



## **THIRD REGULAR SESSION**

Apia, Samoa  
11-15 December 2006,

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### **AHTG [Data]**

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WCPFC3-2006/11

10 November 2006

Prepared by the Secretariat

1. The Scientific Committee's Statistics Specialist Working Group (ST-SWG), at the First Regular Session of the Committee, 8-19 August 2005, Noumea, New Caledonia proposed the establishment of Task Group to identify types of data that must be treated as confidential and to develop draft rules and procedures to govern the security and confidentiality of data collected and held by the Commission. The Scientific Committee endorsed this proposal which was subsequently adopted by the Second Session of the Commission, 12-16 December 2005 at Palikir, Federated States of Micronesia.
2. The Executive Director arranged for the AHTG [Data] to meet in the week preceding the Second Regular Session of the Scientific Committee, 31 July to 4 August 2006 at Manila, Philippines. The Chair of the ST-SWG, Mr Kim Duckworth (New Zealand) was asked to convene the AHTG [Data] meeting and was subsequently selected by attendees to be its Chair.
3. By Circular and web posting in April 2006, all Members, Cooperating Non-Members and Participating Territories (CMMs) were invited to participate in the AHTG [Data] meeting. As discussion during the AHTG was anticipated to include consideration of rules and procedures for both compliance and science data, together with data security, participation by representatives with experience in administering both kinds of data was encouraged.
4. Twelve CCMs, including the Chairs of the Scientific Committee and the Technical and Compliance Committee, and an observer, participated in the 5-day meeting in Manila. The Summary Record of the AHTG [Data] is appended at Annex A.
5. The Second Regular Session of the Scientific Committee, 7-18 August 2006 received the report of the AHTG [Data]. The Scientific Committee recommended:

“6.14 The Executive Director, in collaboration with the Chair of the Commission and officers of WCPFC subsidiary bodies, develop a framework for access to non-public domain data by CCMs. The framework may include, *inter alia*,

guidelines for access to different data types, the possibility of standing authorizations, compliance with the Commission's policy for the provision of data and a mechanism for resolving disputes.

6.15 The Executive Director should be tasked with developing a Data Request form and Confidentiality Agreement to be used in association with the rules and procedures for the access to and dissemination of data compiled by the Commission. The Executive Director shall be responsible for reporting the logs of requests for public and non-public domain data. The Executive Director will submit a draft of the Data Request form and Confidentiality Agreement for adoption by the Commission.

6.16 Pending comments from the TCC, the Commission adopt the Draft Rules and Procedures for the Access to and Dissemination of Data Compiled by the Commission (*Final Report of the Ad Hoc Task Group [data], Attachment F*).

6.17 The Secretariat proceeds with further development of an Information Security Policy, based on ISO17799 Information Security Management standards.

6.18 The Secretariat is allocated sufficient resources to further develop and implement the Information Security Policy".

6. The Second Regular Session of the Technical and Compliance Committee, 28 September to 3 October 2006 at Brisbane Australia. The Summary Report of the Technical and Compliance Committee noted:

"... the valuable work of the AHTG [Data] recognizing that this Group reports directly to the Commission for its review and final decision. Because of this procedural point, TCC2 did not conduct further consideration on the paper in detail. It was agreed that if CCMs had any particular comments on the report that they should communicate them directly to the Secretariat through their TCC representative by 27 October 2006".

7. One CCM, Japan, submitted comments as agreed by TCC2 (Annex B).
8. In response to the requests of the AHTG [Data] the Executive Director developed:
  - Draft guidelines for access to different types of data;
  - Draft Data Request Form; and
  - Draft Confidentiality Agreement.

These draft documents are appended at Annex C

### **Recommendation**

9. The Commission is invited to consider:
  - the Summary Record of the AHTG [Data];
  - the Draft Guidelines for access to different types of data;

- the Draft Data Request Form;
- the Draft Confidentiality Agreement, and
- recommend any additional work required to progress the finalization of policy and procedures relating to the management of data in the Commission.



**The Commission for the Conservation and Management of Highly Migratory Fish  
Stocks in the Western and Central Pacific Ocean**

**Ad Hoc Task Group–Data**

**31 July–4 August 2006  
Manila, Philippines**

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**The Commission for the Conservation and Management of Highly Migratory Fish  
Stocks in the Western and Central Pacific Ocean**

**Ad Hoc Task Group-Data**

**31 July–4 August 2006**

**Manila, Philippines**

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**SUMMARY RECORD**

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**AGENDA ITEM 1 — OPENING OF MEETING**

**Convener's opening remarks**

1. The Western and Central Pacific Fisheries Commission (WCPFC) Executive Director opened the Ad Hoc Task Group (AHTG-Data) meeting by recalling the work of the Statistics Specialist Working Group (ST-SWG) at the first regular session of the Scientific Committee (SC) in Noumea, New Caledonia in August 2005. He noted that the SC had forwarded a recommendation from the ST-SWG to the second regular session of the Commission at Pohnpei, Federated States of Micronesia, to establish the AHTG-Data in order to consider data types, data confidentiality, and to develop draft rules and procedures for the security and confidentiality of WCPFC data.
2. A list of participants is appended as Attachment A.

**Selection of Chair**

3. Mr. Kim Duckworth, New Zealand, was selected to chair the AHTG-Data meeting. Mr. Duckworth is also the current chair of the ST-SWG.

**Adoption of agenda**

4. The agenda (Attachment B) was adopted.

## **Meeting arrangements**

5. Although established by the Commission, and thus subject to Commission's Rules of Procedure, the AHTG-Data agreed to work informally to encourage the active engagement of all participants.

## **AGENDA ITEM 2 — COMMISSION'S DATA MANAGEMENT PROCEDURE**

### **Introduction and context setting**

6. The Executive Director referred the meeting to WCPFC/AHTG [Data]/2006/08, prepared by the WCPFC Secretariat, which provided a starting point for discussions. To set the context for the AHTG-Data, the Executive Director made a presentation that described the meeting's purpose and provided relevant background information, including consideration of data issues that had been raised at the Standing Committee on Tuna and Billfish, the Preparatory Conference, and last year's Scientific Committee meeting. He noted that the Commission had requested the AHTG-Data to:

- i. identify types of data that must be treated as confidential, and
- ii. develop draft rules and procedures to govern the security and confidentiality of data collected and held by the Commission.

7. It was noted that the SC and the Technical and Compliance Committee (TCC) are responsible for determining the specifics of the types of information that are relevant to the work of each committee. The role of the AHTG-Data relates to the generic description of both scientific and compliance information types and, as such, the AHTG-Data provided a valuable opportunity for representatives from both the Commission's science and compliance communities to exchange views on areas of common interest.

8. It was agreed that the next sessions of the SC and TCC provided a good opportunity for further discussion on the outcomes of the AHTG-Data prior to finalization of its report to the third regular session of the Commission (Comm3) in Apia, Samoa in December 2006. It was agreed that refinement of the report to the Commission could be possible by email.

9. In considering the development of the draft rules and procedures, the AHTG-Data agreed that the following criteria would be taken into consideration:

- i. provide confidence to WCPFC Members, Cooperating Non-members and Participating Territories (CCMs) and other data providers concerning the importance of data security to the Commission;
- ii. be practical/procedural;
- iii. be transparent and unambiguous;
- iv. be adaptable (as new types of data are added);



- v. support the purposes of the Convention;
- vi. reflect uses to which data may legitimately be put;
- vii. promote timely access; and
- viii. be regularly reviewed.

10. The AHTG-Data noted that the development of rules and procedures was, at this stage, a dynamic and evolving process, and that some data types either were not currently being compiled or have yet to be properly defined. At the same time, certain data are already being compiled and routinely provided to the WCPFC Secretariat and other users (CCMs and WCPFC service providers), which requires the data to “support the purposes of the Convention”. Access to, and use of, data will vary among users. The AHTG-Data agreed that in order to accommodate these situations, the draft rules and procedures for governing the security and confidentiality of data needed to be adaptable and to identify the level of security that will need to be assigned to different data types.

#### **Types of data to be treated as confidential**

11. The AHTG-Data reviewed the types of information to be treated as confidential and, using a provisional list provided in Table 1 "Provisional identification of types of information and confidentiality classification", included in WCPFC/AHTG [Data]/2006/08, prepared a provisional list of data that will need to be managed for the purposes of implementation of the Convention (see Attachment C). In preparing the list, the AHTG-Data:

- i. acknowledged that there are different sub-categories within each information type and that sub-categories may have different risk classifications. The AHTG-Data attempted to identify situations such as this and the result is presented in Attachment D;
- ii. noted some information types are already being compiled while other information types will only be compiled once the relevant components of the Convention are operationalized;
- iii. agreed that the time-frame will be important for some data types. For example, biological data collected by a source may not be immediately available, but might be released after it has been analysed and published by the source of the data. It was noted that this situation will need to be accommodated in the rules and procedures for access to, and use of, WCPFC data;
- iv. acknowledged that, in some instances, the cost of biological data collection incurred by the sources of data might discourage the provision of data if it were to be released to third parties without suitable recompense or recognition; and
- v. noted that the draft rules and procedures document will be a “living” document that would be regularly reviewed, and that the provision for review should be clearly stated in the document.

12. In considering the risk associated with the alteration, loss or unauthorized access to WCPFC data, the AHTG-Data considered that “Risk Classification” is a more appropriate term to use than “Confidentiality Classification”, because “Risk” explains the “need to be protected” with respect to information type. Following consideration of generic reasons why parties “might” want to protect data, it was agreed that data types requiring security include:

- i. proprietary commercial information;
- ii. private personal information;
- iii. government/enforcement/intelligence information; and
- iv. legally sensitive information.

13. The AHTG-Data assigned the “Risk Classification” to each type as “lowest”, “low”, “medium” and “high”. It was agreed that in instances where an information type falls into two risk classifications, a higher risk classification will apply (Attachment C – Table 1).

### **Principles and procedures**

14. The AHTG-Data agreed that guiding principles were required for the rules and procedures for the access to and dissemination of data and that the principles should address data dissemination and use in relation to:

- i. public domain (generally equivalent to “lowest” Risk Classification);
- ii. Secretariat and service providers;
- iii. CCMs to use for the purposes of the Convention;
- iv. bona fide researchers, relevant inter-governmental organizations (IGOs), non-governmental organizations (NGOs), industry, etc; and
- v. others for which the source(s) would be required to authorize release.

15. Drawing on these guiding principles (Attachment E), a small drafting group, chaired by Holly Koehler (USA), was convened to elaborate the rules and procedures for the access and dissemination of data compiled by the Commission.

16. The AHTG-Data reviewed and refined the work of the small drafting group, paying particular attention to the need to ensure the broad principles, risk classification, and definition of confidentiality, were adequately reflected in the draft. The AHTG-Data also agreed that the matter of data security was the subject of a subsequent agenda item and that the outcomes of discussion on data security could have implications for the provisions of the draft rules and procedures document. It was agreed that the rules and procedures and the Commission’s Information Security Policy (ISP) would need to be consistent. The AHTG-Data was also conscious of the fact that many data elements are essentially unknown at this point in time as many elements of the Convention remain to be operationalized.

17. The AHTG-Data recommended that the Executive Director, in collaboration with the Chair of the Commission and officers of WCPFC subsidiary bodies, develop a framework for access to non-public domain data by CCMs. The framework may include, *inter alia*, guidelines for access to different data types, the possibility of standing authorizations, compliance with the Commission's policy for the provision of data, and a mechanism for resolving disputes.

18. The AHTG-Data identified two additional issues that may require consideration during the further development of the rules and procedures. These issues relate to:

- i. data covering the period prior to the entry into force of the Convention (19th June 2004)
- ii. the role of the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC).

19. The AHTG-Data also agreed that the Executive Director should be tasked with developing a Data Request Form and Confidentiality Agreement to be used in association with the rules and procedures for the access to and dissemination of data compiled by the Commission. The Executive Director shall be responsible for reporting the logs of requests for public and non-public domain data.

20. The AHTG-Data identified as an issue the characterization of reporting by CCMs relating to:

- i. catch and effort reported by territories; and
- ii. catch and effort of chartered vessels reported by chartering CCMs.

21. In these cases the term "flag", which has been previously used in the region, might not be appropriate, but there may be broader implications to adopting an alternative term such as "CCM fleet" and this issue requires further consideration and clarification.

22. The AHTG-Data agreed to recommend the draft Rules and Procedures for the Access to and Dissemination of Data Compiled by the Commission (Attachment F) be forwarded to the SC and TCC for review and possible refinement. The Chairman of the AHTG-Data, working with the Secretariat, would facilitate discussion with the SC and TCC and endeavor to finalise a report of the work of the AHTG-Data for presentation at Comm3 when it meets in Apia, Samoa in December 2006.

### **Data security**

23. The Chairman introduced WCPFC/AHTG [Data]/2006/06 relating to the rules and procedures for medium risk data held by the Secretariat. In an endeavor to aspire to internationally-accepted best practice, ISO17799 was utilized as the source material for the treatment of medium security risk data. The resulting draft checklist was prepared as a

foundation for preparing robust rules and procedures for the security of data in the Commission.

24. The Executive Director introduced WCPFC/AHTG [Data]/2006/07, a draft ISP for the Secretariat. He explained that the draft policy had been prepared using a template for information security policy available in the public domain on the web and based on ISO17799 for information technology, security standards, and code of practice for information security management standards.

25. The AHTG-Data endorsed the approach presented in the draft ISP and encouraged the Secretariat to proceed with its further elaboration. It was noted that the majority of WCPFC data could be held by service providers and that the information security standards practiced by service providers will need to be consistent with the Commission's ISP. The AHTG-Data recalled that the draft rules and procedures for access to and dissemination of data drafted by the AHTG-Data at this session, provided advice in relation to data security standards in CCMs, the Secretariat, service providers and officers of the Commission and its subsidiary bodies. The AHTG-Data considered that the number of CCMs representatives authorized to receive non-public domain data should be limited.

26. The AHTG-Data noted that the Staff Regulations of the Commission provides for the delegation of authority by the Executive Director in his or her absence. In the event that the Executive Director post is vacant, the Chair of the Commission assumes the power of the Executive Director.

27. The AHTG-Data noted that small island developing states and participating territories would require assistance with the development and implementation of data security standards equivalent to those adopted by the Commission for the Secretariat.

28. It was noted that the ISO17799 provides an excellent basis for further development of the ISP. In the short to medium term it would remain a guide for further elaboration of the ISP with the possibility that the Commission, at some point in the future, consider the formal adoption of ISO17799 against which the data security standards of the Commission are audited.

29. The Secretariat was encouraged to commence implementation of relevant provisions of the draft ISP, particularly with respect to high security data, and resources permitting, as soon as possible.

30. The AHTG-Data recommended that the Commission ensure that the Secretariat is allocated sufficient resources to further develop and implement the ISP.

31. In relation to the future of the AHTG-Data, the meeting considered good progress had been made on considering the data management functions of the Commission. It noted that many important components of the Convention remain to be operationalized and that

large amounts of confidential data are likely to be generated as a result. It was suggested that the AHTG-Data Summary Report would be considered at both the SC and the TCC, and that further guidance on data security and data management may be forthcoming from those meetings. The possibility of the need for further meetings of the AHTG-Data was left open.

### **AGENDA ITEM 3 — ADOPTION OF REPORT**

32. The AHTG-Data adopted this summary report by consensus.

### **AGENDA ITEM 4 — CLOSE OF MEETING**

33. Before closing, the Executive Director thanked all participants for their active participation, particularly the Philippines Bureau of Fisheries and Aquatic Resources for the support provided in the lead up to and during the meeting.



**The Commission for the Conservation and Management of Highly Migratory Fish  
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**Ad Hoc Task Group-Data**

**31 July–4 August 2006  
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**ATTACHMENTS**

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**The Commission for the Conservation and Management of Highly Migratory Fish Stocks  
in the Western and Central Pacific Ocean**

**Ad Hoc Task Group-Data**

**31 July–4 August 2006**

**Manila, Philippines**

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**PARTICIPANTS LIST**

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**FEDERATED STATES OF MICRONESIA**

**Bernard Thoulag**

Executive Director  
NORMA  
PS 122  
Palikir, Pohnpei 96941  
Tel: 691-320-2700  
Fax: 691-320-2383  
Bernardt@mma.fm  
mmafish@mail.fm

**FIJI**

**Apolosi Turaganivalu**

TCC Chair  
Ministry of Fisheries and Forests  
P.O. Box 3165  
Lami, Fiji  
Tel: 679-3301011  
apolositravel@yahoo.com

**JAPAN**

**Dr. Hitoshi Honda**

National Research Institute of Far Seas  
Fisheries, Fisheries Research  
5-7-1, Orido, Shimizu-Ward,  
Shizuoka-shi 424-8633  
Shizuoka  
Tel: 81-543-36-6000  
hhonda@affrc.go.jp

**Tatsushi Matsuo**

Fisheries Agency of Japan  
1-2-1 Kasumigaseki  
Chiyoda-ku, Tokyo  
Tel: 81 3-3591-1086  
tatsushi\_matsuo@nm.maff.go.jp

## **KIRIBATI**

### **Raikaon Tumo**

Senior Fisheries Officer  
Ministry of Fisheries and Marine Resources  
Development  
3 Bairiki Square Road  
PO Box 64  
Bairiki, Tarawa  
Tel: 686-21099  
Fax: 686-21120  
raikoant@mfmrd.gov.ki

## **REPUBLIC OF KOREA**

### **Moon Dae-Yean, Ph.D.**

National Fisheries Research and Development  
Institute  
408-1, Shirang-ri, Gijang-eup, Gijang-gun  
Busan, 619-902  
Tel: 82-51-720-2310  
Fax: 82-51-720-2337  
dymoon@nfrdi.re.kr

### **Doo Hae An**

National Fisheries Research and Development  
Institute  
408-1, Shirang-ri, Gijang-eup, Gijang-gun  
Busan, 619-902  
Tel: 82-51-720-2310  
Fax: 82-51-720-2337  
dhan@nfrdi.re.kr

## **MARSHALL ISLANDS**

### **Berry Muller**

Chief Fisheries Officer  
Oceanic Division  
PO Box 860  
Majuro  
Tel: 692-625-8262  
Fax: 692-625-5447  
bmuller@mimra.com

## **NEW CALEDONIA**

### **Christophe Fonfreyde**

Fisheries Department  
PO Box 36  
Noumea  
Tel: 687-27-26-26  
Fax: 687-28-72-86  
christophe.fonfreyde@gouv.nc

## **NEW ZEALAND**

### **Kim Duckworth**

New Zealand Ministry of Fisheries  
PO Box 862  
Wellington  
Tel: 04-460-4616  
Fax: 04-460-4601  
duckworth@fish.govt.nz

### **Michelle Ho Mun YEE**

Ministry of Fisheries  
PO Box 862  
Wellington  
Tel: 64 4 8194737  
Fax: 64 4 8194799  
Michell.Ho@fish.govt.nz

## **PAPUA NEW GUINEA**

### **Ludwig Kumoru**

Manager, Tuna Fisheries  
PNG National Fisheries Authority  
Port Moresby  
Tel: 675-3090-444  
Fax: 679-320-2061  
lkumoru@fisheries.gov.pg

### **Noan Pakop**

Executive Manager, MCS  
National Fisheries Authority  
PO Box 2016  
Port Moresby  
National Capital District  
Tel: 675-3090444  
Fax: 675-3202061  
npakop@fisheries.gov.pg



**Donna Asi**  
Data Registry Officer  
National Fisheries Authority  
PO Box 2016  
Port Moresby  
National Capital District  
Tel: 675-3090444  
Fax: 675-3202061  
dasi@fisheries.gov.pg

## **SOLOMON ISLANDS**

**Sylvester Diake**  
Under Secretary of Fisheries  
Department of Fisheries and Marine Resource  
PO Box G13  
Honiara  
Tel: 677-38674/95911  
Fax: 677-38730/38106  
Sylvester\_diake@yahoo.com.au

## **TONGA**

**Ulungamanu Fa'anunu**  
Deputy Secretary for Fisheries  
Ministry of Fisheries  
PO Box 871  
Nukualofa  
Tel: 676-21399; Fax: 676-23891  
ulungaf@tongafish.gov.to

## **UNITED STATES OF AMERICA**

**Robert Skillman**  
International Fisheries Science Advisor  
NOAA Fisheries PIFSC  
2570 Dole Street  
Honolulu, Hawaii 96822 – 2396  
Tel: 808-983-5345  
Fax: 808-983-2902  
Robert.Skillman@noaa.gov

**Raymond Clarke**  
Fishery Biologist  
NOAA Fisheries  
Pacific Islands Region  
1601 Kapiolani Blvd, Suite 1110  
Honolulu, Hawaii  
Tel: 808-944-2200  
Fax: 808-973-2941  
raymond.clarke@noaa.gov

**Dr. Charles Karnella**  
International Fisheries Administrator  
Pacific Islands Region  
NOAA  
1601 Kapiolani Road, suite 1110 Fisheries  
Honolulu, Hawaii 96814  
Tel: 808-9442200  
Fax: 808-9732941  
charles.karnell@noaa.gov

**Holly Koehler**  
Foreign Affairs Officer  
US Department of State  
Office of Marine Conservation  
2201 C Street, NW  
Room 5806  
Washington, DC 20520  
Tel: 202-647-2335  
Fax: 202-736-7350  
koehlerhr@state.gov

## **FORUM FISHERIES AGENCY**

**Marcel Kroese**  
Director of Fisheries Operations  
Forum Fisheries Agency  
PO Box 629  
1 FFA Road  
Honiara  
Tel: 677-21124  
Fax: 677-23995  
marcel.kroese@ffa.int

**Lara Manarangi-Trott**  
WCPFC Liaison Officer  
Pacific Islands Forum Fisheries Agency  
PO Box 629  
1 FFA Road, Honiara  
Tel: 677-21124 (ext 206)  
mob: 677-77230  
Fax: 677-23995  
Lara.Manarangi-Trott@ffa.int

**Les Clark**  
Consultant  
Forum Fisheries Agency  
85 Innes Road  
Christchurch, New Zealand  
Tel: 64-3-3562892  
Les@rayfishresearch.com

**SECRETARIAT OF THE PACIFIC  
COMMUNITY (SPC)**

**Tim Lawson**

Principal Fisheries Scientist (Statistics)  
SPC  
BP D5  
Noumea, New Caledonia  
Tel: 687-260149  
timl@spc.int

**Peter Williams**

Oceanic fisheries Programme  
Secretariat of the Pacific Community  
BP D5 98848 Noumea  
New Caledonia  
Tel: 687-26-20-00  
Fax: 687-26-38-18  
peterw@spc.int

**WESTERN AND CENTRAL PACIFIC  
FISHERIES COMMISSION**

**SECRETARIAT**

**Andrew Wright**

Executive Director  
PO Box 2356  
Kolonias, Pohnpei 9694  
Federated States of Micronesia  
Tel: 691-320-1992/1993  
Fax: 691-320-1108  
wcpfc@mail.fm

**Dr. SungKwon Soh**

Science Manager  
PO Box 2356  
Kolonias, Pohnpei 96941  
Federated States of Micronesia  
sungkwons@mail.fm

**Andrew Richards**

Compliance Manager  
PO Box 2356  
Kolonias, Pohnpei 96941  
Federated States of Micronesia  
Tel: 691-320-1992/1993  
Fax: 691-320-1108  
andrewr@mail.fm



**The Commission for the Conservation and Management of Highly Migratory Fish Stocks  
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**Ad Hoc Task Group-Data**

**31 July–4 August 2006**

**Manila, Philippines**

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**AGENDA**

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**AGENDA ITEM 1 OPENING OF THE MEETING**

- 1.1 Convenor's Opening Remarks
- 1.2 Selection of Chair and designation of rapporteurs
- 1.3 Adoption of agenda
- 1.4 Meeting arrangements

**AGENDA ITEM 2 COMMISSION'S DATA MANAGEMENT PROCEDURE**

- 2.1 Introduction and context setting
- 2.2 Types of data to be treated as confidential
- 2.3 Principles and procedures for dissemination of compliance and science data by the Commission
- 2.4 Rules and procedures for the security of data held by the WCPFC
  - Draft Information Security Policy

**AGENDA ITEM 3 ADOPTION OF THE REPORT OF THE AD HOC TASK GROUP [DATA] MEETING**

- 3.1 Summary record, advice and recommendations

**AGENDA ITEM 4 CLOSE OF MEETING**



**The Commission for the Conservation and Management of Highly Migratory Fish Stocks  
in the Western and Central Pacific Ocean**

**Ad Hoc Task Group-Data**

**31 July–4 August 2006**

**Manila, Philippines**

**Table 1.** Provisional identification of types of information and confidentiality classification.

<b>Information type</b>	<b>Risk classification</b>
Operational level catch effort data	High
Annual catch estimates stratified by gear/flag and species for the WCPFC Statistical Area.	Lowest
Annual catch estimates stratified by gear/flag, EEZ and species.	Lowest
Aggregated catch and effort data stratified by gear/year/month, 5x5 (LL) or 1x1 (surface), and flag.	Low
Records of vessel unloading	Medium
Transshipment consignments by species	Medium
Biological data	Lowest
Tagging data	Lowest
WCPFC Record of Fishing Vessels (Authorization to fish/Vessel Record)	Lowest
Vessel and gear attributes from other sources	Lowest
Any vessel record established for the purpose of the Commission's VMS	Lowest
Oceanographic and meteorological data	Lowest
VMS Vessel position, direction and speed	High
Boarding and Inspection Reports	High
Certified observer personnel	Medium
Certified inspection personnel	High
Catch documentation scheme	Medium
Port State Inspection Reports	Medium
Violations and infringements, detailed	High
Annual number of active vessels, by gear type and flag	Lowest
Economic data	[unassigned]
Social data	Lowest
Fisheries intelligence-sharing information	High
Part 2 of the Annual Report to the Commission by CCMs	Low
Part 1 of the Annual Report to the Commission by CCMs	Lowest

**Information classification guidelines**

Table 1 presents the AHTG-Data draft Risk Classification, which reflects the level of damage that would be done to the operations or credibility of the Commission as a consequence of the alteration, unauthorized disclosure, or loss of such information.

The security controls implemented by the Commission will reflect the classifications given to each information type. Where categories within an information type cover two classifications, the higher has been used. If a data type covers more than one row then the higher risk classification would apply.



**The Commission for the Conservation and Management of Highly Migratory Fish Stocks  
in the Western and Central Pacific Ocean**

**Ad Hoc Task Group-Data**

**31 July–4 August 2006**

**Manila, Philippines**

**Table 2.** Annotations on information types referred to in Table 1.

<b>Information Type</b>	<b>Annotations</b>
Operational level catch effort data	Collected on fishing vessel logbooks and by observers.
Compliance-related observer data	Excludes operational catch and effort data, biological data and vessel and gear attributes.
Biological data	Biological data include size data, data on gender and maturity, genetic data, data on hard parts such as otoliths, stomach contents, and isotopic N15/C14 data collected by observers, port samplers and other sources.  “Biological data” in this context does not include information identifying the fishing vessel, for example, which would otherwise alter its security classification.
Tagging data	Tagging data include species, release and recapture positions, lengths and dates.  “Tagging data” in this context does not include information identifying the fishing vessel that recaptured the tagged tuna, for example, which would otherwise alter its security classification.
WCPFC Record of Fishing Vessels (Authorization to fish/Vessel Record)	Covers vessels fishing in the WCPFC Convention area outside of waters under their national jurisdiction.
Vessel and gear attributes from other sources	Includes data collected by observers and port inspectors. Covers all vessels (i.e. includes vessels restricted to national jurisdiction – domestic fleets) Includes electronic equipment.
Oceanographic and meteorological data	“Oceanographic and meteorological data” in this context does not include information identifying the fishing vessel that collected the information, for example, which would otherwise alter its security classification.

<b>Information Type</b>	<b>Annotations</b>
Certified observer personnel	If identified by individual then Risk Classification would be assigned to HIGH. (to be reviewed by TCC)
Certified inspection personnel	If identified by individual then Risk Classification would be assigned to HIGH. (to be reviewed by TCC)
Violations and infringements, detailed	May cover Individual Violations and infringements pending investigation and/or prosecution. Summarised information included in Annual WCPFC TCC Report from CCMs. Includes compliance information collected by observers.
Economic data	Insufficient information currently available to determine Risk Classification.



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The WCPFC data access rules of the Commission are that:	Risk classification			
	Lowest	Low	Medium	High
1. Persons duly authorized by the Executive Director, within the WCPFC secretariat and service providers, shall have access to the data necessary to perform their WCPFC duties.	✓	✓	✓	✓
2. Officers of the Commission and its subsidiary bodies shall have access to the data necessary to perform their WCPFC duties.				
3. CCMs shall have access to data to <u>serve the purposes of the Convention</u> , including data covering vessels flying their flag in the WCPFC Convention Area covering any vessels fishing in waters under their jurisdiction covering vessels unloading in their ports for the purpose of compliance and enforcement activities on the high seas for the purpose of scientific and other research				
Data may be disseminated if the source providing the data to the WCPFC authorises their release.				
4. The Executive Director may authorise the release of data in case of <i>force majeure</i> or safety of life at sea	✓	✓	✓	✓
5. Bona fide researchers who have an appropriate confidentiality agreement with the WCPFC shall have access to data; and	✓	✓		
Other parties shall have access to data that does not document the activities of any vessel, company or person that can be identified using the data.				
6. Other parties shall have access to data	✓			



<b>In those situations where access to WCPFC data is authorised, procedures shall be in place so that:</b>	<b>Risk classification</b>			
	<b>Lowest</b>	<b>Low</b>	<b>Medium</b>	<b>High</b>
A log shall be maintained of all releases of data				✓
A log shall be maintained of all releases of data, excluding those made to persons duly authorised by the Executive Director within the WCPFC secretariat and service providers for the purpose of performing their duties		✓	✓	
The identity and authority of the requestor shall first be confirmed			✓	✓
Data shall be transmitted in an encrypted form or by media which provides equivalent confidentiality				✓

<b>With regard to the receipt of WCPFC data from the Secretariat, CCMs shall:</b>	<b>Risk classification</b>			
	<b>Lowest</b>	<b>Low</b>	<b>Medium</b>	<b>High</b>
Notify the WCPFC secretariat of points of contacts authorised to receive such data		✓	✓	✓
Maintain the confidentiality and security of the data according to its Risk Classification and in a manner consistent with standards established for the WCPFC Secretariat		✓	✓	✓



**The Commission for the Conservation and Management of Highly Migratory Fish Stocks  
in the Western and Central Pacific Ocean**

**Ad Hoc Task Group-Data**

**31 July–4 August 2006**

**Manila, Philippines**

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**DRAFT RULES AND PROCEDURES FOR ACCESS TO AND DISSEMINATION OF  
DATA  
COMPILED BY THE COMMISSION**

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**1. Basic principles relating to the dissemination of data by the WCPFC**

1. Data shall only be released in accordance with the policies of confidentiality and security determined by the Commission.
2. Data may be disseminated if the source providing the data to the WCPFC authorises their release.
3. Persons duly authorised by the Executive Director within the WCPFC secretariat and service providers shall have access to the data necessary to perform their WCPFC duties.
4. Officers of the Commission and its subsidiary bodies shall have access to the data necessary to perform their WCPFC duties.
5. CCMs shall have access to data to serve the purposes of the Convention, including data:
  - a. covering vessels flying their flag in the WCPFC Convention Area
  - b. covering any vessels fishing in waters under their jurisdiction
  - c. covering vessels unloading in their ports
  - d. for the purpose of compliance and enforcement activities on the high seas
  - e. for the purpose of scientific and other research
6. The dissemination of data shall be done in a timely manner.

## **2. Risk classification and definition of confidentiality**

7. Data covered by these rules and procedures will be classified in accordance with the risk classification methodology established in the Commission's Information Security Policy (ISP), which reflects the damage that would be done to the operations or creditability of the Commission as a consequence of the unauthorized disclosure or modification of such information.
8. Data covered by these rules and procedures were determined to be either public domain or non-public domain data in accordance with the definition of confidentiality established in the Commission's ISP.

## **3. Dissemination of Public Domain Data**

9. Subject to the decisions of the Commission, data in the public domain shall not reveal the activities of any vessel, company or person and shall not contain private information.
10. Except for data as described in Paragraph 9, the following types of data<sup>1</sup> that have been or may be compiled by the Commission, have been designated to be in the public domain:
  - annual catch estimates stratified by gear, [flag/CCM fleets]<sup>2</sup> and species for the WCPFC Statistical Area;
  - annual catch estimates stratified by gear, [flag/CCM fleets], species, and waters under the jurisdiction of CCMs and the high seas in the WCPFC Statistical Area;
  - the annual numbers of vessels active in the WCPFC Statistical Area stratified by gear type and [flag/CCM fleets];
  - catch and effort data aggregated by gear type, [flag/CCM fleets], year/month and, for longline, 5° latitude and 5° longitude, and, for surface gear types, 1° latitude and 1° longitude;
  - biological data;
  - tagging data;
  - the WCPFC Record of Fishing Vessels;
  - information on vessel and gear attributes compiled from other sources;
  - any vessel record established for the purpose of the Commission's VMS;
  - oceanographic and meteorological data;
  - social data; and
  - Part 1 of the Annual Report to the Commission by CCMs.

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<sup>1</sup> Refer to Tables 1 and 2 of the Report of the Ad Hoc Task Group–Data, 31 July–4 August 2006

<sup>2</sup> Refer to Paragraph 20 and 21 of the Report of the Ad Hoc Task Group–Data, 31 July–4 August 2006

11. Public domain data shall be available to any persons for (a) downloading from the Commission's website and/or (b) release by the Commission on request.
12. Annual catch estimates and aggregated catch and effort data that can be used to identify the activities of any vessel, company or person are not in the public domain; however, these data may be disseminated in accordance with Section 4 of these rules and procedures.
13. Persons downloading data from the Commission's website or requesting data from the Commission shall provide their name and affiliation prior to the downloading or release of the data. The WCPFC Secretariat shall log and report the names and affiliation of all access and dissemination of public domain data to the Commission.

#### **4. Dissemination of Non-Public Domain Data**

14. Subject to the decisions of the Commission, all other types of data not listed in Section 3 shall be referred to as non-public domain data,.
15. The following types of data that have been or may be compiled by the Commission, have been designated to be non-public domain data:
  - Operational level Catch Effort data
  - Records of vessel unloading
  - Transshipment consignments by species
  - VMS Vessel position, direction and speed
  - Boarding and Inspection Reports
  - Certified observer personnel
  - Certified inspection personnel
  - Catch documentation scheme
  - Port State Inspection Reports
  - Violations and infringements, detailed
  - Economic data
  - Fisheries intelligence-sharing information
  - Part 2 of the Annual Report to the Commission by CCMs
16. Access to and dissemination of these data shall be authorised in accordance with the policies of confidentiality and security established in the Commission's ISP.
17. The WCPFC Secretariat shall log and report all access and dissemination of non-public data to the Commission, including the name and affiliation of the person, the type of data accessed or disseminated, the purpose for which the data were requested, the date when the data were requested, the date the data were released and authorizations that may have been required.

*4.1 Access to Data by the Staff of the Secretariat, the WCPFC Service Providers, and Officers of the Commission and its Subsidiary Bodies*

18. Persons duly authorised by the Executive Director, within the WCPFC secretariat and service providers, including scientific experts engaged under Article 13 of the Convention, shall have access to the data necessary to perform their WCPFC duties. Officers of the Commission and its subsidiary bodies shall have access to the data necessary to perform their WCPFC duties. Such persons shall maintain the data security standards of the Commission in respect of data to which they have access.

*4.2 Access to Data by CCMs*

19. CCMs shall have access to non-public domain data to serve the purposes of the Convention, including data:

- covering vessels flying their flag in the WCPFC Convention Area
- covering any vessels fishing in waters under their jurisdiction
- covering vessels unloading in their ports
- for the purpose of compliance and enforcement activities on the high seas
- for the purpose of scientific and other research

20. CCMs shall notify the Secretariat of a small number of representatives authorised to receive non-public domain data. Such notification will include name, affiliation, and contact information (e.g. telephone, facsimile, email address). The WCPFC Secretariat will maintain a list of such authorized representatives. CCMs and the Secretariat shall ensure the list of CCM representatives is kept up to date and made available.

21. The authorized representative(s) of the CCMs are responsible for ensuring the confidentiality and security of the non-public domain data according to its risk classification and in a manner consistent with security standards established by the Commission for the WCPFC Secretariat.

22. Non-public domain data shall be available to authorised representatives of the CCMs for release by the Commission on request and, where appropriate, downloading from the Commission's website in accordance with the Commission's ISP .

23. Near real-time VMS data, Boarding and Inspection Reports, Certified observer personnel data, Certified Inspection personnel data and other Commission data collection programmes will be made available subject to the rules and procedures for the access and dissemination of such data, that the Commission will adopt.

24. VMS data shall be available for scientific purposes only after a lag of [one year].

25. Access to non-public domain data by CCMs shall be authorised by the Executive Director on the basis of a framework, which will be established by the Executive Director in collaboration with the Chair of the Commission and officers of the WCPFC subsidiary

bodies. The framework may include, *inter alia*, guidelines for access to different data types, the possibility of standing authorizations, compliance with the Commission's policy for the provision of data and a mechanism for resolving disputes.

26. The Executive Director will implement the framework and authorize access to and dissemination of non-public domain data. Two years after adoption, the WCPFC subsidiary bodies will review this arrangement.

#### 4.3. *Other Disseminations of Data*

27. Non-public domain data shall be available to any persons<sup>3</sup> for release by the Commission upon receipt by the Commission of authorisation from the sources of the data to release the requested data. Unless otherwise requested by the source:

- Persons that request non-public domain data shall complete the Data Request Form and sign the Confidentiality Agreement and provide them to the Commission.
- The Data Request Form and Confidentiality Agreement shall then be forwarded to the source of the requested data and the source shall be asked to authorise the Commission to release the data.
- Such persons shall also agree to maintain the data requested in a manner consistent with the security standards established by the Commission for the WCPFC Secretariat.

28. CCMs that have provided data to the Commission shall notify the Secretariat regarding their representatives with the authority to authorise the release of data by the Commission. Decisions to authorise the release of data shall be made in a timely manner.

#### 5. *Force majeure*

29. The Executive Director may authorise the release of any non-public domain data to rescue agencies in cases of *force majeure* in which the safety of life at sea is at risk.

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<sup>3</sup> Including, relevant intergovernmental organisations, universities, researchers, NGOs, media, consultants, industry, federations, any other relevant party..."

## Comments by Japan regarding the AHTG [Data]

October 27, 2006

General comments

Japan appreciates the effort by the people involved on this matter, so as to adequately address the concerns raised by members in dealing with Commission's various data, in particular, those of confidential. In order to establish adequate and workable policy in this regard, we may need to deepen our discussion at a formal level of national representatives rather than informal gatherings of experts in their personal capacity. This is because, although we appreciate useful contributions by individual experts, the matter which entails policy implications for the member should be fully discussed and decided by the members through due process of the Commission. This is a basic principle of the conducts of work at international organizations.

In this sense, Japan notes its regret that the second session of Technical and Compliance Committee (TCC2) failed to conduct further consideration on the paper in detail, since we missed our precious opportunity to discuss this matter among members before the 3<sup>rd</sup> session of the Commission. It was noted several times in the paper of AHTG [data] (WCPFC-TCC2-2006/18) that TCC2 is expected to review and refine the outcomes of the group, in particular, the rules and procedures to govern the security and confidentiality of data (RaP). Because of the strange proceeding held at the TCC2 on this matter, it may be difficult for Comm3 to finalize the RaP due to the time limitations.

I would like to refer to the Attachment F of WCPFC-TCC2-2006/18 titled as "Draft Framework for Access to Data by CCMs", which was not explicitly instructed by the Commission. Because it was not a product of the group, it created a procedural confusion among the members at TCC2, by which we had to go around in circles in the floor. Japan's view is that, if we are to develop "framework" which has higher or the same profile than RaP, such paper should be discussed and adopted by the Members and AHTG should not outsource its task without Commission's consent.

At the same time, it is not productive for us to be stuck in procedural matters. One pragmatic way is to include the substances of the Attachment F into the body of RaP, thereby establish single consolidated paper for consideration and adoption of the Commission. There seems no strong justification for the need to have separate papers which merely creates unnecessary complication and deviation.

Specific comments

As for the table 1 of the Attachment C, further consideration is necessary. For example, definition and description of some types listed (e.g., Any vessel record established for the purpose of the Commission's VMS, Catch documentation scheme) needs to be clarified or refined; some others (e.g., Certified observer personnel) need to be re-classified in their risks.

Because of this point, lists of data type shown in the paragraph 10 and 15 of the RaP (Attachment G) should be further considered before the Commission adopts the RaP. Japan suggests that these lists should be formulated as the appendix of the RaP.

As for the section 4.3 of RaP, we would prefer the deletion of entire part unless there is any feasible and effective means to secure the compliance with the Confidentiality Agreement by the people/entity that made request, or to guarantee the remedy in the case of violation by them. In the past, there are regrettable cases in other international fora that similar confidentiality agreement was not respected and good-wills of the sources will be dismissed. As for the international organizations which cooperate with WCPFC, it is evident that confidentiality agreement will be included in the basic cooperative agreement between them.

For further consideration by the Commission, proposed amendments by Japan on the text of RoP (Attachment G) are shown as attached. After further refinements possibly including those by other contributors, Japan is prepared to submit its revised proposal to the Commission if necessary.



**Revised Draft Rules and Procedures  
for the Access to and Dissemination of Data  
Compiled by the Commission**

Suggestion by Japan

**1. Basic principles relating to the dissemination of data by the WCPFC**

1. Data shall only be released in accordance with this Rules and Procedure, which reflects the policies of confidentiality and security determined by the Commission.
2. Data may be disseminated if the source providing the data to the WCPFC authorises their release.
3. Persons duly authorized by the Executive Director within the WCPFC secretariat and service providers shall have access to the data necessary to perform their WCPFC duties.
4. Officers of the Commission and its subsidiary bodies shall have access to the data necessary to perform their WCPFC duties.
5. CCMs shall have access to data to serve the purposes of the Convention, including data:
  - a. covering vessels flying their flag in the WCPFC Convention Area
  - b. covering any vessels fishing in waters under their jurisdiction
  - c. covering vessels unloading in their ports
  - d. for the purpose of compliance and enforcement activities on the high seas, whose specifications are agreed by the Commission or among the CCMs concerned
  - e. for the purpose of scientific and other research, whose specifications are agreed by the Commission or among the CCMs concerned
6. The dissemination of data shall be done in a timely manner to the extent possible for Secretariat and the Members concerned.

6bis. In administering the data management in accordance with the Rules and Procedure, due account should be paid to the Members' relevant domestic laws and regulations on data management including those of individual privacy and criminal offence.

**2. Risk classification and definition of confidentiality**

7. Data covered by these rules and procedures will be classified in accordance with the risk classification methodology included established in the Commission's Information Security Policy (ISP) including its data security standards established by the Commission, which reflects inter alia the damage that would be done to the operations or creditability of the Commission as a consequence of the unauthorized disclosure or

modification of such information.

8. Data covered by these rules and procedures were determined to be either public domain or non-public domain data in accordance with the definition of confidentiality established in the Commission's ISP.

### 3. Dissemination of Public Domain Data

9. Subject to the decisions of the Commission, data in the public domain shall not reveal the individual activities of any vessel, company or person and shall not contain private information.
10. Except for data as described in Paragraph 9, the ~~following~~ types of data which is listed in the Appendix 1 that have been or may be compiled by the Commission, should be have been designated to be in the public domain:

- ~~— annual catch estimates stratified by gear, [flag/CCM fleets], and species for the WCPFC Statistical Area;~~
- ~~— annual catch estimates stratified by gear, [flag/CCM fleets], species, and waters under the jurisdiction of CCMs and the high seas in the WCPFC Statistical Area;~~
- ~~— the annual numbers of vessels active in the WCPFC Statistical Area stratified by gear type and [flag/CCM fleets];~~
- ~~— catch and effort data aggregated by gear type, [flag/CCM fleets], year/month and, for longline, 5° latitude and 5° longitude, and, for surface gear types, 1° latitude and 1° longitude;~~
- ~~— biological data;~~
- ~~— tagging data;~~
- ~~— the WCPFC Record of Fishing Vessels;~~
- ~~— information on vessel and gear attributes compiled from other sources;~~
- ~~— any vessel record established for the purpose of the Commission's VMS;~~
- ~~— oceanographic and meteorological data;~~
- ~~— social data; and~~
- ~~— Part 1 of the Annual Report to the Commission by CCMs.~~

11. Public domain data shall be available to any persons for (a) downloading from the Commission's website and/or (b) release by the Commission on request.
12. ~~Annual catch estimates and aggregated catch and effort~~ Any data that can be used to identify the activities of any vessel, company or person are not in the public domain; ~~however, these data may be disseminated in accordance with Section 4 of these rules and~~

procedures.

13. Persons downloading public domain data from the Commission's website or requesting data from the Commission shall provide their name and affiliation prior to the downloading or release of the data. The WCPFC Secretariat shall log and report the names and affiliation of all access and dissemination of public domain data to the Commission.

#### **4. Dissemination of Non-Public Domain Data**

14. Subject to the decisions of the Commission, all other types of data not listed in Appendix 1 shall be referred to as non-public domain data.

15. The ~~following types of data~~ which is listed in Appendix 2 that have been or may be compiled by the Commission, should be ~~have been~~ designated to be non-public domain data:

- ~~• Operational level Catch Effort data~~
- ~~• Records of vessel unloading~~
- ~~• Transshipment consignments by species~~
- ~~• VMS Vessel position, direction and speed~~
- ~~• Boarding and Inspection Reports~~
- ~~• Certified observer personnel~~
- ~~• Certified inspection personnel~~
- ~~• Catch documentation scheme~~
- ~~• Port State Inspection Reports~~
- ~~• Violations and infringements, detailed~~
- ~~• Economic data~~
- ~~• Fisheries intelligence sharing information~~
- ~~• Part 2 of the Annual Report to the Commission by CCMs~~

16. Access to and dissemination of these data shall be authorised in accordance with this Rules and Procedure, taking into consideration the views and opinions of the member concerned as well as ~~with~~ the policies of confidentiality and security established in the Commission's ISP.

17. The WCPFC Secretariat shall log and report all access and dissemination of non-public data to the Commission, including the name and affiliation of the person, the type of data accessed or disseminated, the purpose for which the data were requested, the date when the data were requested, the date the data were released and authorizations that may have been required.

##### *4.1 Access to Data by the Staff of the Secretariat, the WCPFC Service Providers, and Officers of the Commission and its Subsidiary Bodies*

18. Persons duly authorised by the Executive Director, within the WCPFC secretariat and service

providers, including scientific experts engaged under Article 13 of the Convention, shall have access to the data necessary to perform their WCPFC duties. Officers of the Commission and its subsidiary bodies shall have access to the data necessary to perform their WCPFC duties. Such persons shall maintain the data security standards of the Commission in respect of data to which they have access.

18bis. As for the person referred in para 18 that is outside WCPFC Secretariat shall conclude confidentiality agreement with the Executive Director in performing their WCPFC duties.

#### *4.2. Access to Data by CCMs*

19. CCMs shall have access to following non-public domain data to serve the purposes of the Convention, ~~including data~~:

- covering vessels flying their flag in the WCPFC Convention Area
- covering any vessels fishing in waters under their jurisdiction
- covering vessels unloading in their ports
- for the purpose of compliance and enforcement activities on the high seas, whose specifications are agreed by the Commission or among the CCMs concerned
- for the purpose of scientific and other research, whose specifications are agreed by the Commission or among the CCMs concerned

20. CCMs shall notify the Secretariat of a small number of representatives authorised to receive non-public domain data. Such notification will include name, affiliation, and contact information (e.g. telephone, facsimile, email address). The WCPFC Secretariat will maintain a list of such authorized representatives. CCMs and the Secretariat shall ensure the list of CCM representatives is kept up to date and made available.

21. The authorized representative(s) of the CCMs are responsible for ensuring the confidentiality and security of the non-public domain data according to its risk classification and in a manner consistent with security standards established by the Commission for the WCPFC Secretariat.

22. Non-public domain data ~~may shall~~ be available to authorised representatives of the CCMs for release by the Commission on request and, where appropriate, downloading from the Commission's website in accordance with the Commission's ISP .

23. Such MCS data as Near real-time VMS data, Boarding and Inspection Reports, Certified observer personnel data, Certified Inspection personnel data and other Commission data collection programmes that Commission specify will be made available subject to the additional rules and procedures for the access and dissemination of such data, that the Commission will adopt respectively for that purpose.

24. Commission's aggregated VMS data excluding that of individual vessels may shall be available for scientific purposes only after a lag of [one year].

25. Access to non-public domain data by CCMs shall be managed ~~authorised~~ by the Executive Director in accordance with this Rules and Procedure. CCMs shall provide a written request for such data to the Executive Director, specifying the purpose of the Convention and referring to the relevant article(s). Further technical details regarding the format and procedure necessary to implement this task will be established by the Executive Director. on the basis of a framework, which will be established by the Executive Director in collaboration with the Chair of the Commission and officers of the WCPFC subsidiary bodies. The framework may include, *inter alia*, guidelines for access to different data types, the possibility of standing authorizations, compliance with the Commission's policy for the provision of data and a mechanism for resolving disputes.

25bis. Subject to this section, participating territory shall have access to data as provided for CCMs, unless otherwise decided by the Member or CCM responsible for its external affairs.

25ter. A CCM that has not fulfilled its data-related obligations to the Commission for [two consecutive years] shall not have to non-public domain data until all matters concerning non-compliance are rectified.

26. The Commission or its Executive Director ~~will implement the framework and authorize access to and dissemination of non-public domain data. Two years after adoption, the WCPFC subsidiary bodies will review this arrangement periodically and amend it if Commission regards necessary.~~

#### *4.3. Other Disseminations of Data*

27. ~~Non-public domain data shall be available to the any persons or organizations that made a request for release by the Commission upon receipt by the Commission of authorization from the authority of the sources of the data to release the requested data. Unless otherwise requested by the source:~~

- ~~— • Persons that request non-public domain data shall complete the Data Request Form and sign the Confidentiality Agreement and provide them to the Commission.~~
- ~~— • The Data Request Form and Confidentiality Agreement shall then be forwarded to the source of the requested data and the source shall be asked to authorise the Commission to release the data.~~
- ~~— • Such persons shall also agree to maintain the data requested in a manner consistent with the security standards established by the Commission for the WCPFC Secretariat.~~

28. ~~CCMs that have provided data to the Commission shall notify the Secretariat regarding their representatives with the authority to authorise the release of data by the Commission. Decisions to authorise the release of data shall be made in a timely manner.~~

### **5. Force majeure**

29. The Executive Director may authorise the release of any non-public domain data to rescue agencies in cases of *force majeure* in which the safety of life at sea is at risk.

Appendix 1

Appendix 2



**SUPPLEMENT TO THE SUMMARY REPORT  
OF THE  
AD HOC TASK GROUP [DATA]**

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**1. [DRAFT] DATA REQUEST FORM AND  
[DRAFT] CONFIDENTIALITY AGREEMENT  
2. [DRAFT] FRAMEWORK FOR ACCESS TO NON-PUBLIC DOMAIN DATA**

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***Background***

1. Paragraph 17 of the Summary Report of the Ad Hoc Task Group [Data], which met in Manila, Philippines from 31 July to 4 August 2006, recommends that the Executive Director, in collaboration with the Chair of the Commission and officers of WCPFC subsidiary bodies develop a framework for access to non-public domain data by CCMs. The AHTG [Data] suggested the “framework” may include, *inter alia*, guidelines for access to different types of data, the possibility of standing authorizations, compliance with the Commission’s policy for the provision of data and a mechanism for resolving disputes. A draft “framework” subsequently drafted by the Executive Director, in consultation with data managers involved with the Scientific Committee and the Technical and Compliance Committee was subsequently developed (Attachment A of Annex C)
2. In addition, paragraph 19 of the Summary Report of the AHTG [Data] states that *the AHTG-Data agreed that the Executive Director should be tasked with developing a Data Request Form and Confidentiality Agreement to be used in association with the rules and procedures for the access to and dissemination of data compiled by the Commission.*
3. The Draft Rules and Procedures for access to and dissemination of data compiled by the Commission are presented in Appendix F of the Summary Report of the AHTG [Data]. Four categories of dissemination of data are considered: (i) dissemination of public domain data; (ii) access to non-public domain data to the staff of the Secretariat, the WCPFC service providers, and officers of the Commission and its subsidiary bodies; (iii) access to data by CCMs; and (iv) other disseminations of non-public domain data. For categories (i) to (iii), the procedures concerning requests for data and confidentiality are specified within the text of the Rules and Procedures. The Executive Director was requested to develop a framework for category (iii) data relating to access to data by CCMs. For category (iv), “other disseminations of data”, paragraph 27 of the report of the AHTG [Data] states that *non-public domain data shall be available to any persons for release by the Commission upon receipt by the Commission of*

*authorization from the sources of the data to release the requested data. Unless otherwise requested by the source:*

- Persons that request non-public domain data shall complete the Data Request Form and sign the Confidentiality Agreement and provide them to the Commission.*
- The Data Request Form and Confidentiality Agreement shall then be forwarded to the source of the requested data and the source shall be asked to authorise the Commission to release the data.*
- Such persons shall also agree to maintain the data requested in a manner consistent with the security standards established by the Commission for the WCPFC Secretariat.*

4. The following text is a draft of the Data Request Form and Confidentiality Agreement referred to in paragraph 19 of the report of the AHTG [Data] (Attachment B of Annex C).





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**DRAFT FRAMEWORK FOR ACCESS TO DATA BY CCMS**

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**1. Data covering vessels flying the flag of a member or cooperating non-member or fishing in the waters under the jurisdiction of a member or cooperating non-member.**

Subject to Section 3, a member or cooperating non-member (CNM) shall have access to data:

- a) covering vessels flying their flag in the WCPFC Convention Area;
- b) covering vessels operating under the jurisdiction of that member or cooperating non-member in accordance with paragraph 6 of the Commission's Standards of Scientific Data to be provided to the Commission;
- c) covering any vessels fishing in waters under their jurisdiction;
- d) covering vessels unloading in their ports;
- e) for the purpose of compliance and enforcement activities on the high seas; and
- f) for the purpose of scientific and other research.

**2. Data covering vessels operated by a participating territory**

Subject to Section 3, a participating territory shall have access to data referred to in Section 1 for vessels operating under its jurisdiction, unless otherwise decided by the Member or CNM responsible for its external affairs.

**3. Data covering vessels for other CCMs in the Convention Area**

Subject to Section 3, data, other than those listed in Section 1 above, shall be available to a CCM for purposes of the Convention, upon authorization by the Executive Director.

CCMs shall provide a written request for such data to the Executive Director, specifying the purpose of the Convention and referring to the relevant article(s). Requests may be made for a standing authorisation, such that CCMs may have multiple accesses to the requested data for the same purpose of the original written request. Authorizations granted may be reviewed annually.

**4. Compliance with data-related obligations to the Commission**

A CCM that has not fulfilled its data-related obligations to the Commission for [two consecutive years] shall not have access to non-public domain data under Section 4.2 of the

Rules and Procedures for the Access to and Dissemination of Data Compiled by the Commission until all matters concerning non-compliance are rectified.

**5. Dissatisfaction with the determination of the Executive Director**

Dissatisfaction with the Executive Director's decisions in regard to access to data by CCMs shall be resolved by the Chair of the Commission.



**D R A F T**  
**TUNA FISHERIES DATA REQUEST FORM AND**  
**CONFIDENTIALITY AGREEMENT**

**1. Data Requested**

*The specification of data being requested should refer to the type of data and any parameters relevant to the type of data, which may include, inter alia, the gear types, time periods, geographic areas and fishing nations covered, and the level of stratification of each parameter.*

[Insert the list of data sets here]

**2. Purpose**

*If non-public domain data are being requested, the use of the data shall be authorised only for the purpose described below.*

[If non-public domain data are being requested, insert the description of the purpose here]

**3. Persons for Whom Access to the Data is Requested**

*If non-public domain data are being requested, the name(s), job title(s) and affiliation(s) of the person(s) for whom access to the data is being requested shall be listed below; the use of the non-public domain data shall be authorised only for the person(s) listed below. If public domain data are being requested, the name, job title and affiliation of the person requesting the data shall be listed below.*

[Insert the list of persons here]

#### **4. Confidentiality Agreement for the Dissemination of Non-Public Domain Data by the Western and Central Pacific Fisheries Commission**

*I/we agree to the following:*

- *Prior to the publication of any report of an analysis for which the requested data will be used, the report shall be provided to and cleared by the Executive Director of the Western and Central Pacific Fisheries Commission, who shall ensure that no non-public domain data will be published.*
- *The data shall be used only for the purpose for which the data are being requested, be accessed only by the individuals listed in (3) above, and be destroyed upon completion of the usage for which the data are being requested.*

[If non-public domain data are being requested, then insert the name(s) and signature(s) of all persons listed in (3) above, and the date, here]