Commission
Ninth Regular Session
Manila, Philippines
2 – 6th December 2012

4th ANNUAL REPORT TO the COMMISSION FOR THE REGIONAL OBSERVER PROGRAMME

WCPFC9- 2012-IP02[1]
12 November 2012

1. **Introduction**

   a) Paragraph of Article 28 of the WCPFC Convention states: "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."

   b) Paragraph 3 of CMM 2007-01 states: "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."

   c) This paper reports on the different aspects of the ROP as required by the Convention, CMM 2007-01 and the outcomes of the TCC8.

2. **ROP Audits of member programmes for full authorisation**

   a) The ROP Secretariat commenced its audits of Regional Observer Programme (ROP) interim authorised national and subregional observer programmes in late 2010 and has completed audits on 23 countries or organisations that are part of the ROP. The purposes of the audits is to ensure that "Commission Standards" are being applied and/or are being developed and maintained by programmes, full authorisation of ROP programmes were completed by June 2012.

   b) The audit found that significant progress had been achieved since the establishment of the ROP; however improvements are required including the provision of continuous and sufficient supply of observers and de-briefers. The ROP will develop a programme of annual audits over a 5 or 6 year period, the intention is that each programme will be audited on a rotational basis to ensure "Commission Standards" are being maintained and also will allow any problems to be highlighted and resolved.

   c) The summary of comments for the completed audits is attached as "*Attachment 1*" to this report. The major funding source for the audit process was funded by the United States with other funds made available through the Commission budget, all countries with observer programmes that wished to be part of the ROP participated and assisted Secretariat staff with the audit process.

3. **Observer Data available for 2011/2012.**

   a) The data providers SPC presented a paper "Status of Observer Data Management WCPFC-TCC8-2012-16_rev1 at TCC8 noting that while there has been catch up on the back log of available data, an amount of data is still to be supplied by observer providers. As can be seen in the tables in the TCC8 document not all data is being received and some data for whatever reasons has not been

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[1] Updated and revised from WCPFC-TCC8-2012-15

relayed to the Commission Data Provider (SPC) or the Commission Secretariat for inclusion in the observer data base. The current understanding is that data should be sent in a timely matter; however the submission of data could do with an actual time frame being applied; therefore allowing the data provider and/or Secretariat to encourage the submission of data within this time period.

b) Following question on the late arrival of data being related to the lack of debriefing of observers at TCC8, the Secretariat added that a lack of de-briefers and de-briefer data rejection is not the only reason data are not being submitted. Lost data, staff turnover and other issues also contribute to the problem. The Secretariat suggested that the audit process showed that the de-briefing situation is improving as national observers gain experience and are eligible to become de-briefers.

4. Data and monitoring requirements of the Commission's CMMs;

a) The ROP data collected by ROP observers has resulted in a number of reports for SC and TCC.

b) During the period, a couple of countries were found not to have sent all the data collected by observers to the data provider. These problems were detected during the audit procedure as well as being reported to the Secretariat by SPC. Assistance has been given to these programmes and data is now being sent to the Data Provider or the Commission Secretariat.

c) Part of the reason a back log occurred was insufficient funding for data entry when the 100% PS coverage commenced. The back log of data entry reported for 2010 & 2011 is diminishing as the ROP data entry has been sufficiently funded in 2012. Problems in getting data to the data provider have also been rectified with the assistance from SPC and WCPFC in supplying hi-speed multiple page scanners to many national fisheries divisions. A few CCMs at TCC8 suggested that the key objective was the timely provision of data and reasons for late submissions should be examined.

d) Long line data still needs to be collected by observers on long line ROP trips and observer collected data should be sent to the Data Provider SPC or the Commission Secretariat for entry into the observer data base. The coverage of 5% by June 30th 2012 should be reported by CCM's, and to verify the coverage has occurred, a corresponding amount of data should be received for data entry.

5. Data Entry Staff for Pohnpei

a) Currently all ROP data entry is concentrated at SPC, with one country entering the data at their home office. SPC had placed two WCPFC funded ROP Data Entry Staff at their regional office in Pohnpei to enter data for the FSM observer programme. These two positions are currently in a situation where space is limited and also supervision is limited, with this in mind it is the intention to relocate the two WCPFC funded 'Data Entry Staff" to the WCPFC building in early 2013. This move is explained in the *staff establishment paper for FAC6*. The current two data entry persons will continue to enter and compile FSM observer programme national and ROP collected data for transmission to SPC.

b) Currently there are two data entry persons who are able to handle approximately 50% of the data received in Pohnpei, an additional two persons will be sourced to assist with entering the other 50% of Pohnpei data currently not entered but scanned to SPC for entry. There will not be any increased data entry costs associated with this move, for further detail see *staff establishment paper for FAC6*.

6. ROP Data Fields

a) Additional data fields to be added to the Minimum Standard Observer Data fields to be collected were discussed at SC8 and TCC8.

SC8 and TCC8 both recommended that there should be the inclusion of data fields for observers on long liners to collect*:*

- *the mass of added weight attached to branch lines:*
- *distance between weight and hook (in meters):*
- *the fate (dead, alive or injured) and number of seabirds for each species in each of these categories:*
- *whether the seabirds were released alive or discarded dead:*

b) The ROP section at the Secretariat sees no reason that these fields cannot be added to WCPFC Minimum Standard Data fields to be collected by observers on long line fleets, however given that data workbooks for most programmes are only reviewed every couple of years, it is suggested that the inclusion of these fields will need some time to be added to current observer workbooks /formats, therefore if approved CCMs should include this information in their data collection formats as soon as practical, however given it may take time for some programmes to make changes to their collection formats, a time frame should be suggested for the collection of these fields. – Suggestion is to have these fields added to the data collection formats no later than Jan 1st 2015.

7. Observer Coverage for period July 1st 2011 to June 30th 2012.

a) Consistent with Article 15(4), the role of the Secretariat and CMM 2007-01 para 12 (iii) "Receiving communications and providing reports on the ROP's operation to the Commission (and its subsidiary bodies); including target and achieved coverage levels"

7.1 Purse Seine Coverage

a) The coverage for Purse seiners for period July 1st 2011 to June 30th 2012 including the FAD closure period in 2011 was monitored by the Secretariat with information supplied by observer providers and flag States for purse seine vessels when fishing in the Convention area 20N – 20S. All records received indicate 100% coverage for the period was attained. Providers and flag States where applicable are requested to assist by sending in monthly information on placements of all ROP boarding's.

7.2 Long Line Coverage

a) Coverage rates for long liners has been set at 5% and this was to be achieved by 30 June 2012, (CMM 2007-01 Annex C Para 6 *"No later than 30 June 2012, CCMs shall achieve 5% coverage of the effort in each fishery under the jurisdiction of the Commission"*) there was very little long line data being received by the WCPFC data provider (SPC) and the estimate coverage for all fleets in 2012 is not known.

7.3 Transhipment Coverage

a) Monitoring of transshipment at sea by long liners commenced in 2011 and the 100% coverage required for transhipment vessels is being monitored by the Commission Secretariat. The carriers that the Commission ROP is aware of carrying out transshipment at sea are vessels that are informed to the Secretariat by CCMs when they are placing an observer on a carrier, as well as carriers notifying the Commission Secretariat of their intentions to transship.

b) There continues to be a problem in knowing exactly what all carriers coming into the Convention area are intending to do. Without a requirement to report their intentions it is difficult to predict a fish carriers activity; a start of trip/entry notification with intended notification of activity of the vessel and end of trip/exit notification would assist in monitoring carriers operating in the Convention area.

c) **Table 1** indicates that 37 different carriers have reported transhipping on the high seas; 36 different observers have observed on these vessels during the period July 1st 2011 – June 30th 2012.

Table 1

Carrier Flag	Number of Carriers	Observer used	Comment
Japan	1	3	Carrier had a different observer for each of its trips.
Kiribati	2	2	
Korea	1	1	
Panama	7	6	1 observer completed 2 trips on different carriers.
Singapore	2	2	
Vanuatu	24	22	2 observers completed 2 trips on different carriers.
Total	37	36	

8. Transhipment Issues

a) It was brought to the Secretariats attention that some carrier vessels were asking observers to sign letters of indemnity. CCMs and CNM's are asked to inform their carriers that WCPFC ROP observers are not permitted to sign any such documents Observers have reported to have been put under pressure to sign these letters before being permitted to board a carrier vessel. The legal advice is that a WCPFC ROP observer does not have to sign these letters, and therefore should not sign these letters. Observers have been asked to report if they are harassed or pressured to sign these indemnities. A circular to all members regarding this issue was sent out on 20th July 2012. (*Refer circular 2012-49)*

9. Cross Endorsement of Observers

a) Training of observers by IATTC and WCPFC for the cross endorsement was held in Tarawa in August 2012, there is now a small pool of observers that are capable of carrying out work in both Convention areas on the same trip. The successful participants from the cross endorsement training have been in demand, and a few placements involving vessels wishing to utilize the cross endorsed observer have occurred.

b) The cross endorsement training concentrated on the forms and formats to be used when observers are in the IATTC Convention area. These forms are required to be filled out by observers in order to provide semi-real time information for the functioning and monitoring of procedures of the IATTC's Agreement for the International Dolphin Conservation and the monitoring of compliance with IATTC's resolution.

c) Following the number of requests for cross endorsed observers since the training in August, it is important that further training of observers for cross endorsement is carried out in the near future. A budget for this training is included in this year's ROP budget. A guideline procedure for vessels crossing from West to East and a manual for observers and providers has been produced. Refer to the 4th Annual ROP report made at TCC8 - *WCPFC-TCC8-2012-15 Attachment 2*.

d) It was also noted at TCC8 that procedures for vessels passing from east to west may need to be clarified.

10. Observer availability

a) The introduction of CMM 2008-01 - Conservation and Management Measure on Bigeye and Yellowfin Tuna in the Western and Central Pacific Ocean had brought about a rush for available observers and the need to train more observers in a short period. A survey carried out in March 2012 indicated there were approximately 650 available observers for the ROP.

b) The Pacific Island observer programmes manages to supply sufficient observers for the 100% observer coverage of purse seiners, however with 5% coverage of long liners, and 100% coverage of carriers transhipping at sea and the usual attrition rate that occurs in observer programmes, observer training will be required for most programmes on a continual basis.

11. Observers for Special Situations

a) The funding sought for this item has been in the last couple of years been utilized in assisting with the special 'Spill Sampling Project" by the Secretariat paying for the deployment of observers to assist with this project. As the project is now being fully funded by other sources, the 2013 budget amount is proposed to be used for the ROP to assist cross endorsed observers, as well as being used by the ROP to assist in gathering information on data collection standards by observers being used in long line and transhipment observer trips.

12. Electronic Data collection

a) The WCPFC ROP presented a report as an attachment to the ROP report at TCC6, there has been no further work carried out in this area since the completion of these trials. The trials were very encouraging and almost everything expected was able to be delivered, however there were was an important technical problem that was not able to be overcome and that was the inability for the unit being trialled to store positions when an activity occurred. The unit was reported by observers to be easy to use and were excellent tracking devices for a programme to follow their observers, as well as having important safety messaging aspects that an observer could use if they were in danger or trouble on a vessel.

b) TCC8 recommended that WCPFC9 task the Secretariat, in cooperation with the Scientific Services Provider, to consider electronic data entry for the ROP as a priority. TCC8 also recommended to WCPFC9 that coastal States developing Information Management Systems (IMS) receive assistance, including training of de-briefers, to improve their ability to meet their national obligations in providing observer data.

c) The Commission ROP will also look at developing electronic reporting for observers on carrier vessels. Some CCMs at TCC8 stated the priority should be placed on electronic data entry, rather than scanning. The Secretariat also noted that with regard to desk-based electronic data entry, the TUBs Observer Database System, as well as national Information Management Systems (IMS) are being developed and implemented.

13. Catch Retention

a) Purse seine vessels are required to retain all tuna species on board unless they are "unfit for human consumption"   If the vessel wishes to discard tunas on the high seas because they are unfit for human consumption the vessel is required to submit to the Executive Director, a report on the discards within forty-eight 48 hours. If they wish to discard tunas in the EEZ of PNA countries they must report to the CEO of the PNA countries. During the period July 1st 2011 -30th June 2012 there were 50 vessels that reported discards to the Secretariat; Refer to Table 7 & 8 contained in TCC paper TCC8 *WCPFC-TCC8-2012-15* Insufficient well space on a final set was the major reason given for discards; for the period 1st July 2011 – 31st July 2012;

14. Observer/Vessel problems

a) Bribery of observers especially in the FAD closure period continues to be of a concern, and whilst it is not believed to be a major problem, some evidence and general talk amongst observers and vessel captains indicates that it is occurring. Some captains are claiming they are being approached by

observers asking for money to look the other way if they want to set on FADs during the FAD closure period.

b) Following questions at TCC8 regarding this issue, the Secretariat believed that it was sometimes linked to vessels or their agents directly paying observers, and suggested that a review of these practices might help stabilise the programmes.

c) Observer complaints about treatment when they are on board a vessel still continues, but given that most vessels have become used to having observers on board and they better understand through experience what is required, therefore complaints from observers about their treatment on board has decreased. However there continues to be problems with a few vessels which have captains who continue to not welcome observers on board their vessels.

d) There continues to be a few problems, with drunkenness of observers reported to the Secretariat. The providers of the observers are responsible for the selection of their observers to board vessels and known trouble makers should be culled from programmes rather than being given continual placements. Observers who have previously caused problems often continue to re offend when given further placement duties by their providers. Some countries where these observers end up for placements or disembarkation are annoyed in having to continually intervene with police departments and other bodies to assist these observers when they get into self inflicted problems. Providers are encouraged to ensure that all observers are explained their Code of Conduct before they leave for any trip.

e) As indicated in the 3rd Observer Report presented at TCC7, Observers if they misbehave or cause problems can be dismissed and often are terminated from their position as an observer; however there does not seem to be any similar imposition by companies or from some flag State for vessel captains causing problems or mis treating observers.

15. Observer trip monitoring summary

a) Table 2 is taken from information collected by observer on the SPC/FFA General Form-3 (GEN -3), this form has the WCPFC minimum standard data fields for an observer trip monitoring summary. The forms are usually handed to the provider or a debriefer when the observer disembarks the vessel. The forms are not written reports but do indicate activities carried out by vessels and witnessed by the observer. The observer indicates by circling YES or NO to the Questions (a) to (t) on the form. If answered YES, the observer usually indicates in the comments section on the form where they have written the details to why they answered YES, this description is normally placed in the observers written report or daily journals. A 'Yes" answer does not necessary mean a vessel has infringed.

Table 2 - Observer Trip Monitoring Summary

Question	Number of times "YES" reported	Estimated % of trip reports checked
a) Record inaccurate positions on the vessel logsheet	5	1.2%
b) Fish in areas that were not covered by any license or access agreement	11	2.6%
c) Mis-report catch in the vessel logs or weekly reports	40	9.5%
d) Not report catch of commercial species (including discards)	60	14.3%
e) Not record bycatch and discards	83	19.8%
f) Record bycatch and discards inaccurately	49	11.7%
g) Target species other than those they are licensed to target	3	0.7%
h) Use a fishing method other than the method they are licensed to use	9	2.1%
i) Record one species as a different species	57	13.6%

j) Catch species of special interest	40	9.5%
k) Breach MARPOL regulations	83	19.8%
l) Bunker or not report bunkering to national authorities	69	16.4%
m) Transfer fish from or to another vessel at sea	9	2.1%
n) Request that an event not be reported	7	1.7%
o) Mistreat other crew	8	1.9%
p) Hinder the observer in the carrying out of their duties	13	3.1%
q) Not supply reasonable accommodation, food and facilities to the observer onboard the vessel	6	1.4%
r) High grade or cull the catch	5	1.2%
s) Not report position to countries when crossing from one zone to another	7	1.7%
t) Not display or present a valid (and current) license document onboard	9	2.1%
Number of forms from sample with all fields indicating there were no problems.	58	13.8%

Note This table does not represent the total number of trips in the period July 1st 2011 to June 30th 2012 and only represents 420 observed trips from all fishing fleets, there are reports still to be received from providers, and many still need to be data entered.

16. Technical Advisory Group (TAG)

a) The Technical Advisory Group (TAG) Chair has sent two circulars out for comment since the delayed meeting of WCPFC8; all work has been conducted electronically. The limited level of participation reported at TCC8 suggests that some CCMs have not had the opportunity to provide comments requested from the ROP-TAG issued by the Chair in June and August 2012. TAG work carried out so far has been focused on recommendations concerning carrier vessels, cross-endorsement of observers, and disembarking of observers in foreign or home ports.

b) At TCC8 the Secretariat Legal Advisor clarified that ROP -TAG recommendations endorsed by TCC could be added as additional annexes of CMM 2007-01 and that any recommendation including correct text for proposed amendment to CMM 2007-01 should come through TCC.

c) Due to the time limitations created by the late meeting date of WCPFC8, the TCC8 recommended that the TAG period be extended to March 2014.

17. ROP Issues requiring further work.

a) ROP Issues that required guidance are contained in a separate paper, WCPFC -TCC8-2012-08; they include:

- Vessels wishing to transit without an Observer. –

  There was some discussion on this issue at TCC8 and guidelines are still to be resolved, a CCM noted that the Secretariat should be alerted, but not that it be a condition of allowing transit and that this should be a responsibility of the National Authority or sub-regional organization.

- Vessel Captains wishing to have access to observer data, so they can make a comment if they wish on the information collected by the observer.

  It was noted at TCC8 by CCMs that whilst this issue had policy aspects outside of the TOR's of the TAG it would benefit from a technical review of the issue.

- Definition as directed by the Commission to be supplied after the Audit of programmes

18. Summary

a) It has been a busy year for the ROP at the Secretariat with the major emphasis in carrying out Audits of observer programmes for the ROP. This has taken up a fair proportion of the time available

however all programme audits were completed and authorised by the 30th June 2012. Many thanks should go to the programmes for assisting with this process.

b) The training of a small number of WCPFC ROP observers to carry out duties in the IATTC area will assist vessels intending to fish in both Convention areas, vessels will no longer be required to carry an observer from IATTC and WCPFC. The training was a success and providing funds are made available further training could be held to expand the availability of cross endorsed observers.

c) The Technical Advisory Group (TAG) commenced this year after the delayed annual meeting and the Chair has sent out two circulars with issues for comment, whilst this year the TAG has had little time to develop recommendations for WCPFC9, it will be able to report on a number of issues at TCC9. As suggested by legal counsel at TCC8 – it is hoped that TCC9 is able to find time and a mechanism to address the issues raised by the TAG.

d) The ROP staff looks forward to the coming year and thanks all Coordinators, Staff and observers for their participation and assistance during the 2011/2012 period.

ROP Report Attachment 1

Commission

Ninth Regular Session

Manila, Philippines

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Summary of Regional Observer Programme Audits

SECRETARIAT

1. The Convention of the Commission "*Article 28 Para 1*" directed that a Regional Observer Programme be developed; The Convention says in Article 28 Para 3 "*The regional observer programme shall consist of independent and impartial observers authorized by the Secretariat of the Commission*" It was realized that it would be difficult to authorize each individual observer, and therefore the Commission decided in *CMM 2007-01 Para 12 (b)* that observer providers would be authorized, and therefore Observers that they nominate as being trained to Commission standards are authorized to carry out Regional Observer Programme duties.

2. Observer programmes that wished to be part of the Regional Observer Programme (ROP) were asked to nominate an Observer Coordinators and provide materials on their programme to the Secretariat. The programmes were initially "Interim Authorised and to gain full authorisation were subject to an audit against a set of standards developed by the Commissions ROP Intersessional Working Group and later approved by TCC and the Commission. The Secretariat was tasked to complete the audits of all programmes before June 30th 2012.

3. The ROP section of the Commission Secretariat commenced its audits of Regional Observer Programme (ROP) interim authorised observer programmes in late 2010 and has completed audits of the 23 national and sub regional programmes that are part of the ROP by the due date June 30th 2012 - Programmes audited are in listed in Table 2

4. The purpose of the audits was to ensure that Commission standards are being applied and/or is being developed and maintained by the interim authorised programmes.

5. In most cases the programmes audited were well developed and were following the agreed Commission standards to the best of their ability. However there were standards that needed improvement in some programmes and before full authorisation occurred the Secretariat and the programme worked on issues that needed to be resolved. The observations in this paper are for each standard, and the problems that some programmes were having with these standards.

6. TCC6 recommended that the "Final ROP Audit Report" be provided to the CCM involved, with notification only relayed to the TCC and Commission when a programme fully complied with

Commission standards. This report is a summary of the audits carried out on the 23 observer programmes that have nominated to be part of the Regional Observer programme. To obtain a copy of an audit for a members observer programme; members would need to communicate directly with the programme they are interested in to get the final audit summary of that programme.

Audit of Standards adopted by the Commission

Minimum Data Fields

Standard

7. *The standard for "Data Fields, Management, Distribution and Use" will be that CCMs will use existing data field formats collected by their national or sub regional observer programmes and that also they will ensure that the Commission minimum data standard fields for the ROP are included in their data collection formats.*

Observation

8. The FFA/SPC formats which are used by most Pacific Island programmes were changed to include all the WCPFC approved data fields. The new format introduced contains all the WCPFC approved data fields. Formats used by other programmes not affiliated with FFA/SPC are either using the approved data fields in their formats or have undertaken to include all the approved data fields in their formats, some of these programmes have used a set of forms and formats that the Secretariat had developed as a guideline.

Observer Training

Standard

9. *Standard for "Observer Training" is that training programmes should be linked to the Commission's decisions in place, available for review and training programme materials provided to the Secretariat*

Observation

10. During the audit process it was found that many programmes had their own standards for training and there was a great variation on what was thought to be an adequate standard. The Commission standard for observer training as shown above is reasonably broad and allows programmes to develop observer training formats to suit their situation. The programmes were checked against a list of parameters preferred as training subjects developed by the Secretariat Table 1. Programmes were not required to have all these parameters as part of their training; however the audit has shown that most of the programmes had included training in most of these areas. Following the audit, some of the programmes undertook to include a couple of the subjects from the list that they are currently not using in their training program

Table 1.

Guideline for Training Parameters.
Training should include but not be limited to 1.   Fisheries management; 2.   Understanding MCS; 3.   WCPFC Convention and related CMMs; 4.   Importance of observer programmes , understanding authority and responsibilities of observers; 5.   Safety at sea – emergencies at sea, survival at sea;

6.	First Aid;
7.	Species identification, including target, non-target, protected species, etc.
8.	Fishing vessel & Gear types
9.	Vessel identification & markings;
10.	Techniques of verification of catch logbooks;
11.	Techniques of estimating catch and species composition;
12.	Fish sampling, Measuring and Weighing techniques;
13.	Preservation of samples for analysis;
14.	Data collection codes and data collection formats;
15.	Use of digital recorders;
16.	Basic knowledge of navigation including latitude/longitude; compasses; bearings; chart work; plotting a position;
17.	Electronic equipment & understanding their operations ;
18.	The use of radios & communications;
19.	Verbal debriefing & Report Writing;
20.	Health at Sea issues;

11.   The Pacific Island (PI) programmes are all using approved Pacific Island Regional Fisheries Observer (PIRFO) standards developed for observer training by FFA/SPC. The PIRFO standard has been developed over a number of years and is updated regularly.

12.   Across all programmes there was no conformity on educational qualification for entrance to courses with some requiring passes in certain subjects at high school, while others required degree certification preferably in marine studies or science?

13.   Courses also had variable pass criteria, with observer trainees in some courses requiring a pass of at least 75% in each subject, to other courses requiring a general overall pass of 50%.

14.   The training venues varied, with some world class facilities being used for all aspects of observer training. Training sessions in some countries were limited to a single class room, with training in some areas such as sea safety being conducted elsewhere.

15.   Training materials for the FFA/SPC training is standard across all FFA/SPC observer programmes; all other observer programmes had relevant training materials, some in their own language. Species ID guides were variable and because a couple of programmes were carrying out observation work on non-tuna vessels such as trawlers, etc. Species guides often included many species not caught in tuna fishing operations. The species ID guide produced by SPC was used by all PI programmes and was also popular with a couple of non FFA/SPC programmes who were also using this guide.

16.   Some of the concerns detected during audits included the quality of observer trainees chosen for observer courses. In a couple of countries selection of trainees had initially been rushed to accommodate the need to have observers ready for the 100% purse seine coverage. It was noted that some participants struggled to pass the basic requirements of the training course and were given supplementary tests to get them qualified. Unfortunately this may be the partial cause to why an amount of poor quality data was collected by some observers. The education standards and variations in passing grades also may have contributed to some poor quality data being collected.

Observer Trainers

Standard

The ROP standard for the Commission for "Observer Trainers is: "CCMs will use existing national and or sub-regional training standards. CCMs will develop trainer qualifications, available for review by the Secretariat."

Observation

17. During the audit the Secretariat checked for observer trainers that have been authorized by their sub regional and national observer programme to train observers on their behalf. It was found that observer trainers may be internal to the programme, or in some cases may be specialists brought in from other programmes or organisations.

18. Senior expert observers from PI and other programmes are generally selected to be taught the techniques used in observer training. Training for the PI observer programmes is carried out by FFA/SPC with the intention that PI programmes will eventually be able to use their own personnel to train their own observers. The PI programmes also use external experts in some of the subjects taught when available to enhance the training. Non FFA/SPC programmes use the coordinator to organise the training and have many different persons/experts to train observers on observer subject matters. In some programmes trainees are paired with an expert trainer for a few courses and then tested before they become a fully approved trainer. Other programmes have no experienced trainers and rely totally on outside assistance and experts to train their observers.

Code of Conduct

Standard

19. *The agreed standard for "Code of Conduct" is that each CCM should have a Code of Conduct in place, available to each observer, available for review and if not in place, to be developed.*

Observation

20. Code of Conduct should provide a set of guiding principles relating to accepted behaviour and standards of conduct while serving as an ROP Observer.

21. All programmes except one had a "Code of Conduct" in place; with assistance from the Secretariat this programme has since developed and adopted a Code of Conduct. It was found that in all cases the "Code of Conduct" is explained during training sessions for observers, and often includes protocols to investigate complaints or breaches. In a couple of programmes observers were only given the code at the beginning of their observer careers, these programmes were advised that the code should be more accessible and that reminding observers of its contents often was desirable. A numbers of programmes re-issue the code whenever contracts are signed, and some programmes gave a copy of the code to each observer as a standard issue for every trip. During the audit the Secretariat suggested to all programmes that there would be no harm if each programme issued the code as part of the materials given to the observers prior to each trip.

Sea Safety

Standard

22. *The standard for "Sea - Safety" is that all ROP observers must undergo training in sea safety and emergency procedures to international recognized standards, and that such training procedures be made available to the Secretariat*

Observation

23. Sea Safety involves the training of sea safety to international standards and procedures that observer receive before they are permitted to carry out duties on board a vessel at sea.

24. Most programmes used Maritime Colleges to assist in the training of their observer participants for "Sea Safety". Many programmes had experts and world class facilities to train the observer in sea safety techniques, whereas some programmes only used a qualified lecturer in international "Sea Safety" standards in the class room, and then were taken to an external water sight for practical training. A couple of programmes did not have a college to issue certificates and relied on qualified navy patrol boat personnel to carry out this training.

25. In most Sea Safety training courses participants that passed the courses were given "Certificates of Sea Safety" indicating they have completed and passed the course to international standards. Many programmes require observer to be continually refreshed in sea safety techniques after a designated time period; normally this was every 3-5 years.

Placement /Deployment

Standard

26. *The standard for "Coordinating Placement" is that the*

- *WCPFC National Observer Programme Coordinator should be in place,*

- *There should be a system for observer placement administration and that documentation describing observer placement administration should be provided to the Secretariat.*

- *Audit measures to check on deployment procedures will be developed by the Secretariat*

Observation

27. The provider of the observers will be responsible for the deployment of the observer and will ensure the selected observer is provided with all possible assistance to board a vessel.

28. There was a WCPFC ROP Coordinator in place for all programmes audited. Procedures in some programmes are documented and copies of the procedures were made available to the ROP section of the Secretariat; some programmes did not have direct documentation of placement procedures, but procedures were spread through general administration manuals. The procedures in the documents that were presented were acceptable. It was suggested to a couple of programmes to update documentation given 100% observer coverage of purse seiners, carriers and the 5 % coverage of long liners.

29. Problems of payment of observers and the collection of funds for observer programmes were detected during the audit and whilst outside the scope of the audit, there is a need to have a standard in place for collection of funds and payment of observers.

30. Behaviour of observers with observer placements and disembarkations are also not covered by the Commission ROP standards and it is suggested that additional standards should be developed by the Commission. Currently observer behaviour on placement or disembarkation is dealt with by Code of Conducts and is monitored by the sub regional and/or national observer programmes.

Debriefing & Briefing

Standard

31. *The standard for "Briefing and De-briefing of observers" is that there is a system for briefing and de-briefing of observers in place and documentation describing briefing and de-briefing available to the ROP section of the Commission Secretariat*

Observation

32.   For the purposes of the Audit we accepted the observer to debriefer ratio to be satisfactory at approximately 10 observers to 1 debriefer.

33.   The process of training debriefers has been developed and is in place for many countries. A debriefing format has been developed in most countries and is being used during the debriefing of all observers; unfortunately for some countries there are only a very small number of debriefers trained and qualified; these countries have the task of certifying more debriefers to what is accepted as a satisfactory ratio. The audit found that there is a current deficiency of the number of dedicated certified debriefers with proper facilities to operate in most PI countries; it will take time to get these programmes up to a satisfactory ratio level for debriefing.

34.   The Observer Coordinators of all countries visited were aware of the needs to have a satisfactory ratio of debriefers to observers, however it was noted that in a couple of countries the administration had not assisted by allocating space or funds to allow for more debriefers to be trained and did not facilitate office space so debriefing could take place in a suitable environment.

35.   There is continuous training of experienced observers to be debriefers to build up capacity and quality in PI countries, but it may take a couple of years to be able to get the required numbers for comprehensive and accurate debriefing of all observer trips.

36.   Because of the unavailability of debriefers in some programmes it was reported that in a couple of programmes unqualified debriefers such as senior observers, the fisheries observer coordinator and others not connected to the programmes were assisting to debrief some of the trips.

37.   Since starting the Audit process in 2010 many programmes were reported earlier has having insufficient debriefers, however these programmes have since been able to train more debriefers and have bolstered their numbers, the debriefing while still not a satisfactory ratio for some programmes, continues to improve. There are still further requirements for trained debriefers and in most cases it has been recommended that programmes be further audited in a couple of years 2014/2015 to ensure the debriefer ratio to observers is acceptable.

38.   There are ramifications on the unavailability of debriefers, as it is proposed elsewhere that vessels have access to information of the observer's trip aboard their vessel after an observer has been debriefed. This will be difficult to comply with if the observer data and information hasn't been debriefed and checked for correctness and completeness, due to the lack of available debriefers.

Debriefing Training

Standard

39.   *The Standard for qualification of observer debriefers is that debriefers will be experienced in observer matters and that CCMs will use existing national and sub-regional programme standards for debriefers. CCMs will prepare qualifications for a debriefer, available for review by the Secretariat.*

Observation

40.   Each programme uses their own standards for debriefer trainers; the PI programmes use the FFA/SPC debriefing standards developed as part of the FFA/SPC regional harmonization process. Other programmes have developed their standards using experienced observers. It was also noted

that some programmes use persons for debriefing that are not directly observer experienced. In some programmes debriefing is carried out by more than one person usually the coordinator/administrator, scientist and/or a compliance officer. The ultimate goal of each programme is to have sufficient trained persons to be able to carry out full and comprehensive debriefings of all their observers.

Equipment and Materials

Standard

41. *The standard for "Equipment and Materials" is that observers are provided with appropriate equipment, including safety equipment to carry out their roles and tasks on board a vessel.*

Observation

42. All programmes provided basic equipment for observers to carry out their tasks; however safety equipment is not distributed by a small number of programmes. These programmes rely on agreement with vessels to provide observers with safety equipment when they are on board carrying out observer duties, therefore observers may not have serviced or checked safety equipment made available when carrying out their duties on these vessels.

43. Budgets in some observer programmes did not include funding for materials including safety equipment; in a couple of programmes there was a reliance of assistance for these items from other organisations (e.g. FFA/SPC) to supply basic equipment including safety equipment. Equipment in a couple of programmes was found to be in poor order and was not properly monitored and maintained by observer programme staff before distribution. Observers should also take responsibility of the items issued to them and a system of reporting defects was not in place in a couple of programmes.

44. A number of programmes distributed an excellent range of basic and safety equipment for the observer and in some programmes observers were not permitted to board a vessel without all this equipment being checked and in order.

Communications

Standard

45. *The standard for "Communications " is that observers have access to appropriate communication facilities, including emergency communication facilities while on board a vessel."*

Observation

46. Radio communication protocols were included in nearly all of the observer training programmes audited. Regular communications are useful for many purposes, including regular observer reports and the safety and wellbeing of observers. Generally observers had no regular direct voice communications with their headquarters. Sometimes a "Satellite Phone" was used if supplied or available on vessels; however the majority of observers send regular weekly reports by Email or fax to their providers.

47. A few coordinators reported that depending on the individual vessel and the attitude of the captain some observers were denied access to communications and were unable to report regularly.

48. It was noted that many small long liners do not have any communication facilities another than HF/VHF radio and observers asked to carry out duties on these longliners will need to be refreshed with Radio Communication protocols from time to time.

Performance of Observers

Standard

49. *The standard for "Measuring Performance" is a means to report on the performance of the observer programme and a means to report on the performance of individual observers as part of the annual reporting requirements established by the Commission.*

Observation

50. Determining the performance of individual observers was different in just about every programme audited, this ranged from using data collected as the sole method of judging performance to some quiet complex procedures. Many government employed observers go through the same procedures as developed for all staff working for the government.

51. Most programmes intended to use the reports and the data collected from the debriefing of observers as a means to help determine performance of their observers; these are made available for each trip that is debriefed. Long term appraisal will rely on the programmes being able to debrief the observer properly and using opinions by data quality officers on the quality of the data collected by the observer. It was noted that a few observer coordinators interviewed indicated in some programmes, that they have dismissed and suspended observers for not attaining standards that they believe have not met their programme requirements for data collections.

52. Other areas of assessment such as behaviour and attitude are also used when making performance assessments and even if an observer collects excellent data but fails in the areas of behaviour and attitude they still may be dismissed or given heavy warnings.

53. Training or retraining of observers is important to ensure quality data is collected at all times. Ensuring that proper debriefing occurs from qualified debriefers for each observer returning from a trip is also extremely important for observer's development and for the overall quality of information collected by the programme.

Dispute mechanism

Standard

54. *The standard for "Dispute Settlement" is a dispute resolution mechanism should be in place, and if not in place, to be developed, and a description of the dispute resolution mechanism provided to the Secretariat*

Observation

55. Most programmes audited had as part of their 'Code of Conduct' protocols on how to handle disputes and most also had a consultation process and some had suggested penalties for observer infringements. It was unclear in many programmes, other than a formal letter to the programme Director, whether there is a procedure or mechanism in place for vessels to complain about observer conduct and work ethic. Many programmes where observers were employed by the government also had access to the normal government dispute procedures.

Authorisation process

Standard

56. *The Secretariat will authorize national observer programmes, rather than individual observers; this is consistent with the Convention text. CMM-2007-01 Para 12(b) also states that the Secretariat will authorize observer providers.*

Observation

57. All requirements were found to be adequate for the "Interim Authorisation" of all observer programmes who applied for ROP Interim Authorisation, and therefore all were eligible to apply for full authorisation.

Coverage

Standard

59. *Commission determined observer coverage's are:*

- *purse seiners 20N to 20S -100% coverage (start Jan 2010)*

- *outside this area 20% purse seine coverage*

- *long liners coverage is 5% by June 2012*

- *Carriers transshipping at Sea 100% (LL& P&L) (start Jan 2011) – Note that PS must still go to approved areas in Zones or ports to transship and long liners may need exemptions from certain countries to transship on the high seas.*

Observation

60. Because of the nature of the purse seine fishery being in the EEZ's of many PI countries, the majority of observers were sourced from PI countries. Many PI observer programmes audited were struggling to service the demand for observers when the 100% observer coverage of purse seiners commenced. Some programmes were required to use observers from other PI programmes to assist with a supply of observers that were essential to service the numerous vessels in their ports; with extra training since the commencement of the audits in 2010, observer numbers for purse seine coverage in 2012 are near adequate in most programmes audited. However a number of programmes interviewed stated they will still need extra observers for coverage of long liners, and the carriers, as well as replacements for the attrition of observers.

61. Most PI programmes cited different problems they were having with getting extra observers, including scheduling extra training because of lack of funds, the heavy commitments by FFA/SPC who have limited resources when it comes to supplying trainers. This is being resolved by additional trainers being trained to assist in the training sessions, however there still needs to be additional number of qualified trainers become available for each programme. Most non PI programmes audited believe they have adequate observers and carry out training when required.

Vessel Safety Certificate (VSC)

Standard

62. *The interim minimum standard for a Vessel Safety Checklist (VSC) will be that a CCM should have a VSC in place, and to be used prior to an observer boarding a vessel; and if not in place, CCMs may use, as a guideline, the VSC developed by the Commission.*

Observation

63. A few of the programmes audited, currently did not use a Vessel Safety Certificate (VSC) when placing an observer. Nor did they check a vessel for safety when an observer is placed on board. However all the PI programmes use the FFA/SPC pre boarding check list which does contain some aspects of vessel safety. A small number of non PI programmes audited had comprehensive vessel safety check lists in place.

64. Following discussion with the PI Coordinators at the SPC/FFA Regional Observer Coordinators Workshop held in 2011, it was agreed that the FFA/SPC pre boarding check will be redesigned at the next FFA/SPC Data Consultative Committee to include all aspects of Vessel Safety Checks. It was also agreed that a copy of the pre boarding report should be attached to the observer data and reports along with any briefing or debriefing reports. All programmes audited had a VSC in place and/or under took to develop a VSC; some programmes adopted the VSC guidelines developed by the IWG –ROP.

Insurance

Standard

65. *The Interim Standard for Insurance of Observers for ROP duties is that CCMs will use existing national standards for health and safety insurance. CCM providers of observers will make sure an observer placed on a vessel for ROP duties has health and safety insurance.*

Observation

66. Many programmes audited had limited insurance coverage for their observers; it was found that most observers are covered by national health and insurance schemes when on shore in their home countries, however when on board a vessel, observers are generally limited to the coverage given to them by the vessels insurance. The practise on purse seiners involves the observer being added to the crew list for insurance purposes. However with long line coverage many vessels do not insure their crews and therefore alternate insurance must be found for the observers. A couple of PI countries had comprehensive insurance coverage for their observers, however most did not have anything extra insurance other than what was available nationally. The programmes with the comprehensive insurance complained about the overall costs involved.

67. During the audit it was found that not all observers were covered for insurance, especially when on long line vessels or when travelling to or from a vessel. Some PI providers were not sure how to insure their observers or were put off by the costs involved.

68. It was suggested by a couple of providers that the Commission probably could get an overall insurance package cheaper for the all the ROP observers.

CMM adherence

Standard

69. T*he providers are to ensure that all observers fully understand the content of the CMM's especially in relation to their roles and tasks in monitoring the CMM's*

Observation

70. Many programmes interviewed for the audits said they had problems with CMM adherence. The problem - coordinators said they were having, was on learning what has been changed, or what is a new, not only for CMM's but also for other observer requirements and issues. Many said this was caused by the lack of feedback from their senior staff on some of the issues after they attended relevant meetings; also they noted that circulars sent to official contacts on these issues were hardly ever forwarded to them for their information. They not only said this was a problem with WCPFC but was also a problem from other regional organisations as well.

71. Realizing that this an ongoing problem with many programmes, the WCPFC ROP section of the Commission Secretariat undertook to ensure all CMM's resolutions or directives that were relevant to observer operations or coverage would be compiled each year, as soon as practical after the WCPFC annual meeting, and would be sent directly to all ROP coordinators, observer trainers and other senior observers. This is currently being developed.

Summary

72. Since the introduction of the 100% observer coverage for purse seiners, most observer programmes have coped well in supplying observer numbers, but all programmes have said that they require continual training to upgrade the observers, and to ensure they have enough for all the demands put on them by the WCPFC different gear type coverage requirements.

73. It was noted, that many programmes (not all) have totally inadequate numbers of debriefers for their debriefing programmes, and this is a priority to be rectified. The process does not allow an overnight solution and time will be required to get a reasonable debriefer/observer ratio for programmes currently short on debriefers.

74. There is a need to increase the number of available observers for many programmes, as this will allow for some attrition of the "not so good" observers, as well as being able to satisfy long line and carrier observer coverage requirements.

75. The quality of the observers needs to be monitored carefully, as it has been reported that the data collections held by SPC indicated that a percentage of observer data is not useable, because it is collected incorrectly, or is not collected at all. This is clearly a waste of valuable resources, and shows the requirement for better trained and qualified observers, it also highlights that a suitable debriefing programme needs to be in place for all programmes.

76. The quality of observers is extremely important and an entrance criteria for training needs to be rigidly applied as does the initial selection process. It was found in a few programmes that some observer trainees were not well selected and that local politics were involved in the selection of some observers for training.

77. The sending of data to the SPC or WCPFC after each observer trip is extremely important and unfortunately many observer providers are not sending data in a timely manner. SPC and WCPFC ROP have been working hard to rectify this problem by supplying equipment, personnel and other means in transferring the data in a quick and timely manner. A couple of coordinators indicated they were too embarrassed to send some of the data collected by a few of their observers as they considered it was poorly collected.

78. There is a need to assure that observers are covered by insurance when travelling, on board vessels, and when working as an observer on shore. Many programmes had some insurance for observers but most observers were not covered for all the periods they worked as observers.

79. Health checks (Medicals) by programmes on their observers varied from being comprehensive to none at all. The Commission does not have a standard for health checks, however it is recommended given the issues that some programmes have had with observers being unfit to carry out trips on vessels because of health constraints, that all programmes adopt a standard that requires observers to have a full health check (medical) when first trained and then a regular check after this, suggested to be every 18 months to two years.

80. All programmes are authorised as some of the standards required through no fault of the programme are just not available in a timely basis, for example, debriefing and debriefer training – for PI and some other countries, this is under development with the help of FFA, SPC, WCPFC and NMFS and given another couple of years this problem should be rectified. The development of the debriefing should not hinder full authorisation, however a follow up check in a couple of years' time to ensure the standard has been reached is recommended.

81. The WCPFC ROP audited 23 programmes before June 2012, Table 2 indicates programmes dates that audits occurred. All programmes are fully authorised, however some of the observations in this summary indicates there needs to be a follow up with another audit in a couple of year's time. This will ensure that all programmes that have committed to improve their standards during this audit process have done so, and are fully compliant with the Commission requirements for the ROP.

Table 2.WCPFC member programmes audited by the ROP section of the Commission Secretariat.

Programme	Audited
Philippines	May 2010
USA	November 2010
Marshall Islands	March 2011
Korea	March 2011
Fiji	March 2011
Tonga	March 2011
Vanuatu	April 2011
Kiribati	May 2011
Solomon Islands	June 2011
US Treaty (FFA)	June 2011
FSM Arrangement (FFA)	June 2011
PNG	June 2011
Nauru	June 2011
FSM	July 2011
Chinese Taipei	Oct 2011
China	Oct 2011
Cook Islands	Sept 2011
Palau	Nov 2011
Australia	Jan 2012
New Zealand	May 2012
New Caledonia	May 2012
Tuvalu	May 2012
Japan	May 2012