



**Intersessional Working Group
Regional Observer Programme
24-25th September**

BACKGROUND INFORMATION REGIONAL OBSERVER PROGRAMME

WCPFC\IWG-ROP\2007 - 05

Prepared by the Secretariat

Introduction

1. The Resolution on Conservation and Management Measures adopted at the First Session of the Commission directed the Technical and Compliance Committee to consider the regional observer programme at its 2005 meeting (WCPFC/Comm.1/8). This background report reviews the requirements of the Convention, the hybrid model implemented by CCAMLR and the existing sub -regional and national observer programmes to provide the necessary background discussion for the IWG-ROP

Convention on Observer programmes

2. Article 28 of the Convention requires a regional observer programme that has the following characteristics:

- Coordinated by the Secretariat;
- Takes into account the nature of the fishery and other relevant factors;
- Organized in a flexible manner;
- May be undertaken on a contractual basis;
- Coordinated with existing regional, sub-regional and national observer programmes to avoid duplication;
- Consists of independent and impartial observers authorized by the Secretariat; and
- Training and certification of observers will occur in accordance with uniform procedures.

3. The Convention further specifies that each Member of the Commission shall ensure that vessels flying its flag in the Convention Area, except for vessels that operate exclusively within waters under the national jurisdiction of the flag State, are prepared to accept an observer from the regional observer programme, if required by the Commission.

4. The Convention requires that the Commission develop a regional observer programme, but it does not stipulate that the Commission must run the programme – only that the Secretariat will coordinate it. Article 28(2) of the Convention provides the Commission with flexibility to contract operation of the regional observer programme to an independent party or parties, as determined by the Commission.

Early PrepCon information on the ROP

5. Discussions that took place during the Preparatory Conferences are reviewed here for background information.

6. At the second session of the WCPFC Preparatory Conference, Working Group I (WG. I) identified certain administrative needs of the Commission, including the operation of the regional observer programme (WCPFC/PrepCon/WP.3). There were a variety of models presented of other regional fishery management organizations (RFMOs) which also provided options drawn from other programmes and the provisions of the Convention. Several of these approaches were discussed with the ultimate decision to go forward with a hybrid model made up of elements of the CCAMLR Scheme of International Scientific Observation and national and subregional observer programme.

7. The Working Group I accepted a hybrid of the two approaches the CCAMLR approach and the sub regional approach, these were the models to be used for the development of the ROP: Working Group I concluded that, on the basis of flexibility and minimization of cost to the Commission, the hybrid approach was the best option for providing for the Commission's need for an observer programme. This approach was later approved by WCPFC2 in December 2005.

Use of existing observer programmes

a) Article 28(6)(f) of the Convention requires that the Commission's regional observer programme to avoid duplication with existing regional, sub-regional and national programmes. Therefore the use of the existing national and sub-regional programmes for the supply of ROP observers would be appropriate

Hybrid approach

b) This approach would incorporate components of the "CCAMLR approach" and the use of existing sub-regional observer programmes.

c) Under this approach Commission Members would be free to choose the source of observers from either the national observer programmes of other Members or from the existing sub-regional programmes. Regardless of the source of observers the programme would be governed by a scheme similar to the approach adopted by CCAMLR.

d) The vessels that currently carry sub-regional observers (Multilateral Treaty on Fisheries or under the FSM Arrangement) could continue to use these observers to fulfill Commission observer requirements. The existing sub-regional observer programmes may offer expertise and observers to Commission Members other than those they have covered to date, thereby increasing the options for those seeking observer coverage.

e) This approach was expected to incur few costs to the Commission with respect to Secretariat resources. The major costs regardless of the options chosen, was anticipated to be the preparation and printing of standardised materials and undertaken periodic audits.

8. The Basic elements of the hybrid approach are:
- Commission members are free to choose the source of observers from either the national observer programmes of other members or from the existing sub-regional programmes. *Not: - The CCAMLR approach involves that Commission observers must be from a Member of the Commission other than the Member upon whose vessel the observer is operating.*
 - The Commission would be responsible for setting data collection standards, producing forms and manuals and for receiving and managing observer-generated information.
 - Existing sub-regional observer programmes could offer their expertise and observers to Commission members other than those they have covered to date, thereby increasing the options for those seeking observer coverage.
 - Vessels currently carrying sub-regional observers could continue to use these observers to fulfill Commission observer requirements.
 - The use of existing sub-regional and national programmes would incur few costs to the Commission with respect to Secretariat resources; major costs would be with respect to data preparing and printing standardized materials and undertaking audit functions.
 - Reliance upon bilaterally agreed arrangements for the recovery of costs associated with the placement of observers.
 - The Secretariat to take an active role with respect to the warehousing, management and analysis of the data collected by observers and in producing observer manuals and data sheets that are to be used in the programme.
9. Working Group III identified additional elements for an observer programme at its meeting during the third session of the Preparatory Conference (WCPFC/PrepCon/WP.6). The list of possible programme elements contained in Annex II(B) of the report is as follows:
- (a) Parameters and Guidelines for Observer Programmes with Respect to MCS functions;
 - (b) Guidelines to Determine Effective Level of Coverage (which could vary from fishery to fishery depending on the specific needs with respect to specific species, fleet, or geographic area);
 - (c) Possible Phase-in or Incremental Approach to Commission Observer Programme for Various Fleets and Fisheries;
 - (d) Provisions Regarding the Deployment of Observers on Board various Fleets, Including the Possible Hiring by the Commission of Nationals of Fishing States/Entities for Deployment as Commission Observers on Vessels of that State/Entities;
 - (e) Guidelines for Observer, Captain and Crew with Respect to Observer Safety, duties and Responsibilities, Accommodations, Access, etc.;

(f) Standardize Observer Training.

10. WG.III subsequently developed *DRAFT Guidelines for the Rights, Duties and Responsibilities of Observers, Captain and Crew* during PrepCon5 (WCPFC/PrepCon/WP.17), This paper was not discussed at PrepCon due to time constraints but has been used as a basis for the appendixes on *Guidelines for the Rights, Duties and Responsibilities of Observers, Captain and Crew* which are now annexes (a) & (b) of the Draft CMM for the ROP (to be considered at TCC3 and WCPFC4)

11. PrepCon IV, WG.III identified the following matters for further consideration in developing the Commission's observer programme (WCPFC/PrepCon/26):

(a) the usefulness of coordinating and communicating with the Chairman of WG.II (later the SC) on the data collection needs of the Commission in order to determine an effective level of coverage;

(b) the need to consider practical difficulties in implementing the observer programme which has bearing on the design of the observer programme;

(c) the need for coordination and planning to ensure, to the maximum extent practicable, compatibility with sub-regional and national observer programmes already in place in the region;

(d) the desirability for standardization of data collection including standardized reporting formats for information that is collected;

(e) procedures relating to data confidentiality;

(f) that the purpose of the observer programme in its initial stages should be to focus on validation of catch, but that other useful information such as vessel sightings could also be reported under the programme;

(g) the value of ensuring standardized and quality observer training;

(h) the significance of a phased or incremental approach to the Commission's observer programme; and

(i) cost effectiveness.

12. In *Article 28(1)* the Convention acknowledges that collaboration between the SC and TCC in designing the Commission's observer programme is necessary and therefore indicates that the programme envisaged is not a scientific programme or a compliance programme but is a combination of both; a *Fisheries Observer Programme*. This is a programme that primarily collects scientific information but concurrently monitors compliance issues. Observers will have no enforcement powers, and their reports will be analysed by appropriate personnel for further actions if required.

Science Committee

13 The First Regular Session of the Scientific Committee Noumea, New Caledonia August 8-19, 2005. Includes the following references to the Commission's observer programme:

(a) The Ecosystem and Bycatch Specialist Working Group (SWG) recommended: *Improvement of observer coverage of western and central Pacific pelagic*

fisheries by increasing coverage rates, centralizing and expanding observer data collection, designing specific observer programmes to address specific objectives, and improving the identification and reporting of catch to species level and recording fate and condition. .

14 In Noumea, there was acknowledgement that observer coverage for most fleets in the region was too low, however no specific recommendations on the size and scope of the programme were made. It was suggested that direct interaction with the TCC would be required in respect of coverage targets.

15 . The report of the First Regular Session of the Scientific Committee sought further elaboration regarding the types of data the observer programme will collect, the appropriate coverage rates, the appropriate types of certifications and training, the need for independent and impartial observers, and the need for coordination between regional, sub-regional and national observer programmes.

16. The SC2 meeting held in Manila in August 2006 recommended the following priorities for data collections from purse seiners and longliners:

- a) the species, fate (retained or discarded) and condition at capture and release (e.g. alive, barely alive, dead etc.) of the catch of target and non-target species; depredation effects; and interactions with other non-target species including species of special interest (i.e. sharks, marine reptiles, marine mammals and sea birds);
- b) data to allow the standardisation of fishing effort, such as gear and vessel attributes, fishing strategies, the depths of longline hooks, FAD use and setting activities of purse seiners, and other factors affecting fishing power;
- c) length and other relevant measurements of target and non-target species;
- d) other biological parameters, such as gender, stomach contents, hard parts (e.g. otoliths, first dorsal bone), tissue samples and collect data to determine relationships between length and weight, and processed weight and whole weight; and
- e) the use and effectiveness of mitigation measures.

The priorities were adopted by the Commission during its Third Regular Session at Samoa in December 2006.

17 SC2 recommended that the objective of the Regional Observer Programme should initially be to attain a minimum coverage of five (5) per cent of fishing effort (longline: total hooks deployed, purse seine: days fished and searched) across all strata to allow identification of specific issues.

18. SC2 further recommended that the distribution of observer effort is to be representative of species of interest, fishing areas, seasons and fishing fleets (types), noting that the initial coverage will not deliver on all possible objectives, e.g. five (5) per cent coverage may not be adequate to reliably quantify the incidental catch of sea turtles and seabirds.

19. SC2 requested additional work in relation to minimum data standards for purse-seine and longline for SC3 as well as for other gear types.

20. The SC3 meeting (Hawaii, August 2007) considered minimum Scientific Data Standards for the ROP. There were a wide range of opinions held on the minimum fields of scientific data to be collected by the ROP. A combination of WCPFC-SC3/GN WP-6 (data standards for the Regional Observer Programme) and WCPFC-SC3/DP-4 (submission from Japan, Korea, Chinese Taipei and China) was accepted as a basis for moving forward:

- SC3 Recommended that on the minimum fields of scientific data to be collected by the ROP: That the text contained in Appendix III of the WCPFC-SC3-ST-SWG Report is used as the starting point for future discussions on the minimum fields of scientific data to be collected by the Regional Observer Programme
- SC3 noted that:
 - a) The list of data fields contained in Appendix III of the WCPFC-SC3-ST-SWG Report is provisional and requires more consideration and refinement (by other subsidiary bodies of the Commission and subsequent sessions of the ST-SWG);
 - b) Many delegations expressed a strong desire for further opportunities to add items to, or subtract items from, this list;
 - c) The Scientific Committee only considered scientific needs for the fields of data to be collected by the Regional Observer Programme;
 - d) At the SWG, a consensus agreement was reached on slightly over 100 fields of data (those not square bracketed in Appendix III) that should be collected by the Regional Observer Programme, but consensus was not reached with regard to other fields;
 - e) In some instances the discussion of fields of data was made more complicated by the lack of shared understanding regarding the meaning and purpose of each proposed field.

21 SC3 also recommended that to improve the documentation of the meaning of each proposed field of data: Two items should be added to the Scientific Committee's work programme, these being:

- a) The draft list of minimum data fields for the Regional Observer Programme (contained in Appendix III of the WCPFC-SC3-ST-SWG Report) be annotated with explanations of what each field is and why it is needed;
- b) The draft list of minimum data fields for the Regional Observer Programme be annotated with detail describing the format (units of measure, codes etc) to be used when collecting each field (completing the work that was started in GN-WP-6).

22. SC3 also redefined the science priorities given at SC2 for the ROP and changed priority (b) to read as follows

- (b) "data to allow the standardisation of fishing effort, such as gear and vessel attributes, fishing strategies, etc;

23. In addition the SC noted that observer programmes may not necessarily be the best way to sample the length and species composition of species that are landed from purse seine vessels and that port sampling programmes also have a role to play.

Technical Compliance Committee

24. TTC1 at Pohnpei in December 2005 considered WCPFC/TCC1/14 that profiled work undertaken in the Preparatory Conference in relation to the monitoring, control and surveillance functions of the regional observer programme, recent reviews of observer programmes operating in other RFMOs and options for establishing the Commission's programme.

25. The Committee agreed that the Commission's programme will support both scientific and compliance functions and be coordinated, to the extent possible, with existing national, regional or sub-regional programmes to avoid duplication. It was also agreed that the Commission will need to develop standards and procedures, including training and certification procedures, so that existing programmes can contribute to the Commission's programme to the maximum extent possible.

26. The Committee considered that, while the operations and procedures for observer programmes operated by other RFMOs provide useful information that can assist in the design of the Commission's programme, there is no model arrangement currently in operation that lends itself to immediate adaptation to the Western and Central Pacific Ocean (WCPO) and that gives effect to Article 28.

27. The Committee also considered compliance-related functions of the observer programme. It was noted that, while the initial observer programme may focus on a relatively small set of compliance-related functions, such as catch validation, the programme will need to be adapted over time to monitor the implementation of specific conservation and management measures as they are adopted by the Commission.

28. The recommendations of the First Regular Session of the TCC included:

- The regional observer programme, which will have both scientific and compliance functions, be coordinated, to the extent possible, with existing national, regional or sub-regional programmes. The TCC further advises that standards and procedures, including training and certification procedures, need to be developed to facilitate the contribution of existing programmes to the Commission's programme; and
- The Scientific Committee and the Technical and Compliance Committee formally collaborate to consider the scientific and technical and compliance elements of the regional observer programme by convening a joint meeting in association with SC2 or TCC2.

29. At TCC2 in Brisbane, Australia in September 2006, the Secretariat introduced paper WCPFC-TCC2-2006/11 (prepared under contract by MRAG (UK)), which described the key elements of the ROP, including objectives, coverage, institutional arrangements, science, technical and compliance related elements of the programme, and a draft implementation plan. It was noted that recommendations of the Second Regular Session of the Scientific Committee (SC2), which considered scientific elements of the ROP, had been incorporated in the draft Programme Document.

30. Key points discussed in subsequent discussion included:

- i) the development of the ROP should be guided by the principles outlined in Article 28 of the Convention;
- ii) the need to integrate existing national and regional observer programmes into the Commission programme, and to allow CCMs to continue to deploy national observers on vessels that principally operate in coastal waters and that occasionally extend their fishing operations on to the high seas;
- iii) the requirement for uniform standards for national and regional programmes contributing to the ROP. An assessment of standards in existing programmes will need to be undertaken in order to achieve this.
- iv) the need to ensure that observers are independent and impartial, in accordance with Article 28, noting that this requirement did not exclude national observers from operating on vessels of their flag State;
- v) the need to reduce costs of the ROP, given the existence of several observer programmes in the region;
- vi) the need to ensure cooperation and collaboration between the SC and the TCC to accommodate the two aspects of compliance and scientific data collection of the observers' role;
- vii) the need to consider issues associated with development and implementation of the ROP, such as size of vessels in relation to crew requirements, the type of fishery, and the logistics and costs involved in moving observers around the WCPO, particularly foreign observers, noting that these costs will be borne primarily by the industry; and
- viii) the need for an incremental approach to implementation, whereby target coverage rates and data quality standards for different components of the fishery are refined over an agreed time-frame. The time periods suggested were on the order of three to five years.

31. TCC2 agreed that the ROP should be based on existing national and sub-regional observer programmes, rather than establishing a full programme to be managed by the Secretariat. An exception to this could be the use of a small cadre of observers employed by the Commission Secretariat to address specific issues that arise, such as IUU fishing, training and certification. This cadre could also comprise experienced individuals from existing programmes, coordinated by Secretariat.

32. Some Members stated that a study should be conducted of all existing national and sub-regional observer programmes implemented by CCMs to identify the strengths and weaknesses of each programme. Programme strengths could then be used to develop the standards and benchmarks for the ROP.

33. TCC2 agreed that the standards and procedures for the ROP, such as access to observers, certification requirements for observers, achievement of Commission mandated observer coverage levels, and data collection requirements should be agreed on by the Commission. It was noted that certification of national and sub-regional observer programmes operating in the Convention Area was a key point in the successful implementation and maintenance of these standards, and would mitigate concerns regarding the use of national observers.

34. TCC2 discussed the need to ensure that all fisheries were, in principle, treated equally in terms the requirements to have observers onboard. TCC2 noted that observer coverage would not be the same across all fleets and all fisheries at all times, as observer coverage would be driven by data needs and required levels of precision.

35. In noting SC2's recommendations in relation to interim coverage levels, TCC2 noted that these coverage levels could be applied in the early stage of the ROP, within the framework of existing national and sub-regional programmes until more data become available with which to determine revised coverage and sampling requirements.

36. TCC2 recommended that:

- a). an inter-sessional working group (IWG-ROP) be established to expedite further development of the ROP, in conjunction with the employment of an Observer Programme Coordinator (OPC) by the Secretariat; and
- b). the Commission task TCC3 with developing a Conservation and Management Measure for the establishment of the ROP.

37. A proposal developed by FFA members in consultation with other CCMs — entitled "Conservation and Management Measure for the Regional Observer Programme" (WCPFC3- 2006/DP5, Rev.1) — to advance action on the issue of the ROP was also tabled.

38. TCC2 recommended that the IWG-ROP review the first draft of a Programme Document produced by MRAG - WCPFC-TCC2-2006\11, in light of discussion at TCC2 reported in paragraphs 52 to 69 of the TCC2 report and prepare a revised draft to be presented to IWG-ROP for comment and for presentation to TCC3.

WCPFC Meetings

39. WCPFC2 endorsed a recommendation by TCC1 that the Commission's Observer Programme Coordinator be recruited in 2006 as opposed to 2007 as recommended in WCPFC/PrepCon/37. The first task of the Observer Programme Coordinator was to draft a programme document describing:

- a. the immediate objectives of the Regional Observer Programme;
 - b. institutional arrangements for its implementation;
 - c. science, technical and compliance-related elements of the program, including collaboration between the Scientific Committee, and the Technical and Compliance Committee; and
 - d. a timetable and plan for implementation of the Regional Observer Programme across all fleets operating in the western and central Pacific Ocean (WCPO).
40. WCPFC2 agreed that early consideration be given to improving observer coverage in the Convention Area, particularly in relation to longline fishing and fishing on the high seas, noting that *inter alia*, observer safety, vessel size and costs are important considerations in improving observer coverage.

41 On the issue of the Regional Observer Programme (ROP), the Commission endorsed TCC2's recommendations that:

- a). an inter-sessional working group (IWG-ROP) be established to expedite further development of the ROP, in conjunction with the employment of an Observer Programme Coordinator (OPC) by the Secretariat; and
- b). the Commission task TCC3 with developing a Conservation and Management Measure for the establishment of the ROP.

42 A proposal developed by FFA members in consultation with other CCMs — entitled "Conservation and Management Measure for the Regional Observer Programme" (WCPFC3-2006/DP5, Rev.1) — to advance action on the issue of the ROP was tabled for adoption. The Commission adopted this proposal (Attachment N), noting that the proposed IWG-ROP should be convened as early as practical in 2007.

43. The Third Regular Session of the Commission (WCPFC3) at Apia, Samoa, 11-15 December 2006 adopted Conservation and Management Measure-2006-07 which established an Intersessional Working Group for the Regional Observer Programme (IWG-ROP). It was agreed that IWG-ROP should work inter-sessionally and to the maximum extent possible, conduct its work by electronic means.

Terms of Reference for the IWG-ROP

44 As recommended by the Second Regular Session of the Technical and Compliance Committee (TCC2), 28 September – 3 October 2006, at Brisbane, Australia and later approved by WCPFC3; the Terms of Reference for the IWG-ROP are to, *inter alia*:

- i. comment on the adequacy of near and long term objectives for the design

- of the ROP;
- ii. consider the institutional and financial arrangements necessary to support the ROP and its implementation
 - iii. consider science, technical, compliance-related, practical and economic elements of the programme and their feasibility
 - iv. develop a detailed strategic plan, including a practical time table, for the development and phased implementation of the ROP, taking into account the characteristics of each fishery;
 - v. develop procedures for deployment observers under the ROP
 - vi. consider a list of tasks for ROP observers for each fishery;
 - vii. consider standard and harmonized procedures for observers, including data and reporting formats and debriefing procedures;
 - viii. consider ROP observer coverage taking into account other observer programmes and other means of collecting data required by the Commission.
 - ix. consider operational procedures and guidelines for security of observer data;
 - x. develop, in cooperation with main existing observer programmes in the Convention Area, a draft observer provider certification standard and procedure, to include *inter alia*:
 - . Recruitment, selection, qualifications and training of individuals;
 - . Capability to implement the technical and operational protocols for the observer role and tasks, including data management issues, as required by the Commission;
 - . Day to day management of observers, including all personnel and financial matters, and the co-ordination of all logistical components;
 - . Capacity to handle efficiently, effectively and safely the deployment and recovery of observers;
 - . Capacity to arrange for debriefing of observers and primary checking and validation of data collected and reports prepared;
 - . Safety policies and procedures; and
 - . Maintenance of good communications links with client States, companies and vessels receiving observers.
 - xi. prepare guidelines for the rights, duties and responsibilities of observers;
 - xii. develop a procedure for facilitating the development of national observer programmes to achieve Commission certification;
 - xiii. consider data management needs for the ROP;
 - xiv. prepare standards for safety at sea course for observers;

- xv. consider a code of conduct for observers and procedures for monitoring observer's compliance with the code;
- xvi. provide recommendations to the Commission regarding safety standards to be met for carrying observers.

Process to date:

44. Following the recruitment of the Regional Observer Programme Coordinator on 22 February 2007, in Circular 2007/04, distributed to all CCMs on 2 March 2007, the Secretariat invited Members to nominate an observer expert for the IWG-ROP and to submit dates for a scheduled to be held in June 2007.

45. The response to this request produced 19 observer experts nominated by CCMs, and other regional organisations. In late March 2007 the Secretariat circulated an initial draft set of ROP documents to those observer experts that were nominated in response to the invitation in Circular 2007/04. Without prejudice to subsequent formal comment and input by CCMs nominated experts were invited to provide comments and suggestions on the initial draft set of documents by 18 May 2007. To the extent possible the document set produced and sent out on July 23 reflects comments received from those experts that responded to that invitation.

46. A physical meeting of the IWG-ROP was planned for mid June 2007 to discuss ROP issues,

47. In April 2007 CCMs were advised in WCPFC Circular 9-2007 that consistent with CCMs' comments the Secretariat had decided that there would not be a physical meeting of the IWG-ROP in mid-June and that until a meeting was held all IWG-ROP discussions would be conducted electronically.

48. Comments received by 18th May were coalesced into the documentation and a second set of draft documents were circulated to all CCMs. All CCMs were invited to further participate in the IWG ROP process and were asked to submit further comments and suggestions by 23rd July 2007.

49. Following submission of comments a revised set of documents was to be prepared and re-circulated to all CCMs based on the suggestions received. It was intended that this would occur early August. However, as it was difficult to amalgamate the widely varying comments on the ROP this was not done. Instead the current documents as sent out on 13 June 2007 plus all the comments received were supplied to the observer expert group of the IWG-ROP.

50. From the comments received from CCMs on the documentation it was apparent that there are several viewpoints on the structure of the ROP that can only be resolved by holding a physical meeting of the IWG-ROP immediately prior to TCC3. A circular 2007-19 was sent out to CCMs informing them that a meeting of the IWG-ROP would be held on 24th- 25th September 2007 in Pohnpei.

51. Members, Cooperating Non-members and Participating Territories (CCMs) were asked to nominate a Chair of the IWG-ROP and provide feedback electronically on the documentation circulated by the Secretariat,. New Zealand nominated Charles Karnella from the US to chair the IWG-ROP, The US have accepted this nomination, however the

position of chair will be decided at the IWG-ROP meeting to be held on 24th -25th Sept. 2007.

Future work plans

52. A set of documentation and comments, based on the Science outcomes of SC3, is to be circulated to the IWG-ROP and CCMs in early September. It was decided that a IWG-ROP meeting be held to resolve differences and to try and get the ROP development moving forward.

- **24 -25 September** - Intersessional Working Group meeting – Regional Observer Programme
- **27 September – 2 October:** TCC3 will consider the work of the IWG-ROP and status of the documentation to support implementation of the ROP, including a draft Conservation and Management Measure.
- **24 October:** A revised version of the Programme Document and other documents, addressing comments from the SC3 and TCC3, will be prepared by the Secretariat and submitted to the Commission at least 40 days in advance of its 4th meeting.
- **3-7 December:** WCPFC

SECRETARIAT COMMENT ON THE DEVELOPMENT OF THE ROP

53. It seems that there may be some misunderstanding by some CCMs regarding the development of the ROP being fully implemented by the end of 2008. In fact the full implementation of the ROP is proposed to take five (5) years. Implementation will be phased during this five- year period.

54. Whilst the hybrid model seems to be clear on how the funding of the ROP will apply funding of the ROP's operational component seems to be a major concern of some CCMs. To address this concern the Secretariat will investigate various funding options the findings of which should be available to the IWG if required.

Documents available to the IWG-ROP

55. To facilitate the work of the IWG-ROP by electronic means, on 13 June 2007 the following documents were made available to observer experts nominated by their countries to participate in the IWG-ROP:

- Draft Strategic Plan for the Development and Phased Implementation of the ROP
- Draft Programme Document
- Fisheries to be monitored by the Regional Observer Programme (Appendix A)
- Standards required for accreditation of Observer Providers(Appendix B)
- Standardised procedures for ROP observer deployment (Appendix C)
- Procedures for debriefing ROP observers (Appendix D)
- Observer training, Trainer and ROP Observer Certification Standard (Appendix E)
- Provisional List of Observer Tasks (Appendix F)

- Rights and Responsibilities of Observers (Appendix G)
- Duties, rights and Responsibilities of master and Crew (Appendix H)
- Code of Conduct for observers (Appendix I)
- Vessel Safety Check Form (Appendix J)
- Format standards for Data Collection and Reporting (Appendix K)

56. The Pacific Island Forum Fisheries Agency, “Conservation and Management Measure for the Regional Observer Programme WCPFC3-2006-DP05” was also forwarded to the IWG-ROP for consideration in the development of the ROP. This document was also included in the document set distributed to the IWG-ROP on June 13 2007.

Elements for Consideration in the development of the ROP.

57. The Convention requires the avoidance of duplication of current observer programmes, where possible, considerable benefits will be gained by employing already trained national and regional observer programme observers under the auspices of the Commission. However, the Convention also specifies that observers shall be independent and impartial and balancing these two important facets will be the key to implementing a viable Commission-based observer programme.

58. There are fundamental issues that emerge when developing any observer programme and these need to be considered at an early stage to ensure there is full understanding on the definition of certain phrases and wording. Examples include “independent and impartial”, “coverage” and “adjacent high seas”. Clear definitions need to be agreed upon by members to ensure that there is no misunderstanding when the operational phases of the ROP is commenced. *e.g. Independent and Impartial in the CCAMLR observer programme require the observer to be from a flag State different to the flag of the vessel. This is also the understanding in the US Treaty and the FSM Arrangement observer programmes; however some members in the WCPFC have other definitions and these needs to be clarified as early as possible.*

59. Commission observer programme will collect scientific, management, environmental monitoring as well as compliance information. It is important that any of the standards for data collection be harmonized with existing regional and national programmes. All of the Pacific Island nation’s and French territories currently use standardised and harmonised endorsed observer formats. Practical benefits such as savings on printing costs of workbooks, manuals and other information and assimilation of ROP-related data and information will occur if the Commission were to employ similar formats as are already in use.

60. A key element of any Commission-based observer programme is the timeliness and the broader issue of data quality for both compliance and scientific purposes and the need for data verification and observer debriefing protocols. These elements will be required to ensure the best outcomes for management purposes are attained; these elements will be developed as soon as possible.

61. Observer duties can include collecting data on fishing operations, catch, length frequency, vessel/aircraft sightings, species of special interest, and any other incidents.

Special summaries of data collected by observers will be produced from data held on a ROP data base including fishing techniques, information on marine mammals, turtles, sea birds, and sharks, vessel catch reporting, by-catch and discard reporting, telex or e-mail reporting, vessel sightings, and miscellaneous comments. Therefore, as recommended by SC1, a centralized data base should be considered for development and implementation as soon as practical.

62. In relation to data fields to be collected by ROP observers, it was evident by the reaction the data field's paper WCPFC-SC3/GN WP-6 presented to SC3, that there was a misunderstanding of the need to collect certain data fields, especially those fields connected to the current CMM's of the Commission. Some delegations also did not agree to some data fields as they needed evidence that these fields needed to be collected. To ensure there is no delay in developing a ROP, minimum data standards need to be established, however it should be noted that observer programme data fields will continually be reviewed with the occasional need to add or delete fields that are required. The current processes of having the Commission approve all the changes to ROP data fields in the future could be extremely time consuming at meetings. Thought should be given to establishing a Commission Data Consultative Committee.

63.. To ensure the data being used by scientists, managers and compliance persons is of the highest standards, debriefing of observers and their data where possible after their trip return as well as the employment of a Data Quality Officer to ensure only relevant and correct information is entered into the ROP data base is essential. Data base development could occur in the early stages of the ROP development; however employment of a Data Quality Officer could wait until observer deployments start occurring.

64. It has been suggested that a significant role for the Secretariat will be associated with audits or verification of standards approved by the Commission and that these are associated with sub-regional, regional or national programmes contributing to the ROP.

END