MSC (See below).

In brief this submission argues that that the management objectives for all three main tuna stocks (skipjack, yellowfin and bigeye tuna) as set out in the stream of Tropical Tuna CMMs over time are currently being achieved, have always been achieved, and are likely to continue to be achieved.
Response: The good status of the key tuna stocks in the WCPO is noteworthy and is reflected in scores for PI 1.1.1 (unconditional passes for all key tuna species). The scoring of the harvest strategy, however, evaluates prescribed aspects of the system that delivered that outcome, and there is no guaranteed pass for those just because stock status is still good.

The subsequent detailed arguments for specific performance indicators in the PNAO submission were mainly focused on skipjack tuna but the PNAO considered that the same comments broadly applied to the yellowfin tuna UoA as well.

PI 1.2.1a. The PNAO submission argues that the score for this PI should be 100.

Response: The MSC identifies a Harvest Control Rule in place (even if just a generally understood one) as one of the key elements required in a harvest strategy (MSC Standard v2.01 GSA2.4) and so the lack of any form of HCR is relevant to the logic behind whether the harvest strategy elements (as defined by MSC) work together as required by the SG80 level for Scoring Issue a for PI 1.2.1. Applying the MSC definition of a harvest strategy, it is understood that a harvest strategy for a fishery could not be given an unconditional pass for PI 1.2.1 without a HCR being in place.

Nevertheless, SCS with other CABs recognize the potential validity of this argument, and have in response submitted an interpretation request to MSC on July 2019, to clarify this issue. No formal response has been received to the request to the date of the publication of this report.
In conclusion, there is still considered to be insufficient evidence that scoring issue 1.2.1a reaches the SG80 level.

PI 1.2.2a. The PNAO submission argues that a generally understood HCR is in place and not just available. This does not affect the score for this PI but could affect how PI 1.2.1a is scored and would also allow a different approach for PI 1.2.2c.

Response: There has previously been agreement among CABs that there is not even a generally understood HCR for skipjack tuna (or other tuna species). A 60 score has been achieved for 1.2.2a on the basis of 'available' HCRs not one that is 'in place'.

The PNAO submission provides a more detailed and coherent argument than has previously been submitted to CABs, however, it does not provide any new information that would be considered

material to scoring. All measures introduced by WCPFC have been negotiated outcomes that, although important and positive for stock conservation, had not been considered to follow even a generally understood HCR.

The MSC Interpretation on HCRs instructs CABs that, when there is uncertainty over whether a HCR meets the requirements of 'generally understood', they should follow the precautionary approach and award a lower score. So, in the absence of new and stronger evidence that the previous decision was incorrect, the status quo should apply and a condition be maintained.

PI 1.2.2c. The PNAO submission argues that the available evidence indicates that the tools in use (not just available) are effective and that a score of 80 is warranted.

Response: As the HCRs are still not considered to be in place, then following MSC advice, it is not possible to score more than 60 for issue (c) since the SG80 refers to the tools 'in use' in the fishery in assessment, not the tools 'in use or available'.

Appendix 3. Surveillance audit information

No additional information was provided.

Appendix 4. Revised Surveillance Program

Table 21. Surveillance level change rationale

Year	Surveillance activity	Number of auditors	Rationale
3	Off-site audit	2 auditors, remote	Remaining open conditions are all found under Principle 1, and focus on RFMO level actions. Verification of progress on these conditions primarily includes a review of updated scientific reports and CMMs from WCPFC meetings and receipt of written evidence of efforts by Tri Marine. Beyond open conditions, changes to the fishery are likewise primarily reflected in published reports and policy documents at the RFMO level. There is a precedent for remote surveillance audits in harmonized fisheries.

Table 22. Fishery Surveillance Program

Surveillance Level	Year 1	Year 2	Year 3	Year 4
Level 5	On-site surveillance audit	On-site surveillance audit	Off-site surveillance audit	On-site surveillance audit & re-certification site visit.

Appendix 4. Principle 1 v2.0 assessment upgrade process

Introduction

This document provides the process requirements CABs shall follow to upgrade Principle 1 assessments of tuna fisheries currently certified against v1.3 of the MSC Fisheries Standard.

This process is only applicable to the combined tuna fishery variation request, submitted 11 December 2018.

This process is adapted from FCP v2.1 7.27 and Annex PE - scope extensions. It is noted that the MSC has no expectation that CABs – if they choose to apply this process before the FCP v2.1 becomes effective - are obliged to adopt the FCP v2.1 more generally before such time that it is required to do so.

The MSC expects that Principle 1 assessment upgrades will be conducted at the next surveillance audit. These process requirements do not change the need for CABs to conform to surveillance audit requirements as per FCP v2.1 7.28.

1. Scope

1.1. The requirements of this annex shall apply only to Principle 1 assessment upgrade of tuna fisheries currently certified against v1.3 of the MSC Fisheries Standard (as per Appendix A of the MSC's variation response).

2. Assessment team

2.1. The team shall comprise of a team leader and a minimum of 1 additional team member, that meet the qualifications and competency requirements relevant to Principle 1, specifically that the team leader shall meet Table PC1; team members meet table PC2; and combined they meet sections 1 (Fish stock assessment), 2 (Fish stock biology/ecology) and 5 (Current knowledge of the country, language and local fishery context) of table PC3.

3. Announcement

3.1. The CAB shall use the 'MSC Surveillance Announcement Template', which shall be uploaded to the MSC database for publication on the MSC website, to notify stakeholders and the MSC of the CAB's intent to undertake a Principle 1 v2.0 assessment upgrade at the next surveillance audit.

3.2. The CAB shall include the following information in the announcement:

a) Reference to the variation request

b) Details of the on-site or off-site assessment (depending on the surveillance level of the fishery as per FCP 7.28), including the date and, where relevant, the location of the site visit.

c) Details of what will be assessed/reviewed during the audit

d) Details of reporting timelines with respect to audit timing and expected report publication

e) Details of the opportunities and input methods for stakeholders to participate during the on-site or off-site assessment.

f) The details should make clear that the assessment team is available to meet with stakeholders in person or remotely.

g) Summaries of CVs of the team and team leader, including an explanation of how they meet the competency criteria in the GCR and Annex PC , as well as confirmation that the team has no conflicts of interest in relation to the fishery under assessment.

3.3. The CAB shall upload the Announcement to the MSC database for publication on the MSC website at least 30 days before the Principle 1 v2.0 assessment upgrade on site or offsite audit is carried out.

4. Assessment

4.1. The CAB shall conduct the Principle 1 v2.0 assessment upgrade at the next Surveillance Audit.

4.2. The CAB shall use one of the following assessment types:

a) On-site. The assessment involves face-to-face engagement with the client, conducting stakeholder interviews and a review of management and science in the fishery.

b) Off-site. The assessment involves engagement with the client, conducting stakeholder interviews and a review management and science in the fishery and is undertaken by the assessment team from a remote location.

4.3. The CAB shall determine whether the Principle 1 v2.0 assessment upgrade is conducted on-site or off-site depending on the existing surveillance level assigned to the fishery and the ability of the CAB to remotely verify information.

4.3.1. Where an off-site assessment is conducted, the CAB shall provide a rationale in the announcement of how clause 4.3 is met.

4.4. The team shall:

a) Conduct interviews to make sure that the team is aware of any concerns or information that stakeholders may have.

b) Allow private interviews with the team for stakeholders who request one.

c) Use any information provided in private in conformity with confidentiality requirements, see FCP v2.1 Section 4.3.

4.5. The CAB shall evaluate the assessment components using all requirements in MSC Fisheries Standard Annex SA2 following the process as described in FCP Section 7.17 and Section 7.18.

4.6. The CAB shall complete the Principle 1 v2.0 upgrade assessment in compliance with timelines as set out in FCP 7.20.1 and 7.22.1.

5. Reporting

5.1. If the stock has been assessed against FCR v2.0 Annex SA, the CAB shall follow 5.1.1 – 5.1.4.

5.1.1. The CAB shall produce a single report using the 'MSC Reporting Template' and follow procedures outlined in FCP Sections 7.19.1, 7.19.2, 7.19.6 to 7.19.10, 7.24.3 and 7.24.4 (exclusive of references to the Peer Review Draft Report and the Peer Review College).

5.1.2. Reporting shall include:

a) Sections 1 to 5 of the 'MSC Reporting Template', limited to Principle 1

b) Section 7.1 (limited to Principle 1) and Section 7.2 of the 'MSC Reporting Template'

c) Section 8 of the 'MSC Reporting Template'

5.1.3. Where appropriate, the CAB shall populate sections of the 'MSC Reporting Template' from the existing Public Certification Report.

5.1.4. The report, completed in accordance with 5.1.2, will be published as an Annex to the Surveillance Audit.

5.1.4.1. If the Principle 1 v2.0 upgrade assessment is conducted outside of a Surveillance Audit, the CAB shall upload the report to the MSC database for publication on the MSC website.

5.2. If the stock has not been assessed against FCR v2.0 Annex SA, the CAB shall follow 5.2.1 – 5.2.5

5.2.1. The CAB shall produce the following reports using the 'MSC Reporting Template' and follow procedures outlined in FCP Sections 7.19 to 7.23 and 7.24.1 to 7.24.4:

a) Client and Peer Review Draft Report.

b) Public Comment Draft Report.

c) Final Draft Report.

d) Public Certification Report.

5.2.2. Reporting shall include:

a) Sections 1 to 5 of the 'MSC Reporting Template', limited to Principle 1

b) Section 7.1 (limited to Principle 1) and Section 7.2 of the 'MSC Reporting Template'

c) Section 8 of the 'MSC Reporting Template'

5.2.3. Where appropriate, the CAB shall populate sections of the 'MSC Reporting Template' from the existing Public Certification Report.

5.2.4. The minimum number of peer reviewers for Principle 1 v2.0 assessment upgrade shall be 1.

5.2.5. All other requirements for peer review outlined in FCP Sections 7.14, 7.19.3-7.19.5 and 7.20.9 shall apply.

6. Certification

6.1. The CAB shall make a determination regarding the Principle 1 assessment upgrade outcome and notify stakeholders in the Final Draft Report.

6.2. If it determined that the scores from the Principle 1 assessment upgrade meet the requirements for certification, the CAB shall update the Fishery Certificate Statement and fishery certificate(s) in accordance to FCP v2.1 Section 7.24.6.3 and 7.25.3.

6.3. If the determination is that the fishery has not met the requirements for certification, the CAB shall report this in the Final Draft Report and Public Certification Report and shall make no changes to the existing certificate, which shall remain valid.

6.4. If the Principle 1 assessment upgrade results in continued certification, the CAB shall conduct a full Principle 1 assessment at re-assessment.

Table 23: Principle 1 v2.0 assessment upgrade – indicative timelines

Principle 1 assessment upgrade announcement	30 days
On-site or off-site visit (i.e. surveillance audit)	
Client & Peer Review	60 days
Public Comment Draft Report	30 days
Final Draft Report	15 days
Public Certification Report	
Total	**135 days (4.5 months)**