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**13th ANNUAL REPORT OF THE REGIONAL OBSERVER PROGRAMME**

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**WCPFC18-2021-IP09<sup>1</sup>**  
**10 September 2021**

**Secretariat**

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<sup>1</sup> This was posted to TCC17 meeting as **WCPFC-TCC17-2021-RP02\_rev1**



**TECHNICAL AND COMPLIANCE COMMITTEE**  
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**13<sup>th</sup> ANNUAL REPORT FOR THE REGIONAL OBSERVER PROGRAMME**

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**WCPFC-TCC17-2021-RP02\_rev1<sup>1</sup>**

**10 September 2021**

**Paper by the Secretariat**

**Purpose**

1. This paper presents the 13th Annual Report of the WCPFC Regional Observer Programme (ROP), for 2020 for the information and consideration of TCC17.

**Introduction**

2. Paragraph 2 of Article 28 of the WCPFC Convention states that: “The observer programme shall be coordinated by the Secretariat of the Commission and shall be organized in a flexible manner which takes into account the nature of the fishery and other relevant factors”.

3. Paragraph 3 of CMM 2018-05 for the Regional Observer Programme states that: “The Secretariat of the Commission shall provide an annual report to the Commission with regard to the Commission ROP and on other matters relevant to the efficient operation of the programme”.

4. Paragraph 13 of CMM 2018-05 on the “Role of the Secretariat” lists several ROP activities that the Secretariat is required to carry out.

5. This paper reports on the several aspects of the ROP as required by the Convention, CMM 2018-05 and the outcomes of WCPFC17.

6. The structure of the Report is as follows:

- General
- Available Observer Data and ROP observer coverage
- Data and monitoring through the ROP of the Commission’s CMMs intended to minimize impacts of fishing on species of special interest including non-target species.
- Authorised observer providers to the ROP and update on ROP audits,
- Implications of COVID- 19 Intersessional decisions and travel restrictions
- ROP Compliance-related Matters
- Observer Safety Matters
- Support from the Secretariat to National and Regional Observer programmes
- Cross endorsement of observers to collect data on behalf of other tuna RFMOs
- Secretariat observations
- Administration notes
- Recommendations

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<sup>1</sup> Rev 1 replaces the original issued on 31 August 2021, corrections were made to Table 5 (on page 6)

## General

7. The year 2020 saw the implementation of decisions that suspend the requirements for WCPFC observer coverage due to the COVID-19 Pandemic, however observer coverage continued to occur in some of the fleets for part of the year 2020. The paper **TCC17-2021-14 COVID-19 related intersessional decisions** provides an overview and analysis of these decisions, and their implications. Whilst the catch data is reduced because of the reduction of observer trips, data was still collected by a few programmes for at least part of the year 2020. This report covers the data that was collected by observers. Several meetings were held during the year via online “Zoom”. There was an extremely limited amount of travel during the year 2020 and several normal practices in training and attending meetings was all re-organized to be held online via Zoom where practical. However, in the early part of 2020 training for Cross Endorsed Observers, plus the Regional Observer Coordinators Workshop ROCW was able to be held before travel restrictions were put in place by most countries.

8. The Secretariat continued to support observers and programmes where possible and assisted with online training and advice given on request to help CCM programmes with observer programmes. It continued also to assist national and sub- regional observer programmes on matters regarding provider and observer roles in relation to Commission requirements of CMMs, minimum standards for the ROP’s, data collection and data entry requirements, monitoring of transshipment and other ROP observer related issues.

9. Since the last report the Secretariat, principally the Regional Observer Coordinator, has participated in several observer related meetings, workshops, and training, such as the Regional Observer Coordinators Workshop in Tuvalu, the PNA Observer Coordinators workshop in Tuvalu; the IATTC/WCPFC Cross Endorsement observer training in PNG, online observer training in Vietnam. In 2020, ROP Audits completed electronically for six programmes.

10. The Secretariat continues to answer many questions about CMM’s and other issues involving observers, to members and others to help them understand CMM’s, and other rules and required standards of the Commission. The Secretariat has continued to utilize ROP observer data in the online “WCPFC Compliance Case File System” and in other papers and reports prepared for WCPFC meetings.

### *Data Entry Staff “Pohnpei”*

11. The Secretariat currently employs two data entry staff (a further 2 positions are vacant at the time of writing this report), who primarily enter data collected by the ‘FSM Observer Programme’ into SPC databases, and on behalf of SPC. When this is completed, the data entry staff continues to enter data sent by SPC to the Secretariat. Staff from the data entry team may also assist with the entry of other information at the Secretariat when required. The Data Quality Officer and the ROP Coordinator regularly offer advice and assistance to the team on data entry problems and questions.

### *ROP Data Fields*

12. There were no additions to the minimum standard data fields in 2020, but the Commission endorsed the TCC16 recommendation that the expectations under the ROP Minimum Standards on “Briefing and Debriefing” and “The Pre-Notification Process” were revised. The list of minimum standard data fields are available on the WCPFC website: - <https://www.wcpfc.int/regional-observer-programme>. The Secretariat has made notes in this report of a few CMMs have requirements where ROP data fields could be improved to better support data collection to monitor these requirements.

13. E-reporting technologies has the potential to reduce the timeframes between the end of an observed trip and the receipt of data by WCPFC. Updates of software and data information can be easily deployed to observers tablets and laptops in a timely manner, the implementation of updates or additions to observer data fields can be simpler through E-reporting systems compared to hard copy workbooks that need to be updated and distributed to all observers operating throughout the region. Several observer programmes have already or are going to switch to full electronic reporting for observers in their programmes, some are using both workbooks and E-reporting and others continue to use only the work-book formats.

14. To date the Commission still has not defined a set of specific approved minimum ROP required data fields for observers to collect when monitoring high seas transshipment activities. Although a set of forms that

could be used as guidelines were developed on request by some programmes.<sup>2</sup> The Secretariat understands that SPC and FFA are presently working on the development of training courses and a set of minimum data fields for Pacific Island observer programmes to collect whilst deployed on carrier vessels operating in the Convention Area, including when involved in high seas and in port transshipments. On this matter, the United States has presented a delegation paper to TCC17 (**TCC17-2021-DP01** *ROP Minimum Standard Data Fields for Transshipment at Sea*).

### **Available Observer Data and ROP Coverage**

15. The paper **TCC17-2021-IP03** *Status of Observer Data Management* indicates the amount of data that has been entered and highlights CCMs with fleets active in the WCPFC Convention Area (WCPFC-CA). It is noted that the lower coverage by most fleets is due to the suspension of coverage requirements by the Commission because of COVID -19 restrictions by countries put on travel and possible infection.

16. The recommended time frame for submission of observer collected data to the Secretariat or the 'Commission Data Provider' (SPC) was determined at WCPFC10 and should where possible occur within 100 days of the observer disembarking a purse seine vessel; and within 120 days of the observer disembarking a longline vessel.

17. In early 2020 several national observer programmes continued to trial implementation of electronic reporting to collect data, with some programmes converting to solely using electronic tablets. This has been somewhat curtailed by the decisions taken due to COVID-19 that suspend the requirements for observer coverage. However, with the reinstatement of "Observer Coverage requirements" the introduction of electronic reporting by tablets, ROP observer data entry and quality are expected to improve.

18. Prior to the COVID-19 pandemic many Pacific Island national and subregional programmes had upgraded their debriefer training and content to better improve the quality of information collected before it is entered in the SPC databases. However, with the long breaks between trips experienced by observers due to COVID restrictions, most ROP observers were not able to carry out any trips, it could be expected when observers do finally get to go on a trip, that they may be out of practice on their data collection roles; comprehensive debriefing will become crucial in checking the information collected is accurate, and help support the observer's confidence as a ROP Observer.

### **ROP Observer Coverage 2012-2020**

19. Table 1 represents the observer trips and observer sea days between 2012 to 2020, the data collected on these trips is used for the rest of the tables in this report (Tables 2 to 15). Noting that in the period 2012-2020 there were 17932 observer trips made and that observers spent 633317 observer sea days collecting data. An average of 41 days per observer trip in 2020, an increase of 8 days compared to 2019 where 33 days were spent on purse seiners. Noting that the extended days is most likely due to observers doing longer trips because of not being able to disembark and travel because of COVID-19 restrictions. Many vessels off loaded observers at home ports or to vessels traveling to the observer's home port. The average for 2020 on longline vessels dropped from 38 days to 32 days, however some countries continued to place observers on longline vessels that operate in and out of one port.

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<sup>2</sup> The original guideline forms developed in 2011 by the Secretariat that maybe considered by ROP observer programmes when developing their monitoring programmes for transshipment activities, including in high seas waters: = Form FC1 - Fish Carrier General Description; Form FC2 - Observer At Sea Transshipment Report; Form FC3 - Catch Destination Form (access from <https://www.wcpfc.int/regional-observer-programme>)

**Table 1 2012 to 2020 Total Observer PS & LL Trips and Sea days.**

Trip Year	No of PS Trips	Observer PS Sea days	No of Sets	No of LL Trips	Observer LL Sea days	Number of Hooks	No of sets	Total Observer Trips	Total Observer Sea Days
2012	1194	40926	32142	570	17151	17655882	9984	1764	58077
2013	1404	50394	38210	622	17241	21606971	14016	2026	67635
2014	1491	52163	37714	649	19414	20122164	11872	2140	71577
2015	1436	49175	34414	763	24182	23772261	13038	2199	73357
2016	1338	47283	30928	730	24415	26440404	13503	2068	71698
2017	1080	43107	28818	823	35097	37330151	18068	1903	78204
2018	1416	50632	35097	857	36344	43174283	20735	2273	86976
2019	1630	53702	40047	823	31404	41691899	18678	2453	85106
2020	584	24229	14081	522	16458	21849838	9201	1106	40687
<b>Total 2012-2020</b>	<b>11573</b>	<b>411611</b>	<b>291451</b>	<b>6359</b>	<b>221706</b>	<b>253643853</b>	<b>129095</b>	<b>17932</b>	<b>633317</b>

\* Data for 2020 entered as of August 3<sup>rd</sup>, 2021

20 Table 2 indicates the codes used in tables 1 to 18. TCC 15 requested that historical bird figures be included in the tables, and it was decided to do this for all catches of species of special interest (SSI). The information in this report is held by SPC and all figures represents raw data collected by the observers that have been debriefed and checked for mistakes or errors.

**Table 2 Life Status & Gear Codes used in Tables 1 to 18.**

Codes	Explanation
<b>R</b>	<b>Retained whole or processed</b>
<b>A</b>	<b>Alive when released or discarded</b>
<b>D</b>	<b>Deceased when discarded</b>
<b>U</b>	<b>Unknown Condition when released or discarded.</b>
<b>PS</b>	<b>Purse-seine</b>
<b>LL</b>	<b>Longline</b>

*ROP Observer Coverage - Longline 2020*

21. The minimum ROP coverage rates for long line is set at 5%, based on one of the approved and agreed metrics for longline coverage. As per CMM 2018-05, which replaced CMM 2007-01, the 5% ROP coverage rate was to be achieved by 30 June 2012. From 2012, there was improvement in overall longline coverage achieved with all flag CCMs recorded as attaining around the 5% ROP coverage rate in 2019. However due to suspension of coverage rates in 2020 the overall % coverage of all observer data by total effort measures in hooks (both ROP and non-ROP) is included in paper **WCPFC-TCC17-2021-IP03**; which has tables that shows coverage with the different fleets, noting that some fleets fished domestically, and other fleet had very little coverage for ROP trips in 2020.

22. There is no decision made by the Commission on the minimum size of longline or other vessels to which the implementation of the ROP will be deferred (CMM2018 -05 Annex C). In practice, the Secretariat understands that placement of observers is based on safety and the ability of an observer to be able to work on a vessel without unduly hindering the operation of the vessel.

*ROP Observer Coverage purse seine 2020*

23. Observer coverage for purse seine vessels was monitored by the Secretariat with most information supplied by observer flag CCMs and some from providers for purse seine vessels when fishing in the Convention area 20N – 20S. Table 3 indicates reported ROP trips for 2020. A small number of purse seiners may have fished for part of the year as domestic vessels and their ROP trip may or may not be reported in the table. As can be seen in Table 3 the trips tapered off quickly because the first exemption from attaining 100% observer coverage due to the pandemic was given in early 2020. Noting that figures showing some of the coverage in the 2<sup>nd</sup> half of the year could be due to several observers being stranded on board vessels and doing multiple trips on the vessel they were placed on prior to the Pandemic effects. Unfortunately, it took time to repatriate most of these observers, with some still not repatriated until June 2021.

**Table 3 – Available ROP Purse Seine Observer Placement information by fleet Jan - Dec 2020**

Flag	RFV_Vessels	Active Vessels	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
CK	1	1	1	1	0	0	0	0	0	0	0	0	0	0
CN	41	13	10	9	11	7	5	2	0	0	0	0	0	0
EC	31	2	2	0	0	0	0	0	0	0	0	0	0	0
EU	30	1	1	1	0	0	0	0	0	0	0	0	0	0
FM	35	24	15	14	17	16	10	6	3	0	1	1	0	0
JP	149	9	6	6	3	3	3	0	0	0	0	0	0	0
KI	15	9	9	6	5	5	7	7	4	1	1	0	0	0
KR	56	24	20	23	21	18	17	14	5	0	0	0	0	0
MH	13	8	8	6	5	4	1	1	0	0	0	0	0	0
NR	16	10	7	8	7	5	4	2	1	0	0	0	0	0
PG	36	2	2	1	0	0	0	0	0	0	0	0	0	0
PH	391	36	33	29	24	23	23	22	1	2	4	18	17	14
SB	24	4	4	3	2	0	0	0	0	0	0	0	0	0
SV	4	1	1	1	0	0	0	0	0	0	0	0	0	0
TW	79	20	17	12	12	11	13	10	5	0	0	0	0	0
US	141	21	19	19	20	18	15	9	4	3	0	0	0	0
VU	22	6	4	4	4	4	3	2	2	0	0	0	0	0
<b>Total</b>	<b>1084</b>	<b>191</b>	<b>159</b>	<b>143</b>	<b>131</b>	<b>114</b>	<b>101</b>	<b>75</b>	<b>25</b>	<b>6</b>	<b>6</b>	<b>19</b>	<b>17</b>	<b>14</b>

\*Data for 2020 as available April 15<sup>th</sup>, 2021

**Data and monitoring through the ROP of the Commission’s CMMs intended to minimize impacts of fishing on species of special interest including non-target species.**

*Whale Shark Interactions in purse seine fisheries as reported by ROP Observers.*

24. Whale shark interactions between purse seine vessels in the ‘WCPO’ have been monitored by Pacific Island observer programmes since the early 1990’s, and the CMM 2019-04 (which replaced by 2012-04 on 1<sup>st</sup> Nov 2020) prohibits deliberate setting on whale sharks and requires best efforts be made to ensure safe release where an encirclement occurs. Table 4a (next page) shows the number of whale shark interactions and landings for 584 purse seine trips reported from ROP data entered for 2020. Table 4 shows previous year’s figures reported from the date of the first implementation of CMM 2012-04.

**Table 4 Observer Reported Whale Shark Interactions and Landings from 2012-2020**

Year	Annual ROP Reports	Observer Report Whale Shark Interactions & Landings	Trips analyzed for ROP Annual Report	No’s of Vessels that caught Whale Sharks	Total No of Sets Made	No’s of Sets Whale Sharks reported
2012	5 <sup>th</sup>	366	1194	133	32142	329
2013	6 <sup>th</sup>	365	1404	146	38210	360
2014	7 <sup>th</sup>	369	1491	137	37714	343
2015	8 <sup>th</sup>	373	1436	152	34414	356
2016	9 <sup>th</sup>	162	1338	84	30928	151
2017	10 <sup>th</sup>	193	1080	98	28818	179
2018	11 <sup>th</sup>	271	1416	108	35097	256
2019	12 <sup>th</sup>	494	1630	156	40047	434
2020	13 <sup>th</sup>	129	584	62	14081	109
<b>Total 2012-2020</b>		<b>2722</b>	<b>11573</b>	<b>1076</b>	<b>2911451</b>	<b>2517</b>

\* Data for 2020 entered as of August 3<sup>rd</sup>, 2021

25. During 2020 ROP observers reported 32 whale sharks landed on deck; most were of a small size and came aboard in the brail. There were 97 interactions (generally these are larger whale sharks) with the net reported during the sets. There were 76 whale sharks discarded after landing and or released from the net alive; all were expected to survive. Of the 129 whale sharks landed or interacted nine were recorded as deceased, one of these was recorded as approximately 20 mT in size, with the other eight deceased whale sharks all under 1 mT in size.

26. Since 2016, ROP observer data has been used in the WCPFC online compliance case file system to record observer recorded interactions with whale sharks and the outcome of flag State investigations of these incidents. Annex A, Table II provide a summary of the outcomes of investigations by flag CCMs of ROP observer reported

interactions with whale sharks based on ROP observer data that were notified for flag CCM investigation in the WCPFC online compliance case file system, for the period 1 January 2016 – 1 July 2021. It would be beneficial if the ROP data fields were refined to align with the requirements of CMM 2019-04 more clearly, in particular to report whether purse seine vessel could have reasonably seen a whale shark prior to the set and if inadvertently encircled, whether best attempts were made to follow the guidelines for safe release.

**Table 4a - Whale Shark ‘Landings and Interactions’ for 2020**

Activity	Total Number	Released/ Escaped Alive and Healthy	Released Alive Injured or Distressed	Alive Unknown Condition	Deceased	Unknown
Landings	32	5	4	13	2	8
Net Interactions	97	21	46	15	7	8
<b>Total</b>	<b>129</b>	<b>26</b>	<b>50</b>	<b>28</b>	<b>9</b>	<b>16</b>

\* Data for 2020 entered as of August 3<sup>rd</sup>, 2021

*Seabird fishery interactions as reported by ROP observers for 2020.*

27. Table 5 shows available 2020 observer data collected by Fiji, Hawaii, French Polynesia, & New Zealand programmes, which indicates that 277 birds were recorded as caught and landed on 522 longline observer trips carried out in 2020. The data shows that observers confirmed 221 deceased and 56 released alive with Laysan (135) and Black footed Albatross (74) being the most predominant species recorded as caught. During analysis of the data, it was noted that observers on 53 different vessels recorded the catch of the 277 birds. As was explained previously due to the COVID -19 Pandemic, observer coverage was reduced during the year.

**Table 5. Observer Reported 2020 Seabird Bycatch - Long Line Vessels**

Gear	Species	Number Caught	Released Alive	Dead	<23N >30S	<30S	>23N
LL	Albatross Nei	1	1			1	
LL	Antipodean& Gibson Albatross	6	2	4		6	
LL	Birds Unidentified	1		1	1		
LL	Black-Footed Albatross	74	26	48	26		48
LL	Boobies & Gannet	2	1	1	2		
LL	Buller’s Albatross	3		3	1	2	
LL	Flesh Footed Shearwater	6	6	0		6	
LL	Laysan Albatross	135	17	118	10		125
LL	Parkinson Petrel	11	1	10		11	
LL	Petrels and Shearwaters	23	1	22	23		
LL	Shearwater Nei	4		4	4		
LL	Shy Type Albatross	4		4		4	
LL	Wandering Albatross	2		2		2	
LL	Westland Petrel	2		2		2	
LL	White Capped Albatross	2	1	1		2	
LL	White chinned Petrel	1		1		1	
	<b>Longline Total Birds Caught</b>	<b>277</b>	<b>56</b>	<b>221</b>	<b>66</b>	<b>67</b>	<b>37</b>

\* Data for 2020 entered as of August 3<sup>rd</sup>, 2021

**Table 6. Longline Seabird Sightings 2020.**

Gear	Species	Sighted	<23N >30S
LL	Albatross nei	6	6
LL	Black-Footed Albatross	43	43
LL	Boobies & Gannets	121	121
LL	Gulls, Terns and Skuas	69	69
LL	Laysan Albatross	2	2
LL	Petrels and Shearwaters	189	189
LL	Bird (Unidentified)	20	20
	<b>Longline Birds Sightings</b>	<b>450</b>	<b>450</b>

\* Data for 2020 entered as of August 3<sup>rd</sup>, 2021

**Table 6a. Purse seine Seabird Sightings 2020.**

Gear	Species	Sighted	<23N >30S
PS	Albatross nei	1	1
PS	Black-Footed Albatross	118	118
PS	Boobies & Gannets	80	80
PS	Gulls Terns & Skuas	1080	1080
PS	Laysan Albatross	32	32
PS	Petrels and Shearwaters	461	461
PS	Bird (Unidentified)	0	0
	<b>PS Bird Sightings</b>	<b>1772</b>	<b>1772</b>

28. Observers reported 450 sightings (Table 6) on long line vessels with Boobies and Gannets, Petrel and Shear Waters being the most predominant sighting. All sightings recorded on long line vessels were between 23N to 30S latitudes. Purse seiners, (Table 6a) observers did not record any interactions or landings but did record 1772 sightings between 23N to 30S. Purse seiners fish mainly in the equatorial waters and a few albatrosses were sighted, but the

predominant species sighted were terns, skuas, petrels and shearwaters. It is noted that the overall sightings of bird numbers are difficult to record for accuracy, as often the same bird may be counted more than once over the period of a trip.

29. Table 7 and 7a shows recorded observer seabird catches since the first seabird measure, (CMM 2012-07 for Mitigating Impacts of Fishing on Seabirds) was implemented. The table indicates that observations in the 2012-2014 period was low compared to later years, this is most likely because most observers in many programmes had little training and ID guides to assist with identification in this period. The increase identification of bird species from 2015 was likely due to manual and training updates in many programmes to include improvements in seabird observations. Albatross and petrels are the predominant species caught on long line vessels. The figures for 2020 are lower than previous years because of the drop in observer coverage due to the COVID pandemic.

30. Presently ROP observer data is not being used in the WCPFC online compliance case file system as the basis for cases related to seabird fishery interactions. It should be noted that the latest CMM for seabirds (CMM 2018-03), there are mitigating devices listed in the CMM that do not have corresponding Commission data collection fields for ROP observers to monitor and collect, for example there is no data fields for “Hook Shielding Devices” and “Night Setting Light Intensity”. In addition, while observers do collect information on whether a long line vessel uses a tori pole, there is no data collected on “Tori Line Lengths” and “Streamer Attachment Spacing”. This means that it is presently difficult based on the current ROP minimum data fields to ascertain the combination of mitigation measures used by longline vessels as compared to CMM 2018-03 requirements. The refinement of relevant ROP data fields in ways that would assist with ascertaining the combination of mitigation measures used by longline vessels, would facilitate use of ROP observer data to verify and review of implementation of seabird mitigation measures under CMM 2018-03.

**Tables 7 and 7a Total\* Catches of Identified Birds since implementation of CMM 2012-07**

Albatross								Petrel & Shearwaters							
Year	Total	A	%	D	%	U	%	Total	A	%	D	%	U	%	
2012	140	0	0	76	54	64	46	11	0	0	6	54.5	5	45.5	
2013	136	6	4	90	67	40	29	17	0	0	15	88	2	12	
2014	118	13	11	71	60	34	29	19	3	16	13	68	3	16	
2015	879	46	5.2	802	91.3	31	3.5	113	5	4.4	101	89.4	7	6.2	
2016	1470	71	4.8	1376	93.6	23	1.6	180	9	5	155	86	16	9	
2017	522	61	11.7	449	86	12	2.3	52	0	0	44	84.6	8	15.4	
2018	572	28	4.9	519	90.7	25	4.4	81	0	0	79	97.5	2	2.5	
2019	1597	49	3.1	1540	87.1	8	0.5	143	0	0	142	99.3	1	0.7	
2020	227	47	20.7	180	79.3	0	0	47	8	17.0	35	74.5	0	0	
<b>Total</b>	<b>5661</b>	<b>321</b>	<b>5.7%</b>	<b>5103</b>	<b>90.1%</b>	<b>237</b>	<b>4.2%</b>	<b>663</b>	<b>25</b>	<b>3.8%</b>	<b>590</b>	<b>89%</b>	<b>44</b>	<b>6.6%</b>	

\* Data for 2020 entered as of August 3<sup>rd</sup>, 2021

**Table 7a**

Gulls Terns Skua								Boobies and Gannets							
Year	Total	A	%	D	%	U	%	Total	A	%	D	%	U	%	
2012	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
2013	3	0	0	2	67	1	33	2	1	50	1	50	0	0	
2014	2	0	0	2	100	0	0	2	2	100	0	0	0	0	
2015	2	0	0	0	0	2	100	2	1	50	1	50	0	0	
2016	0	0	0	0	0	0	0	1	1	100	0	0	0	0	
2017	5	0	0	3	60	2	40	5	1	20	2	40	2	40	
2018	1	0	0	1	0	0	0	1	0	0	1	100	0	0	
2019	1	0	0	1	100	0	0	3	0	0	3	100	0	0	
2020	0	0	0	0	0	0	0	2	1	50	1	50	0	0	
<b>Total</b>	<b>14</b>	<b>0</b>	<b>0</b>	<b>9</b>	<b>64.3%</b>	<b>5</b>	<b>35.7%</b>	<b>18</b>	<b>7</b>	<b>38.9%</b>	<b>9</b>	<b>50%</b>	<b>2</b>	<b>11.2%</b>	

\* Data for 2020 entered as of August 3<sup>rd</sup>, 2021



*Sea turtle interactions as reported by ROP observers.*

31. 2020 observer data from 584 Purse seine trips and 522 longline trips indicates there were 152 observed turtle landing and non-landed interactions on purse seiners and on longliners. Table 8 shows the number of reported landings/interactions and life status of the turtle when released or discarded on longline vessels. Many longline caught turtles were deceased when landed, of the 103 reported caught by observers on longliners, 50 were released alive, while 47 were deceased on landing; crews generally assisted with the recovery of weakened live turtles brought on board longline vessels. Table 8a indicates that there was 1 deceased turtle recorded by purse seine observers from 49 turtles caught; observers reported that if turtles were seen in the net, the crew often assisted the turtles out of the net before landing. If brailled aboard and landed on deck, turtles were in most cases carefully handled and were generally released in the same or in better condition than when landed. One loggerhead turtle was recorded as being retained on a purse seine vessel, there is no reason given.

**Table 8 Longline Turtle Landings and Interactions for 2020**

Gear	Species	Number Observed	Retained	Number Discarded Alive	Number Discarded Dead	Unknown Condition	Released Alive before landing
LL	Flatback Turtle	1	0	1	0	0	1
LL	Green Turtle	24	0	10	14	0	9
LL	Hawksbill Turtle	8	0	3	4	1	3
LL	Leatherback Turtle	9	0	9	0	0	8
LL	Loggerhead Turtle	31	0	22	7	2	21
LL	Marine Turtle	2	0	2	0	0	2
LL	Olive Ridley	28	0	3	22	3	3
<b>Long-Line Turtles Caught 2020</b>		<b>103</b>	<b>0</b>	<b>50</b>	<b>47</b>	<b>6</b>	<b>47</b>

\* Data for 2020 entered as of August 3<sup>rd</sup>, 2021

**Table 8a Purse-seine Turtle landings and interactions for 2020**

Gear	Species	Number Observed	Retained	Number Discarded Alive	Number Discarded Dead	Unknown Condition	Released Alive before landing
PS	Flatback Turtle	2	0	2	0	0	0
PS	Green Turtle	10	0	3	0	7	1
PS	Hawksbill Turtle	5	0	1	0	4	0
PS	Leatherback Turtle	5	0	3	0	2	2
PS	Loggerhead Turtle	10	1	5	1	3	1
PS	Marine Turtle	0	0	0	0	0	0
PS	Olive Ridley Turtle	17	0	12	0	5	3
<b>PS Turtles Caught 2020</b>		<b>49</b>	<b>1</b>	<b>26</b>	<b>1</b>	<b>21</b>	<b>7</b>
<b>Total Turtles LL &amp; PS Caught in 2020</b>		<b>152</b>	<b>1</b>	<b>76</b>	<b>48</b>	<b>27</b>	<b>54</b>

\* Data for 2020 entered as of August 3<sup>rd</sup>, 2021

32. Tables 9, 9a, & 9b represents turtles observed by observers on purse seine and longline vessels between 2012-2020. WCPFC has had a Conservation and Management Measure in force since 2009 which required safe release by purse seine vessels and use of circle hooks in shallow-set fisheries. Since 1 January 2020 CMM 2008-03 was replaced by CMM 2018-04. During 2012-2020, it is noted that most turtles caught by purse seiners were returned to the sea alive and in a reasonable condition. Most deceased turtles were recorded on long line vessels and in nearly all circumstances the turtles were deceased before they were landed. For the years 2012-2014, there were a small number of turtles retained, no reason is given to why. A total of 3948 turtles were observed caught by purse seiners and longline vessels in the period 2012–2020, of these 2424 (61%) were recorded as alive and returned when discarded. The most predominant species caught were Olive Ridley, Logger Head and Green Turtles. As was explained previously due to the COVID -19 Pandemic, observer coverage was reduced during the year.

**Tables 9- Flatback, Green and Hawksbill Turtle observed in the period 2012-2020**

Year	Flatback	A	D	U	Green	R	A	D	U	Hawksbill	R	A	D	U
2012	5	4	0	1	68	5	49	5	9	32	0	25	5	2
2013	9	5	3	1	120	5	87	12	16	65	0	51	7	7
2014	6	2	3	1	78	5	52	10	11	70	1	52	9	8
2015	7	7	0	0	96	0	79	13	4	28	0	22	5	1
2016	6	5	1	0	61	0	42	15	4	31	0	22	7	2
2017	3	3	0	0	74	0	40	14	20	29	0	20	9	0
2018	5	3	2	0	126	0	72	52	2	54	0	43	9	2
2019	2	0	2	0	88	1	58	18	11	29	0	20	7	2
2020	3	3	0	0	34	0	13	14	7	13	0	4	4	5
<b>Total 2012-20</b>	<b>46</b>	<b>32</b>	<b>11</b>	<b>3</b>	<b>745</b>	<b>16</b>	<b>492</b>	<b>153</b>	<b>84</b>	<b>351</b>	<b>1</b>	<b>259</b>	<b>62</b>	<b>29</b>

\* Data for 2020 entered as of August 3<sup>rd</sup>, 2021

**Table 9a Leatherback, Loggerhead & Olive Ridley Turtles observed 2012-2020**

Year	Leather back	R	A	D	U	Logger head	R	A	D	U	Olive Ridley	R	A	D	U
2012	19	2	10	1	6	62	3	43	6	10	129	1	67	47	14
2013	39	2	18	2	17	81	1	59	6	15	112	0	69	27	16
2014	34	1	14	0	19	63	5	38	7	13	59	0	34	15	10
2015	29	0	19	6	4	131	0	54	7	70	142	1	62	65	14
2016	28	0	17	0	11	145	0	112	15	18	139	0	45	38	56
2017	34	0	16	1	17	73	0	56	11	6	176	0	57	86	33
2018	43	0	25	14	4	141	0	120	19	2	256	0	59	193	4
2019	17	0	10	1	6	220	0	187	25	8	132	0	45	84	3
2020	14	0	12	0	2	41	1	27	8	5	45	0	15	22	8
<b>Total</b>	<b>257</b>	<b>5</b>	<b>141</b>	<b>25</b>	<b>86</b>	<b>957</b>	<b>10</b>	<b>696</b>	<b>104</b>	<b>147</b>	<b>1190</b>	<b>2</b>	<b>453</b>	<b>577</b>	<b>158</b>

\* Data for 2020 entered as of August 3<sup>rd</sup>, 2021

**Table 9b Unidentified Turtles 2012-2020**

Year	Unidentified	R	A	D	U
2012	6	0	4	2	0
2013	8	0	4	0	4
2014	7	0	5	0	2
2015	33	0	1	0	32
2016	86	0	73	1	12
2017	117	1	104	12	0
2018	129	0	118	9	2
2019	14	0	7	3	4
2020	2	0	2	0	0
<b>Total 2012-2020</b>	<b>402</b>	<b>1</b>	<b>318</b>	<b>27</b>	<b>56</b>

33. During the period 2012-2020, a few observers did not identify turtles to species level and only indicated a turtle was captured and released on board purse seine and longline vessels. These unidentified turtles have been included for your information in Table 9b. The unidentified turtles in table 9b represent the turtles that were viewed by observers and they were unable to positively identify the species of turtle. Noting that 318 out of 402 of these turtles are listed as released alive; many of these were dehooked or released before landing on deck, which made it difficult for proper identification. Until recently several observer

programmes did not have proper ID manuals to assist in identifying turtles. It should be noted that there has been an excellent on-deck manual for all turtle species produced by SPC, this is now available to all observer programmes. <https://www.pirfo.org/index.php/resources/downloads/category/25-speciesid>

34. Presently ROP observer data is not being used in the WCPFC online compliance case file system as the basis of sea turtle fishery interaction cases. The Secretariat has identified the potential for ROP observer recorded interactions with sea turtles to be used to create cases for investigation by flag CCMs, however the technical constraints that are explained in *TCC17-2021-12 Update on improving the online compliance case file system* limited the possibilities for the development of a new case list in 2021. It would be beneficial if the ROP data fields were further refined to align with the requirements of CMM 2018-04 more clearly, including that a fishing vessel had made best attempts to ensure safe release and to ascertain if a vessel had used mitigation measures where this is required under the CMM. *Sharks (other than Whale Shark) fishery interactions as reported by ROP Observers.*

35. Table 10 shows figures for 2020 “Silky Shark” catches and indicates that of the 35604 reported as caught on purse seiners 11647 silky sharks were reported as “Alive” when first caught in the nets, however when they

were released or discarded only 4489 were reported still alive; 21072 were recorded as unknown when released, this occurs as the observer may be involved in other duties but initially observes the shark coming aboard or caught in the net, but is unable to continue to observe the discard condition of the sharks, as they are doing other duties such as measuring tunas, etc. For a small number of recorded catches on purse-seiners the numbers of silky sharks observed caught in the nets was large and observers found difficulty in counting the exact number, so estimates were made of these catches. For longline vessels 1631 were caught, and 1221 were recorded as alive when caught and landed, of these 1039 were recorded as being discarded alive.

**Table 10: Silky Shark Catches 2020**

Gear	Total Number Caught	Discard Body, Fins Retain	Retain Body Whole + Fins	Condition Caught			Condition Discarded			LL Cut free before landing			Unhooked Before Landing
				A	D	U	A	D	U	A	D	U	
Purse- seine	35604	2	41	11647	6676	17238	4489	10000	21072	0	0	0	0
Longline	1631	0	0	1221	392	18	1039	558	34	116	23	2	23
<b>Total A D U</b>		<b>2</b>	<b>41</b>	<b>12868</b>	<b>7068</b>	<b>17256</b>	<b>5528</b>	<b>10558</b>	<b>21106</b>	<b>116</b>	<b>23</b>	<b>2</b>	<b>23</b>
<b>Total Catch</b>	<b>37235</b>	<b>2</b>	<b>41</b>	<b>37192</b>			<b>37192</b>			<b>141</b>			<b>23</b>

\* Data for 2020 entered as of August 3<sup>rd</sup>, 2021

36. Table 11 indicates catches of silky sharks since 2012 to 2020 and shows that reporting of shark finning and retention has decreased markedly, however there was a couple of vessels where observers reported shark finning or the retention of the shark in 2020. The alive status of released Silky sharks has increased since the implementation of the CMM 2013-08 from 0.8% in 2013 to 29% in 2019, and to 14.4% in 2020. Note CMM 2019-04 (which replaced by 2013-08 on 1<sup>st</sup> Nov 2020)

**Table 11 Silky Shark Catches 2012-2020**

2012-2020 Silky sharks	Estimated Number Caught	Discarded Body, Fins Retained	Retained Body, Fins Whole	Condition when Cut/Struck off or Discarded			Cut/Struck off / Esc before landing	% Alive released
				Alive	Dead	Unknown		
2012	29070	2024	3540	134	119	28817	99	0.8
2013	36713	3120	2421	141	165	36407	133	0.8
2014	41580	994	1372	1203	3125	37352	581	4.3
2015	38763	334	569	5218	20404	13141	372	14.4
2016	52521	130	361	7867	34800	9854	1122	17.1
2017	49256	27	154	14417	27545	7594	900	33
2018	54922	32	58	17011	32896	5015	773	32.4
2019	82514	21	46	24029	50300	8139	649	29.1
2020	37235	2	41	5528	10558	21106	141	14.4
<b>2012-2020</b>	<b>422574</b>	<b>6684</b>	<b>8562</b>	<b>75548</b>	<b>179912</b>	<b>167425</b>	<b>4770</b>	<b>19.0</b>

\* Data for 2020 entered as of August 3<sup>rd</sup>, 2021

37. Since 2015, ROP observer data has been used in the WCPFC online compliance case file system to record observer recorded retention of silky sharks and oceanic whitetip sharks, as well as potential finning of other sharks and the outcome of flag State investigations of these incidents. Annex A Table III provides a summary of the outcomes of investigations by flag CCMs of ROP observer reported alleged incidents related to retention of oceanic white tip sharks, retention of silky sharks and shark finning activity by vessels, based on ROP observer data from 1 January 2015 - 1 July 2021.

38. Table 12 indicates the oceanic whitetip sharks caught in 2020, and table 12a show the totals for observer reports for the years since the CMM 2011 - 04 (oceanic whitetip sharks) became effective from Jan 1st, 2013. Note CMM 2019-04 (which replaced by 2011-04 on 1<sup>st</sup> Nov 2020) The figures indicate that both the reporting and adherence to the CMMs measures has improved since the implementation in 2013. The processing of oceanic whitetip sharks has been reduced to zero with no reports of fins being removed from the shark before being discarded in 2020. The observer reported status of sharks released alive has also improved from 17% in 2013 to around 56% of all caught oceanic whitetip sharks in 2020.

**Table 12. Ocean Whitetip Sharks (2020)**

Gear	Number Caught	Discard Body, Fins Retain	Retain Body Whole + Fins	Condition Caught			Condition Discarded			LL Cut free before landing		
				A	D	U	A	D	U	A	D	U
Purse-seine	290	0	0	137	39	114	114	145	31	0	0	0
Longline	600	0	0	319	146	3	252	203	13	118	13	1
Total A D U		0		456	185	117	366	348	44	118	13	1
Total Catch	890	0		758			758			132		

\* Data for 2020 entered as of August 3<sup>rd</sup>, 2021

**Table 12a Ocean Whitetip Sharks 2012 to 2020 data**

2014-2020 Oceanic White tip Sharks	Estimated Number Caught	Discarded Body, Fins Retained	Retained Body, Fins Whole	Condition when Cut/Struck off or Discarded			% Alive released	Cut/Struck off / Esc before landing
				Alive	Dead	Unknown		
2012	712	48	98	121	135	310	17	108
2013	953	73	65	117	132	566	12.3	157
2014	929	25	46	129	108	621	13.9	236
2015	1189	10	5	594	339	241	50	143
2016	1299	2	1	403	273	620	31	272
2017	1249	0	1	460	310	478	36.8	140
2018	1953	10	2	807	1015	119	41.3	188
2019	1853	6	2	1059	634	152	57.2	126
2020	890	0	0	498	348	44	56	132
2012-2020	11027	174	220	4188	3294	3151	38%	1502

\* Data for 2020 entered as of August 3<sup>rd</sup>, 2021

*Cetacean interactions in purse seine fisheries as reported by ROP Observers.*

39. Many varied species of whales, dolphins and a species of seal were observed by ROP observers. The SPC produced ‘On Deck ID Guides’ allowed for a more accurate identification of each animal. Fur-seals were the predominate species interacting or being caught by long line vessels, whereas purse seine observers recorded 27 different species with the predominance being, False Killer Whales, Rough Toothed, Bottle Nose, Indo Pacific, and Spinner Dolphins.

40. Table 13 shows Cetacean interaction data from 584 Purse seine trips and 522 longline trips. There were 37 interactions or landings with longliners; most were released alive, however five were deceased when discarded. Purse seine observers recorded 811 interaction or landings with 326 cetaceans escaping from the net or had the crew of the vessels assisting their escape from the net. Rough Toothed Dolphins had the lessor survival rate as of the 251 caught on purse seiners 133 were deceased when discarded, Indo Pacific Bottle Nose Dolphins also had a high ratio 61 caught with 33 deceased when discarded.

**Table 13. Whale, Dolphins, Seals reported by observers 2020.**

Species	PS	LL	Escaped, Cut-off, Assisted Escape Alive before Landing		Interacted or landed Discarded Alive		Interacted or landed Discarded Dead		Unknown Condition when Discarded	
Antarctic Fur Seals		12		0		8		2		2
Aquatic Mammals	1				1					
Baleen Whale	1						1			
Beaked Whales Unidentified	8	1	4	0	4	1		0		0
Blue Whale	2		1		1					
Bottle Nose Dolphin	65	1	19		16	1	24		6	
Brydes Whale	31		22		9					
Common Dolphin	37	1	37							1
Fin whale	3		3		0					
False Killer Whale	164	3	59		46	3	9		50	
Guadalupe Fur seal		6				6				
Ginkgo Toothed Beak Whale	2		1		1					

Ind/Pac Bottle Nose Dolphin	61	2	19	2	9		33			
Long beaked Common dolphin	1		1							
Melon Headed Whale	9		1						8	
Minke Whale	2		1		1					
Pan Tropical Spotted Dolphin	1						1			
Pygmy Killer Whale	1				1					
Rough Tooth Dolphin	251	5	68		47	5	133		3	
Risso's Dolphin	23	2	20			2	1		2	
Sei Whale	77		42		33		1		1	
Sperm Whale	1						1			
Short Finned Pilot Whale	14	1	5				5	1	4	
Spinner Dolphin	53		20		11		20		2	
Striped Dolphin	3	1	3					1		
Toothed Whales		2				1		1		
<b>Totals</b>	<b>811</b>	<b>37</b>	<b>326</b>	<b>2</b>	<b>180</b>	<b>27</b>	<b>229</b>	<b>5</b>	<b>76</b>	<b>3</b>

\* Data for 2020 entered as of August 3<sup>rd</sup>, 2021

41. Since 2013, CMM 2011-03 has prohibited deliberate setting on cetaceans and required best efforts be made to ensure safe release where an encirclement occurs. Observers reported several animals entangled in purse seine nets and that on most vessels, crew made special efforts to release them. In several instances, the crew assisted in getting animals from the purse seine net before brailing began, some animals escaped by breaking through the net or jumping over the cork line.

42. Table 14 shows total purse seine and longline Cetaceans caught since 2012 to 2020. Numbers caught in 2020 should be viewed with the understanding that available observer coverage in the respective fisheries was reduced substantially due to the COVID-19 decisions that suspended the coverage requirements.

43. Since 2016, ROP observer data has been used in the WCPFC online compliance case file system to record observer recorded interactions with cetaceans and the outcome of flag State investigations of these incidents. Annex A, Table II provide a summary of the outcomes of investigations by flag CCMs of ROP observer reported interactions with cetaceans based on ROP observer data that were notified for flag CCM investigation in the WCPFC online compliance case file system, for the period 1 January 2016 – 1 July 2021. It would be beneficial if the ROP data fields were refined to align with the requirements of CMM 2011-03 more clearly, in particular to record whether purse seine vessel could have reasonably seen a cetacean prior to the set and if inadvertently encircled, whether best attempts were made to follow the guidelines for safe release.

**Table 14 Total Cetaceans caught from 2012-2020**

Year	Total caught or interacted each year		Retained		Escaped, Cut-off, Assisted Escape Alive before		Interacted or landed and (Discarded Alive)		Interacted or landed Dead		Unknown Condition when Discarded	
	PS	LL	PS	LL	PS	LL	PS	LL	PS	LL	PS	LL
2012	2527	49	0	0	0	1	2241	15	224	6	62	27
2013	4009	76	0	13	8	2	3362	42	556	8	83	11
2014	3373	86	0	1	0	4	3077	70	159	3	137	8
2015	2219	97	0	0	0	0	1995	70	181	7	43	20
2016	1453	44	0	0	14	0	1308	39	99	2	32	3
2017	841	73	0	0	130	16	587	22	89	7	35	28
2018	887	56	0	0	266	0	303	34	179	13	139	9
2019	1042	86	0	0	395	17	282	50	286	17	79	2
2020	811	37	0	0	326	2	180	27	229	5	76	3
<b>Totals 2012-2020</b>	<b>17162</b>	<b>604</b>	<b>0</b>	<b>14</b>	<b>1139</b>	<b>42</b>	<b>13335</b>	<b>369</b>	<b>2002</b>	<b>68</b>	<b>686</b>	<b>111</b>

\* Data for 2020 entered as of August 3<sup>rd</sup>, 2021

## **Authorized Observer providers to the ROP and update on ROP audits**

44. A list of ROP authorised observer programmes and their National Observer Coordinator contacts are available on the WCPFC website (<http://www.wcpfc.int/regional-observer-programme>); National Observer programmes are reminded of the requirement (CMM 2018-05 paragraph 13) to keep the Secretariat informed of any changes to contact information for coordinators. The list has also been made more member friendly so that members can update their own information through their national CCM portal on the WCPFC website, however the Secretariat has observed that observer programme contact information was infrequently updated by programmes. The ROP Observer Coordinators list is an extremely important list of contacts for observers, vessels, fishing companies and flag states, and members are urged to ensure their observer programme contacts remain current and up to date.

45. The Secretariat continued to audit required minimum standards in ROP observer programmes and has continued the 3rd phase of audits in 2020. It was intended to visit countries due for audit in 2020 including Fiji, Kiribati, Tonga, Nauru, Philippines, and USA. However, the “COVID-19” pandemic prevented that from happening. An online audit procedure was developed in 2020 and audits have been completed for Fiji, Kiribati, Tonga, Nauru, Philippines and USA, whilst this is not the same as a face to face visit to discuss the programme and any issues involved in the operations, this online procedure did detect inadequacies in some of the programmes, which were rectified by the programmes, and all six observer programmes audited in 2020 met the required “Agreed Minimum Standards and Guidelines of the Regional Observer Programme” and were granted continued authorisation to be part of the ROP.

### *Implications of COVID-19 Intersessional decisions and travel restrictions – as at 1<sup>st</sup> July 2021*

46. The Pacific Island ROPs continued to supply most observers on purse seiners up until the early part of 2020, however due to the effects of COVID-19 and border closures and travel restrictions observer coverage requirements were suspended. The first intersessional decision that suspended the requirement to meet WCPFC purse seine observer coverage under CMM 2018-01, coincided with the suspension of activities of many programmes, closing of country borders and coverage was dramatically reduced particularly with coverage of fish carriers and purse seine vessels. This resulted in some programmes having no work for their observers and several programmes have now lost observers to other work. The attrition rate in some programmes will need to be rectified as part of a planning for resumption of observer coverage requirements.

47. To find out what is happening to personnel normally employed as observers a short survey with 6 questions was conducted in 2020 with the 25 observer programmes authorised as WCPFC Regional Observer Programmes, resulting in responses received from 20 observer programmes. The questionnaire indicated in July last year there was approximately 80 ROP observers still on vessels or stuck in foreign ports. This has been reduced and another survey held in July 2021, indicates no ROP observers were still stranded in any foreign ports; however, one programme indicated they have observers still on-board vessels that are unable to leave, due to port closures. Another programme indicated they have one observer that was employed by IATTC Transshipment providers still stranded in Korea.

48. Observer Programmes that responded indicated that the numbers of observers they expected to lose over all was about 20% with some programmes not expecting to lose any observers. Of the many trained observers in all programmes about 16% over all of observers managed to continue working as observers, a few programmes had a high level of local coverage whereas others had no coverage or work for their observers. Most programmes that responded indicated they did not think they needed any extra observers to be able to supply enough observers for observer coverage when it returns to previous coverage levels. A couple of programmes held observer courses during the pandemic months to boost their numbers when coverage eventually returns.

49. The Secretariat expects that training will be necessary for some observer programmes to get observer numbers back to a level so that 100% coverage for at-sea transshipment activities (as per CMM 2009-06), and 100% observer coverage on purse seine vessels (as per CMM 2020-01) and for continued minimum of 5% ROP coverage rate on longline vessels (as per CMM 2018-05) to be achievable. Funding for training remains an issue in some countries and allowances in local observer budgets need to be made to fund observer training courses. The COVID-

19 pandemic stopped physical training in most countries. Some online training has been carried out by SPC; however, this type of training does have limitations and whilst is helpful for maintenance of skills during the pandemic times there will be a need to have dedicated observer training courses.

50. As is explained in paper **TCC17-2021-14 COVID-19 related intersessional decisions** many purse seine vessels are currently fishing without observers because observers cannot be placed in accordance with national COVID restrictions, and there are complications with continued national border closures and quarantine requirements that complicates and prevents travel back to their home ports if a vessel is completing its trip another Port. These challenges will be necessary to be overcome as part of observer programmes resuming the important observation and monitoring role filled by observers for scientific data collection and as part of monitoring WCPFC fishing activities. **TCC17-2021-14 COVID-19 related intersessional decisions** prepared for TCC17 provides some suggestions for a phased approach to safe redeployment of observers.

## **ROP Compliance related matters**

### *Observer Trip Monitoring Summary*

51. The “Observer Trip Monitoring Summary” is part of the minimum data standards of the Commission; the Pacific Island observer programmes use workbooks that contain a general form “GEN -3” that is used as a “Trip Monitoring Summary”. The form is not a written report but is an indicator of activities allegedly carried out by vessels and witnessed by the observer. The observer indicates by circling ‘YES or NO’ to the questions on the form. A response of ‘YES’ is an indicator only and does not indicate that there has been any infringement by a vessel. The observers will include in their written report the reasons “Yes” were circled. Table 15 below represents data available from 584 Purse seine and 522 longline trips across all fishing fleets for 2020. The data shows the number of reports made by observers when “Yes” was indicated. Of concern are trips where observers reported obstruction, intimidation and interference and not being accommodated properly; 26 Purse seine and 9 Longline (RS-a, RS-b, RS-d) reports were made by observers. There were also a high percentage of reports of purse seiners vessels inaccurately recording target species retained catch (LC-a -24.8%) discarded target species (LC-b - 45.2%) in their vessel catch logs, and inaccurately recording species caught (LC-c. - 40.6%)

52. At WCPFC14, the Commission noted that TCC13 did not consider the information contained in the ROP Pre-notification List for assessing any obligations for which it was relevant, except for those cases related to observer interference or obstruction. WCPFC14 approved that this process be followed in future years. However, noting that Conservation and Management Measure on Marine Pollution (CMM 2017-04) applies from 1 January 2019. Alleged Issue = PN-a could indicate an alleged infringement related to CMM 2017-04 02 which is a binding requirement. Alleged Issue = PN-b PN-c PN-d PN-e could indicate an alleged infringement related to CMM 2017-04 03-07 provisions which are encouraged actions to be taken by flag CCMs. The Secretariat has encouraged flag CCM take note that the indication of an alleged PN- issue may indicate an alleged infringement related to CMM 2017-04 Marine Pollution CMM requirements. As such, appropriate investigations should commence for each case with an indication of an alleged PN- issue, including obtaining the observer report information from the observer provider, and for updates to continue to be provided into the online compliance case file system about the progress of the investigation, until its conclusion. Table V in Annex A provides an updated summary of the outcomes of investigations by flag CCMs of ROP observer reported pre-notification incidents, which includes PN-issues for the period 1 January 2016 – 1 July 2021.

53. Advance notification to flag States of alleged infringements reported on observer trip monitoring summary continues to be delivered through the Observer Obstruction Alleged Infringement list and the Pre-notification list both of which are maintained in the WCPFC online compliance case file system. Annex A Table IV provides a summary of the outcomes of investigations by flag CCMs of ROP observer reported alleged observer obstruction incidents notified in ROP observer data for the period 1 January 2015 – 1 July 2021. Table V in Annex A provides an updated summary of the outcomes of investigations by flag CCMs of ROP observer reported pre-notification incidents (other than alleged observer obstruction incidents) for the period 1 January 2016 – 1 July 2021.

**Table 15. – 2020 Observer Trip Monitoring Summary Indications.**

GEN-3 Codes	Observer Trip Monitoring Summary						
<b>Observer Rights</b>				<b>PS</b>	<b>%</b>	<b>LL</b>	<b>%</b>
RS -a	Did the operator or any crew assault, obstruct, resist, delay, refuse boarding to intimidate or interfere with observers in the performance of their duties	10	1.7	3	0.6		
RS -b	Request that an event not be reported by the observer	10	1.7	2	0.4		
RS -d	Did the operator fail to provide the observer, while on board the vessel, at no expense to the observer or the observer's government, with food, accommodation, and medical facilities of a reasonable standard equivalent to those normally available and medical facilities of a reasonable	6	1.0	4	0.8		
<b>National Regulations</b>							
NR-a	Fish in area16s where it is not permitted to fish	11	1.9	1	0.2		
NR-c	Use a fishing 3method other than the method the vessel was designed or licensed	2	0.3	2	0.4		
NR-e	Transfer or tra3nsship fish from or to another vessel	24	4.1	28	5.4		
NR-g	fail to stow fish4ing gear when entering areas where they were not authorized to fis1h;	32	5.5	1	0.2		
<b>WCPFC CMMs</b>							
WC-a	Fail to comply with any Commission Conservation and Management Measures	86	14.7	2	0.4		
WC-b	High-grade the catch	19	3.3	1	0.2		
<b>Log Sheet Recording Position &amp; Catch</b>							
LP-a	Inaccurately record vessel position on vessel log sheets for sets, hauling and catch	0	0.0	1	0.2		
LP-b	Fail to report vessel positions to countries, where required when entering and leaving an EEZ (crossing to or from an EEZ into or out of the High Seas)	2	0.3	0	0.0		
LC-a	Inaccurately record retained "Target Species" in the Vessel logs	145	24.8	44	8.4		
LC-b	Inaccurately record "Target Species" Discards	264	45.2	86	16.5		
LC-c	Record species inaccurately	237	40.6	3	0.6		
LC-e	inaccurately record bycatch species discards;	230	39.4	123	23.6		
LC-f	Inaccurately record retained bycatch Species.	69	11.8	41	7.9		
<b>Species of Special interest</b>							
SI-b	Interact with non-target species	217	37.2	115	22.0		
<b>Pollution</b>							
PN-a	Dispose of any metals, plastics, chemicals, or old fishing gear	79	13.5	30	5.7		
PN-b	Discharge any oil	21	3.6	11	2.1		
PN-c	Lose any fishing gear	7	1.2	15	2.9		
PN-d	Abandon any fishing gear	12	2.1	3	0.6		
PN-e	Fail to report any abandoned gear	6	1.0	3	0.6		
<b>Sea Safety</b>							
SS-a	Fail to monitor international safety frequencies	2	0.3	1	0.2		

\* Data for 2020 entered as of August 3<sup>rd</sup>, 2021

Summary of counts of cases notified in the 'WCPFC Online Compliance Case File System' based on ROP observer data

54. As has been noted previously Annex A provides a summary of counts of cases notified based on ROP observer data that were notified for flag CCM investigation pursuant to Article 25 of the Convention, for the period 1 January 2015 – 1 July 2021. There are five ROP-observer data based WCPFC online Compliance case file system lists: FAD Sets Alleged Infringements; Observer Obstruction Alleged Infringements; Shark Catch Alleged Infringements; ROP Pre-notification Issues; and Cetacean and Whale Shark purse seine fishery Interactions. Updates to the ROP observer data related compliance case lists are made periodically, and through procedures that have been developed in joint-efforts of the Secretariat and SPC-OFP staff. The creation of cases is in part through scripted queries that the Secretariat runs over the ROP observer data. The frequency of updates is currently at a



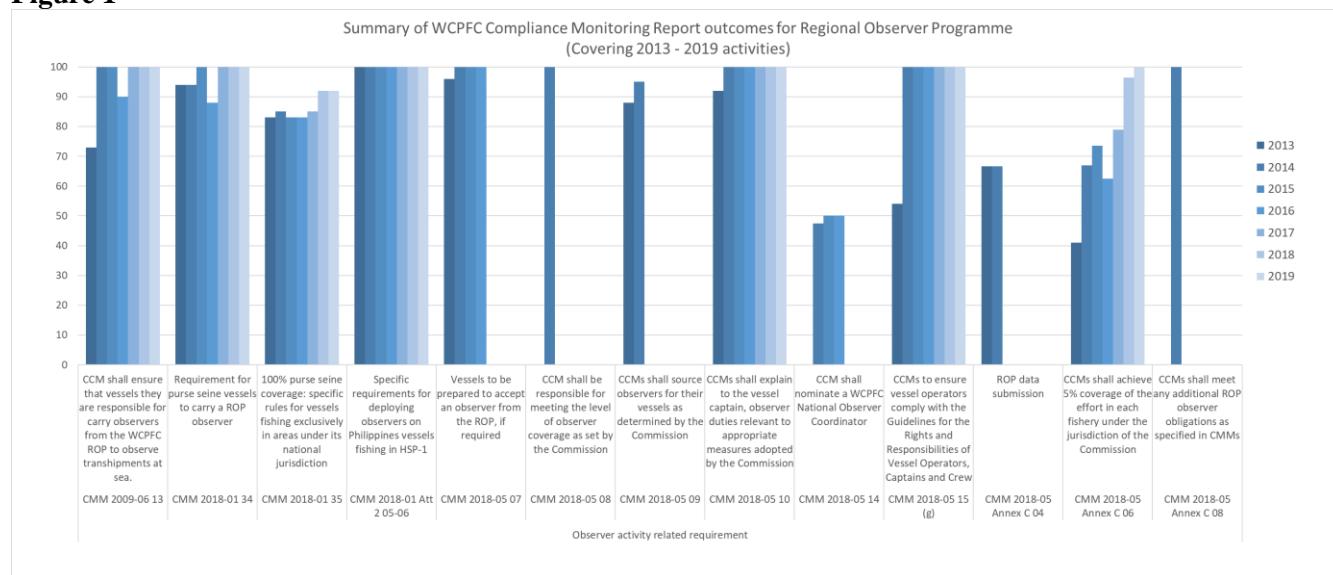
frequency of quarterly, based on the frequency of updates from SPC-OPF and availability of resources to review and process new cases at the Secretariat.

55. Annex A Table I provides the annual counts cases based on ROP observer data and notified for flag CCM investigation for the period 1 January 2015 – 1 July 2021. This summary shows some improvement since 2020, and the Secretariat notes with appreciation the ROP Provider that has met the request from the Commission based on TCC16 recommendation “to review observer reports associated with cases in the CCFS that are generated by queries by the Secretariat of the ROP database, to help assess whether the possible violation(s) identified through the Secretariat’s screening is supported by the information in the observer report, and to provide in the “CCM comments” box for the consideration of the relevant CCM(s) a succinct summary of the relevant information in the observer report.” The Annex A Table I indicates there are continuing issues for flag CCMs to obtain some observer reports necessary to complete their flag CCM investigations cases notified in the ‘WCPFC Online Compliance Case File System’ based on ROP observer data. On this matter, the United States has presented a delegation paper to TCC17 (**TCC17-2021-DP02** *Observer reports for investigation*).

### *Review of ROP implementation by applicable CCMs under the Compliance Monitoring Scheme (CMS) 2012 - 2019*

56. Figure 1 below provides an overview of the outcome of the evaluation of ROP-related obligations under the CMS over recent years. Previously, CMM 2007-01 now replaced by CMM 2018-05 indicates the implementation of observer coverage requirements that has been evaluated annually by the Compliance Monitoring Scheme since 2014 for the Reporting Year 2013 (RY2013) to 2020 (RY2019). For example, CMM 2018-05 paragraph 13 (previously CMM 2007-01 paragraph 13) shows that consistently most ROP observer programs have provided some advice of their points of contact for their programmes. In recent years there has been small improvements in the implementation by applicable flag CCMs of ROP observer coverage requirements, just over half of applicable flag CCMs are fully implementing the longline ROP coverage rate of 5% and/or associated reporting requirements. There is improvement in recent years for CMM 2018-05 paragraph 15(g) (formerly CMM 2007-01 paragraph 14(vii)) since the notification of “observer obstruction alleged infringements” through the WCPFC online compliance case file system.

**Figure 1**



### **Observer Safety Matters**

57. Since 2017, the WCPFC has had a dedicated CMM for the ‘Protection of WCPFC Regional Observer Programme Observers’ (CMM 2016-03/2017-03) and indicate the requirements that observer providers, flag States and vessels are to follow if an observer dies, is missing or presumed fallen overboard, suffers from a serious illness or injury that threatens his or her health or safety, or if an observer has been assaulted, intimidated, threatened, or harassed such that their health or safety is endangered.

58. To date there have been five incidents reported to the Secretariat in reference to CMM 2017-03, three (3) incidents related to the calendar year 2017 and two (2) for 2020. A summary of reported incidents and the flag CCM investigation response is provided in Table 16 below.

**Table 16: Summary of outcome of flag CCM investigations of alleged infringements related to observer safety and CMM 2016-03/2017-03**

	NEW CASE	Flag CCM Investigation Completed No infraction	Grand Total
<b>CMM 2016-03 (03-06)</b>			
2017	1	2	3
<b>CMM2017-03 (03-06)</b>			
2020	1	1	2
<b>Grand Total</b>	<b>2</b>	<b>3</b>	<b>5</b>

59. To support the implementation of CMM 2016-03/17-03; WCPFC13, agreed on new minimum standards adopted for ‘Regional Observer Programmers’ to support safety of observer which commenced in February 2017. The Secretariat has been checking during ROP audits that observer programmes are duly ensuring that the safety measures for observers are in place. It has been found that the standard agreed regarding the issuing of independent two-way communications devices was well supported and introduced in many of the ROP’s by the date of required implementation. However, when checked in 2020, there were still a couple of programmes who had not issued two-way devices, but these programmes have since confirmed they have rectified the situation and now have sufficient devices to be issued to their observers when placed.

60. CMM 2017-03 Para 14 states “The Technical and Compliance Committee and the Commission will review this Conservation and Management Measure no later than 2019, and periodically thereafter. Notwithstanding this provision CCMs may submit a proposal to amend this CMM at any time.” To date there has been no changes to CMM 2017-03.

### **Support from the Secretariat to National and Regional Observer programmes**

61. The last physical observer programme-related meeting that the Secretariat attended before COVID restrictions were applied was the Regional Observers Coordinators Workshop (ROCW) 10<sup>th</sup> to 15<sup>th</sup> February 2020 hosted by the Fisheries Division in Funafuti, Tuvalu. Since the ROCW in 2020 all regional physical meetings for the observer programmes were cancelled and all meetings were held virtually, including meetings of the Commission, its subsidiary bodies and other relevant bodies. Training and other observer workshops have been attended by member country observer programmes including the PNAOB and ROCW meetings in 2021 using Zoom.

62. Since 2019, the Secretariat’s ROP Coordinator has supported efforts to review the training of observers in both Indonesia and Vietnam through the West Pacific East Asia Project / Improved Tuna Monitoring (WPEA / ITM). The first in-person training took place in Nha Trang late 2019. In 2020, a virtual online course was developed, and observers were trained during October 2020 via this method. Whilst physical training is preferred, online training did manage to see observers trained in the basic observer requirements.

63. Indonesia has an established observer programmes and a review of its existing national observer programmes in relation to WCPFC standard observer programme operations has been completed. The review meeting discussed a strategic plan commencing in 2019 to 2024, under which the Indonesians would train observer debriefers, and specialized observer trainers in that period, as well as retraining many of the current observers on ROP standards & data, however because of the COVID 19 travel restrictions, plans for those trainings have been halted and require rescheduling when safe travel would resume. The WPEA project is currently discussing creating a virtual online course for debriefer training in Indonesia.

64. Initially as part of the first WPEA project Philippines commenced the training of their observers in 2009, since that time they have regularly held training sessions every year and have trained over 570 observers and 28 debriefers to WCPFC standards. These debriefers and observers are spread across the many Philippine ports from where fishing vessels operate. Because of strict COVID restrictions there was no training held during 2020

and no observers were trained; however, Philippines still managed to make some observer placements on vessels. SPC developed observer data forms and formats that are used during Philippine training, they are also used by observers when they collect data on board vessels. The Secretariat has continually assisted with this training programme as part of the WPEA project. Philippine observers are used domestically and on the high seas. The programme is well established and is an important section of the Philippines Bureau of Fisheries and Aquatic Resources (BFAR)

### Cross Endorsement of ROP Observers to collect data on behalf of other tuna RFMOs.

65. There are many observers from Pacific Island countries with IATTC/WCPFC cross endorsement qualifications. These observers can carry out work in both ‘Convention Areas’ on the same trip, on vessels approved to fish in both convention areas. Before COVID-19,” Cross Endorsed” (CE) trained observers were in high demand with vessels wishing to cross over to the IATTC area on a regular basis. Since placement on purse seine vessels has been limited because of the exemption on the requirement to achieve 100% coverage; very few observer placements are being made on purse seiners, especially the fleets that cross over to fish in IATTC waters. The availability of cross endorsed observers will be required when the placement of observers particularly on the US fleet recommences.

66. The last cross endorsement training was held in late January 2020 in Port Moresby, Papua New Guinea. The training was carried out by the Observer Manager/ Trainer from IATTC and assisted by the Secretariat’s ROP Coordinator. The course was attended by selected experienced observers from the PNG National Fisheries Authority Observer Programme, these selected observers were trained on the forms and reports that are expected if the purse seine vessel they are observing decides and is approved to cross over into the Eastern Pacific (150W longitude) to fish on the same trip as they have fished in the WCPO. Trainees are shown and tested on the IATTC requirements and are also explained the requirements of the WCPFC ROP. Purse seiners particularly US purse seiners are the dominant vessels asking for CE certified observers to be placed on their vessels. The CE programme was initiated to save approved vessels from having to carry IATTC observers and a WCPFC ROP observer if the vessel departs from a WCPO port and decide to fish both in the WCPO and in the Eastern Pacific.

67. Table 17 provides information on the numbers of requests and placements that were made for CE trained ROP observers for 2012 to 2020. Noting that a request does not mean the vessel will cross over to the EPO during its trip. The figures in the table 17a indicates the use of CE observers for 2019 and for first months of 2020 and indicates that USA vessels are the major client for certified CE Observers. During 2019 and in 2020 there were 72 requests for CE observers however only 29 of these requests resulted in the vessels crossing over to fish in the EPO. Due to COVID-19 there has been no placements on vessels for CE observers since early 2020 in the WCPO. The purse seine fishing in the EPO waters continue to have observers placed on vessels on a reduced scale by the IATTC observer programme.

**Table 17 CE Observers requests 2012 to 2020**

2012-2020 CE Requests	Ecuador	El Salvador	Spain	USA
Fiji				19
FSM				6
Kiribati	13	15		43
Nauru			1	4
Marshall Is				2
PNG				38
Solomon Is				58
Tuvalu				10
Vanuatu			1	23
<b>Total</b>	<b>13</b>	<b>15</b>	<b>2</b>	<b>203</b>

\* Data for 2020 entered as of August 3<sup>rd</sup>, 2021

**Table 17a CE Observers requests 2019 to 2020.**

2019-2020 CE Requests	Ecuador	El Salvador	Spain	USA
Fiji				11
FSM				2
Kiribati				8
Nauru				3
Marshall Is				0
PNG				10
Solomon Is				25
Tuvalu				5
Vanuatu			1	7
<b>Total</b>			<b>1</b>	<b>71</b>

68. Table 18 provides a summary of information from IATTC Secretariat on the number of observed trips by ROP observers with CE-training that were used for fishing activities in the waters of the Eastern Pacific Ocean. The table shows the number of trips that were observed by ROP observers with CE- training has been has increased from 2012 to 2020. There was also higher number of requests for placement of CE- trained ROP observers in 2019/20 (71). As is indicated in Table 17 and Table 18 there were 233 requests for observers in the period 2012

to 2020 but only 104 vessels crossed to fish in the EPO. Due to COVID-19 restrictions and exemptions no requests for CE observers have occurred for 2021.

**Table 18. ROP Trips with fishing activities in the WCPO & EPO by year by flag and Provider**

Flag CCM	ROP Provider	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Total
Ecuador	KI	1	9	3	0	0	0	0	0	0	0	13
El	KI	0	4	3	3	0	0	1	0	0	0	11
EU-Spain	VU	0	0	0	0	0	0	0	0	1	0	1
USA	# see Table 17	1	0	3	7	12	14	14	22	6	0	79
<b>Total 2012 - 2021</b>		<b>2</b>	<b>13</b>	<b>9</b>	<b>10</b>	<b>12</b>	<b>14</b>	<b>15</b>	<b>22</b>	<b>7</b>	<b>0</b>	<b>104</b>

\* Data for 2020 entered as of August 3<sup>rd</sup>, 2021

69. A Transshipment Memorandum of Cooperation (MoC) was agreed between WCPFC and the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) in 2016 and was subsequently signed in April-June 2017. This MoC provides for High Seas transshipments involving southern bluefin tuna (SBT) to be carried out within the High Seas of the WCPFC Convention Area if observed by CCSBT - endorsed WCPFC Regional Observer Program (ROP) transshipment observers. At the time of writing, there is no further progress to report on the options available to for WCPFC and CCSBT to try to facilitate implementation of the Transshipment MoC.

### Secretariat observations

70. The year 2020 was a disappointing and challenging year for many observer programmes with observers being stranded, not being able to work and many having no income. Many countries rallied behind their observers to give them some work opportunities in other areas, a few countries continued to place observers on vessels operating in their own EEZ and others just closed all together. Unfortunately, the years 2020 & 2021 will be like no other, many normal observer roles, trips and travel were suspended but hopefully things will get back to some form of coverage in 2022. The Secretariat continues to monitor National Programmes and developed online audit procedures for the 2020 audits, these online procedures will also be used to audit programmes due in 2021. Meetings were held online from early 2020 to December 2021, this enables many observers to attend meetings they would not normally attend.

71. Overall, the 25 observer programmes that are part of the Commission ROP continued in 2020/21 to have their operations curtailed and were not able to operate in a manner that enabled them to place and retrieve observers on most fishing vessels. A few programmes continue to place observers on vessels that depart and return to the same ports in their country, these are mainly domestic based longline vessels and the Philippines HSP1 fleet. Purse seining, longline and at-sea transshipment had very little observer coverage in 2020 after March and basically no coverage up to August 2021.

72. The COVID-19 pandemic that started early 2020 has severely impacted the use of observers in the Western and Central Pacific Ocean, while domestic coverage continues in a few countries that have their own fleets, but most vessels continue to fish on the high seas and in EEZ's without any observers on board. The safe re-deployment of observers has been discussed at several meetings involving coordinators and has been a priority issue for most observer programmes. The Secretariat in **TCC17-2021-14 COVID-19 related intersessional decisions** prepared for TCC17 overviews the current circumstances resulting from the suspension of certain observer coverage requirement and their implications for WCPFC's work and provides some suggestions for a phased approach to the safe redeployment of observers back on fishing vessels.

### Administrative notes

73. For several years, the Secretariat has compiled an updated booklet of the current Conservation and Management Measures and Resolutions that are relevant to ROP observers. It was decided at the WCPFC15 that the booklet no longer be published as a paper printed booklet. However, the booklet will still be compiled each year and is to be placed on the WCPFC Website, where it can be downloaded for electronic use, or if required for a printed copy. (<https://www.wcpfc.int/regional-observer-programme>)

74. General information on the WCPFC ROP, including ROP Minimum Standards for Observer Programmes, the list of ROP Observer Programmes and the ROP Minimum Data fields, are publicly available at this link: <https://www.wcpfc.int/regional-observer-programme>. This includes an updated set of guidelines on WCPFC ROP requirements as requested by TCC13.

75. In 2021, the “WCPFC TCC working group on the flow of observer reports” remained in place, to support work tasked to the Secretariat related to enhancements of the WCPFC online Compliance Case file system (for updates see **TCC17-2021-12** *Update on improving the online compliance case file system*). Annex A Table I shows some improvement although there are some continuing issues for flag CCMs to obtain observer reports necessary to complete their flag CCM investigations cases notified in the ‘WCPFC Online Compliance Case File System’ based on ROP observer data.

76. It was recommended to WCPFC12 that the IWG-ROP not be activated, unless there is any urgent matter raised by members during a SC or TCC requiring the IWG-ROP to be reformed. In paragraph 318 of the WCPFC17 Summary Report “*The Commission noted the TCC16 recommendation in paragraph 182 of the TCC16 Summary Report that the Commission (possibly through work of the IWG-ROP) review the minimum data fields associated with the Observer Trip Monitoring Summary and make updates to those data fields to better reflect the Commission’s priorities and the types of violations that are amenable to yes/no indications by the observer. Any such recommendations should take into account their implications (e.g., on observers’ workloads, in terms of ROP Providers having to revise their forms, etc.)*.” In addition, throughout this report the Secretariat has made some observations related to areas where ROP data fields could be refined and improved to better support monitoring of current Conservation and Management Measures (see paragraphs 25 (CMM 2019-04 - Whale Sharks), 30 (CMM 2018-03 Seabirds), 34 (CMM 2018-04 - Sea Turtles), 43 (CMM 2011-03 - Cetaceans) and paragraph 52 (CMM 2017-04 - Marine Pollution)). Noting that CMM 2019-05 Conservation and Management Measure for Mobulid Rays entered into force on 1 January 2021, ROP data fields should similarly be reviewed. The suggestions in this report could potentially also be further considered by the Commission, possibly through the work of the IWG-ROP.

### **Recommendation**

77. TCC17 is invited to note and discuss the 13<sup>th</sup> Annual Report of the WCPFC Regional Observer Programme.

Counts of cases in the compliance case file system based on ROP observer data by year showing count of cases by Investigation Status and counts of cases where ROP Observer Report was received (based on ROP data available for the period 1 January 2015 – 1 July 2021, and updates from CCMs received as at 26 August 2021)

**Table I: Counts of cases in the compliance case file system based on ROP observer data by year showing count of cases by Investigation Status and counts of cases where ROP Observer Report was received**

**FAI:** FAD Sets Alleged infringements

**OAI:** Observer Obstructions Alleged Infringements

**SHK:** Shark Catch Alleged Infringements

**CWS:** Cetacean and Whale Shark purse seine fishery interactions

**PAI:** ROP Pre-Notification Issues, other than alleged observer obstruction

	NEW CASE	Investigation IN PROGRESS	Investigation COMPLETED	Total Compliance Case Count	Total Sum of ROP_Rpt_Received_Count
<b>2015</b>	<b>6</b>	<b>208</b>	<b>383</b>	<b>597</b>	<b>168</b>
FAI	6	12	237	255	20
OAI	0	62	89	151	91
SHK	0	134	57	191	57
<b>2016</b>	<b>252</b>	<b>743</b>	<b>538</b>	<b>1533</b>	<b>286</b>
CWS	1	257	203	461	208
FAI	0	7	222	229	13
OAI	0	32	32	64	32
PAI	251	413	71	735	17
SHK	0	34	10	44	16
<b>2017</b>	<b>975</b>	<b>416</b>	<b>759</b>	<b>2150</b>	<b>334</b>
CWS	128	283	167	578	220
FAI	53	32	561	646	40
OAI	10	12	16	38	20
PAI	772	75	7	854	46
SHK	12	14	8	34	8
<b>2018</b>	<b>1095</b>	<b>478</b>	<b>224</b>	<b>1797</b>	<b>285</b>
CWS	80	328	151	559	205
FAI	5	29	21	55	13
OAI	3	32	35	70	46
PAI	974	69	4	1047	4
SHK	33	20	13	66	17
<b>2019</b>	<b>1578</b>	<b>604</b>	<b>105</b>	<b>2287</b>	<b>204</b>
CWS	440	419	77	936	143
FAI	97	71	4	172	6
OAI	23	37	7	67	18
PAI	1008	59	13	1080	33
SHK	10	18	4	32	4
<b>2020</b>	<b>563</b>	<b>126</b>	<b>1</b>	<b>690</b>	<b>52</b>
CWS	195	114	0	309	47
FAI	3	0	0	3	0
OAI	14	8	0	22	4
PAI	343	2	0	345	0
SHK	8	2	1	11	1
<b>Grand Total</b>	<b>4469</b>	<b>2575</b>	<b>2010</b>	<b>9054</b>	<b>1329</b>

**Table II: Summary of purse seine Whale Shark and Cetacean fishery interactions notified in the WCPFC online Compliance Case File System that were based on ROP data**

Includes cases where a ROP observer has reported one or more interaction/s occurred between a purse seine vessel and cetaceans or whale sharks during a trip. Relevant WCPFC requirements include prohibiting purse seine vessels from setting if a whale shark or cetacean is sighted prior to the commencement of the set; required reporting of any incidents of unintentional encircling; and guidelines for safe release.

**Source data:** ROP observer data  
**Period:** 2016 – 2020

	NEW CASE	Investigation IN PROGRESS	Investigation COMPLETED			Grand Total
			No infraction	Infraction - warning	Infraction - no sanction	
<b>CMM 2011-03</b>	<b>494</b>	<b>829</b>	<b>350</b>	<b>17</b>	<b>10</b>	<b>1700</b>
2016		176	129	4	5	314
2017	84	198	100	12	3	397
2018	41	165	87	1	1	295
2019	230	221	34		1	486
2020	139	69				208
<b>CMM 2012-04</b>	<b>444</b>	<b>492</b>	<b>198</b>	<b>1</b>	<b>1</b>	<b>1143</b>
2016	1	81	61		4	147
2017	47	87	46	1		181
2018	44	161	58		1	264
2019	267	147	33		3	450
2020	85	16				101
<b>Grand Total</b>	<b>938</b>	<b>1321</b>	<b>548</b>	<b>18</b>	<b>1</b>	<b>2843</b>

*Notes: The relevant WCPFC decisions that should be referred to, in investigating these cases to determine whether they are alleged infringements are:*

- Conservation and Management Measure for protection of whale sharks from purse seine fishing operations – CMM 2012-04.
- Conservation and Management Measure for protection of cetaceans from purse seine fishing operations - CMM 2011-03

**Table III: Summary of Shark Catch alleged Infringement cases by year showing count of cases by Investigation Status**

Includes cases where a ROP observer has reported retention in part or whole of catches by vessels of shark species that are prohibited, or a fate code that may indicate shark finning activities.

**Source data:** ROP observer data

**Period:** 2015 – 2020

	NEW CASE	Investigation IN PROGRESS	Investigation COMPLETED		Grand Total	
			No infraction	Infraction - warning		Infraction - sanction
<b>CMM 2010-07 09</b>	<b>24</b>	<b>19</b>	<b>4</b>		<b>14</b>	<b>61</b>
2015		14	2		14	30
2016		3	2			5
2017		1				1
2018	22	1				23
2019	1					1
2020	1					1
<b>CMM 2011-04 01</b>	<b>6</b>	<b>13</b>	<b>3</b>		<b>2</b>	<b>24</b>
2015		9	1		2	12
2016		1				1
2017			1			1
2018	4	1	1			6
2019	2	2				4
<b>CMM 2013-08 01</b>	<b>34</b>	<b>189</b>	<b>39</b>	<b>1</b>	<b>30</b>	<b>293</b>
2015		111	12		26	149
2016		30	7		1	38
2017	12	13	6	1		32
2018	7	18	9		3	37
2019	7	16	4			27
2020	8	1	1			10
<b>Grand Total</b>	<b>64</b>	<b>221</b>	<b>46</b>	<b>1</b>	<b>46</b>	<b>378</b>

Notes: the relevant CMM paragraphs that should be referred to, in investigating these cases to determine whether they are alleged infringements are:

**CMM 2010-07: paragraph 9.** 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).

**CMM 2011-04: paragraph 1.**

*1. Members, Cooperating Non-Members and Participating Territories (CCMs) shall prohibit vessels flying their flag and vessels under charter arrangements to the CCM from retaining on board, transshipping, storing on a fishing vessel, or landing any oceanic whitetip shark, in whole or in part, in the fisheries covered by the Convention.*

**CMM 2013-08: paragraph 1:**

*1. Commission Members, Cooperating Non-Members and Participating Territories (CCMs) shall prohibit vessels flying their flag and vessels under charter arrangements to the CCM from retaining on board, transshipping, storing on a fishing vessel, or landing any silky shark caught in the Convention Area, in whole or in part, in the fisheries covered by the Convention.*



**Table IV: Summary of Observer Obstruction Alleged Infringement cases by year showing count of cases by Investigation Status**

Includes cases notified in WCPFC online compliance Case File System, related to observer obstruction, identified in ROP observer data. . (CMM 2007-01 14(vii) and CMM 2018-05 15(g))

**Source data:** WCPFC Observer Trip Monitoring Summary as submitted in ROP observer data

**Period:** 2015 – 2020

	NEW CASE	Investigation IN PROGRESS	Investigation COMPLETED				Grand Total
			No infraction	Infraction - no sanction	Infraction - warning	Infraction - sanction	
<b>RS-A</b>	<b>23</b>	<b>75</b>	<b>57</b>	<b>2</b>	<b>4</b>	<b>5</b>	<b>166</b>
2015		19	27	2	3		51
2016		16	10			3	29
2017	5	7	7		1		20
2018		16	12				28
2019	10	15	1			2	28
2020	8	2					10
<b>RS-B</b>	<b>15</b>	<b>68</b>	<b>37</b>	<b>2</b>	<b>7</b>	<b>15</b>	<b>144</b>
2015		28	21	2	4	5	60
2016		12	3			6	21
2017	2	3	3		2	2	12
2018	2	11	9		1	1	24
2019	5	11	1			1	18
2020	6	3					9
<b>RS-D</b>	<b>15</b>	<b>39</b>	<b>34</b>	<b>10</b>	<b>2</b>	<b>2</b>	<b>102</b>
2015		15	15	9	1		40
2016		4	8		1	1	14
2017	3	3					6
2018	1	6	10			1	18
2019	9	10	1	1			21
2020	2	1					3
<b>Grand Total</b>	<b>53</b>	<b>182</b>	<b>128</b>	<b>14</b>	<b>13</b>	<b>22</b>	<b>412</b>

*Notes: The relevant ROP pre-notification codes reported are:*

**RS-A:** *Did the operator or any crew member assault, obstruct, resist, delay, refuse boarding to, intimidate or interfere with observer in the performance of their duties*

**RS-B:** *Request that an event not be reported by the observer*

**RS-D:** *Did the operator fail to provide the observer, while on board the vessel, at no expense to the observer or the observer's government, with food, accommodation and medical facilities of a reasonable standard equivalent to those normally available and medical facilities of a reasonable standard equivalent to those normally available to an officer on board the vessel*

**Table V: ROP Pre-Notification Issues** (other than alleged observer obstruction incidents)  
**Summary Table of Flag CCM responses to ROP Pre-Notification Issues, other than alleged observer obstruction, presently notified in WCPFC online Compliance Case File System**

**ROP Pre-Notification Issues:** Provides notification to flag CCMs of those data elements (other than alleged observer obstruction incidents) that were answered in the affirmative by a ROP observer on the WCPFC Observer Trip Monitoring Summary, or which are included in SPC/FFA General Form 3.

*\*\*WCPFC14 accepted the TCC13 recommendation that the process of not considering the information contained in the ROP Pre-notification List, for the purpose of assessing any obligations for which it was relevant, with the exception of those cases related to observer interference or obstruction be followed in future years (WCPFC14 final CMR).*

*However, noting that **Conservation and Management Measure on Marine Pollution (CMM 2017-04)** applies from 1 January 2019.*

*Alleged Issue = PN-A could indicate an alleged infringement related to CMM 2017-04 02 which is a binding requirement.*

*Alleged Issue = PN-B PN-C PN-D PN-E could indicate an alleged infringement related to CMM 2017-04 03-07 provisions which are encouraged actions to be taken by flag CCMs.*

*In 2021, the Secretariat has encouraged flag CCM take note that the indication of an alleged PN- issue may indicate an alleged infringement related to CMM 2017-04 Marine Pollution CMM requirements. As such, appropriate investigations should commence for each case with an indication of an alleged PN- issue, including obtaining the observer report information from the observer provider, and for updates to continue to be provided into the online compliance case file system about the progress of the investigation, until its conclusion.*

**WCPFC ROP Pre-notification codes**

<b>LC-A</b>	inaccurately record retained “target species” in the vessel log
<b>LC-B</b>	inaccurately record “target species” discards
<b>LC-C:</b>	record species inaccurately
<b>LC-E</b>	inaccurately record bycatch species discards
<b>LC-F</b>	inaccurately record retained bycatch species
<b>LP-A</b>	inaccurately record vessel positions on vessel log sheet for sets, hauling and catch
<b>WC-b</b>	high-grade the catch
<b>SI-b</b>	Interact (not land with SSIs)
<b>WC-a</b>	Fail to comply with any Commission Conservation and Management Measures
<b>NR-a</b>	Fish in any areas where the vessel is not permitted to fish
<b>NR-c</b>	Use a fishing method other than the method the vessel was designed or licensed
<b>NR-e</b>	Transfer or transship fish from or to another vessel
<b>NR-g</b>	Fail to stow fishing gear when entering areas where vessel is not authorised to fish
<b>LP-b</b>	Fail to report vessel positions to countries, where required when entering and leaving an EEZ(crossing to or from an EEZ into or out of the High Seas)
<b>PN-a</b>	Dispose of any metals, plastics, chemicals or old fishing gear
<b>PN-b</b>	Discharge any oil
<b>PN-c</b>	Lose any fishing gear
<b>PN-d</b>	Abandon any fishing gear
<b>PN-e</b>	Fail to report any abandoned gear
<b>SS-a</b>	Fail to monitor international safety frequencies

	NEW CASE	Investigation IN PROGRESS				Investigation COMPLETED			Grand Total
				No infraction	Infraction - no sanction	Infraction - sanction	Infraction - warning		
<b>LC-A</b>	<b>1047</b>	<b>195</b>	<b>20</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>1268</b>		
2016	95	139	17	1		2	254		
2017	240	16			2		258		
2018	309	25					334		
2019	294	15	3			1	313		
2020	109						109		
<b>LC-B</b>	<b>1798</b>	<b>302</b>	<b>39</b>	<b>1</b>	<b>8</b>	<b>8</b>	<b>2156</b>		
2016	137	223	30	1	4	4	399		
2017	425	30				3	460		
2018	518	30			1	1	550		
2019	514	18	9			1	542		
2020	204	1					205		
<b>LC-C</b>	<b>1646</b>	<b>283</b>	<b>50</b>		<b>5</b>		<b>1984</b>		
2016	115	204	42		3		364		
2017	392	29			2		423		
2018	503	29					532		
2019	460	20	8				488		
2020	176	1					177		
<b>LC-E</b>	<b>477</b>	<b>104</b>	<b>8</b>	<b>2</b>	<b>2</b>	<b>7</b>	<b>600</b>		
2016	38	61	7	2	2	4	114		
2017	107	16				2	125		
2018	129	19				1	149		
2019	150	7	1				158		
2020	53	1					54		
<b>LC-F</b>	<b>643</b>	<b>144</b>	<b>19</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>811</b>		
2016	48	108	17	2	2	1	178		
2017	153	18					171		
2018	169	11					180		
2019	196	7	2				205		
2020	77						77		
<b>LP-A</b>	<b>30</b>	<b>7</b>		<b>1</b>			<b>38</b>		
2016	1	5		1			7		
2017	7						7		
2018	8	2					10		
2019	13						13		
2020	1						1		
<b>LP-B</b>	<b>39</b>	<b>9</b>	<b>2</b>				<b>50</b>		
2016	4	6	2				12		
2017	7						7		
2018	13	3					16		
2019	14						14		
2020	1						1		
<b>NR-A</b>	<b>47</b>	<b>13</b>	<b>2</b>			<b>1</b>	<b>63</b>		
2016	6	9	2			1	18		
2017	9						9		
2018	13	3					16		
2019	13	1					14		
2020	6						6		
<b>NR-C</b>	<b>15</b>	<b>23</b>	<b>2</b>				<b>40</b>		
2016	2	3	2				7		
2017	3	19					22		
2018	4						4		
2019	5	1					6		
2020	1						1		
<b>NR-E</b>	<b>274</b>	<b>37</b>	<b>4</b>	<b>1</b>			<b>316</b>		
2016	19	23	3	1			46		
2017	75	5					80		
2018	96	6					102		
2019	66	3	1				70		
2020	18						18		
<b>NR-G</b>	<b>146</b>	<b>25</b>	<b>1</b>				<b>172</b>		
2016	19	20					39		
2017	29	2					31		
2018	46	1					47		
2019	32	2	1				35		
2020	20						20		
<b>PN-A</b>	<b>627</b>	<b>197</b>	<b>13</b>		<b>5</b>	<b>7</b>	<b>849</b>		
2016	78	145	12		2	4	241		
2017	135	33			2	2	172		
2018	195	7	1		1	1	205		
2019	153	11					164		
2020	66	1					67		
<b>PN-B</b>	<b>158</b>	<b>57</b>	<b>2</b>			<b>2</b>	<b>219</b>		
2016	18	36	2			1	57		
2017	31	12					43		
2018	53	4					57		
2019	44	4				1	49		
2020	12	1					13		
<b>PN-C</b>	<b>43</b>	<b>7</b>	<b>1</b>			<b>1</b>	<b>52</b>		
2016	2	4	1				7		
2017	1	1					2		
2018	10					1	11		
2019	17	2					19		
2020	13						13		
<b>PN-D</b>	<b>138</b>	<b>37</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>182</b>		
2016	16	31	3	1	1	2	54		
2017	32	2					34		
2018	42	1					43		
2019	40	2					42		
2020	8	1					9		
<b>PN-E</b>	<b>26</b>	<b>4</b>			<b>1</b>		<b>31</b>		
2016	1	3			1		5		
2017	4						4		
2018	7						7		
2019	11	1					12		
2020	3						3		
<b>SI-B</b>	<b>1469</b>	<b>252</b>	<b>26</b>	<b>1</b>	<b>1</b>	<b>5</b>	<b>1754</b>		
2016	87	148	22	1	1	2	261		
2017	276	29				1	306		
2018	443	46	2			1	492		
2019	512	27	2			1	542		
2020	151	2					153		
<b>SS-A</b>	<b>14</b>	<b>3</b>					<b>17</b>		
2016	4	2					6		
2017	1	1					2		
2018	2						2		
2019	6						6		
2020	1						1		
<b>WC-A</b>	<b>524</b>	<b>80</b>	<b>12</b>		<b>1</b>		<b>617</b>		
2016	42	54	10		1		107		
2017	119	10					129		
2018	168	8	1				177		
2019	139	7	1				147		
2020	56	1					57		
<b>WC-B</b>	<b>78</b>	<b>14</b>			<b>1</b>		<b>93</b>		
2016	9	12			1		22		
2017	16	1					17		
2018	23	1					24		
2019	14						14		
2020	16						16		
<b>Grand Total</b>	<b>9239</b>	<b>1793</b>	<b>204</b>	<b>10</b>	<b>29</b>	<b>37</b>	<b>11312</b>		

**Table VI: Summary of FAD Sets Alleged infringements cases by year showing count of cases by Investigation Status**

Includes cases where a ROP observer has reported setting on FADs during a specified time period and/or in specific waters in the Convention when the prohibition on setting on FADs was in effect.

**Source data:** ROP observer data

**Period:** 2015 – 2020

	NEW CASE	Investigation IN PROGRESS	Investigation COMPLETED		Grand Total
			No infraction	Infraction - sanction	
<b>2015</b>	<b>6</b>	<b>12</b>	<b>235</b>	<b>2</b>	<b>255</b>
CMM 2014-01 14	6	12	230	2	250
CMM 2014-01 16			5		5
<b>2016</b>	<b>1</b>	<b>7</b>	<b>218</b>	<b>3</b>	<b>229</b>
CMM 2015-01 14	1	7	217	3	228
CMM 2015-01 16			1		1
<b>2017</b>	<b>67</b>	<b>32</b>	<b>549</b>		<b>648</b>
CMM 2016-01 14	53	14	458		525
CMM 2016-01 16	3		88		91
CMM 2016-01 18	11	18	3		32
<b>2018</b>	<b>6</b>	<b>28</b>	<b>21</b>		<b>55</b>
CMM 2017-01 16	5	24	21		50
CMM 2017-01 17	1	4			5
<b>2019</b>	<b>97</b>	<b>72</b>	<b>3</b>		<b>172</b>
CMM 2018-01 16	97	72	2		171
CMM 2018-01 17			1		1
<b>2020</b>	<b>3</b>				<b>3</b>
CMM 2018-01 16	3				3
<b>Grand Total</b>	<b>180</b>	<b>151</b>	<b>1026</b>	<b>5</b>	<b>1362</b>

*Notes: The relevant CMM paragraphs that should be referred to, in investigating these cases to determine whether they are alleged infringements are:*

**\* 3-month FAD closure Tropical Tunas (1 July - 30 Sept FAD closure)**

Year 2015 = CMM 2014-01 14      Year 2016 = CMM 2015-01 14      Year 2017 = CMM 2016-01 14

Year 2018 = CMM 2017-01 16      Year 2019 - 2020 = CMM 2018-01 16

**\* 4th Month FAD Closure (1 - 31 Oct FAD closure) FAD Sets Alleged infringements**

Year 2015 = CMM 2014-01 16      Year 2016 = CMM 2015-01 16      Year 2017 = CMM 2016-01 16

**\* High Seas FAD closure**

Year 2017 = CMM 2016-01 18      Year 2018 = CMM 2017-01 17      Year 2019 - 2020 = CMM 2018-01 17

