

# Virtual Meeting 2 of HSBI WG 26 June 2025 10:00 – 12:00 (Pohnpei time)

## Chair's Summary Report

Issued: 16 July 2025

## Agenda Item 1. Opening of Meeting

- The second Meeting of the Voluntary HSBI Regional Guides Intersessional Process (HSBI-WG012) was held virtually on 26 June 2025, Pohnpei time. The Chair of the Voluntary HSBI Regional Guides Intersessional Process, David Power (Australia), called the meeting to order at 10:00am.
- The Chair recognised the various participants and thanked them for their continued support and engagement in the development of draft guides. The WG adopted the agenda (Attachment 1). The Chair also confirmed that Canada, New Zealand and Australia would provide updates on additional draft guides under Agenda 3.
- 3. Participants in HSBI-WG02 included representatives from Australia, Canada, China, Cook Islands, European Union, France, Japan, Korea, New Zealand, Philippines, Solomon Islands, Chinese Taipei and United States, as well as Pew Charitable Trusts and the Secretariat. A list of participants is provided in Attachment 2.

## Agenda Item 2. Introduction and Opening Remarks

- 4. The Chair thanked participants for their engagement in the first HSBI WG on 4 March, which helped to frame the work to be progressed by HSBI WG participants. At the first meeting, several participants had provided presentations of techniques used during HSBI activities, for their consideration in the development of draft voluntary regional guides. Since then, there has been progress in developing these guides. This meeting will consider a revised draft for DNA testing protocols prepared by Australia; a draft from France setting out a process for verifying fish quantities on board; the 2019 standardised multi-language questionnaire; and Canada has provided a copy of the presentation that will underpin the future development of a draft guide for evidence testing. Progress has also been made in developing texts for the bycatch mitigation guides and measuring calibration tools. A third virtual meeting is planned for 7 August to further develop and.
- 5. The goal of this meeting is to share feedback on the guides to date, particularly on the structure and format for the guides, with revised text to be considered on 7 August with the view to finalising draft guides for consideration by this year's TCC meeting.

# Agenda Item 3. Discuss Draft HSBI Voluntary Regional Guides | Tools for High Seas Boarding and Inspections

#### 3.1 Draft Voluntary guide for DNA testing in HSBI - prepared by Australia

- 6. The Chair introduced <u>Working Paper 2</u> and explained that the structure of the guide followed the approach in the framework document which was presented to the first virtual Working Group (<u>HSBI-WG01-2025-WP01</u> DRAFT HSBI Guide Framework Document Proposed to support consultation via the WCPFC Intersessional Process ). The cover page to this guide includes a revision history; the purpose statement; and then the information in the guide.
- 7. The Chair requested views from participants on the draft Guide. Key points raised in the discussions included:

#### General structure and Scope

- In response to a question about whether the intention was to have individual CCM procedures as well as the guide, the Chair explained the intent was to set out minimum standards. The reference to national guides was recognition that CCMs may have their own procedures in addition to the minimum standards. For example, it was intended that CCMs share their DNA testing procedures with all CCMs.
- In response to a question about the relationship between the guide and the international standards that may be applicable to some CCMs, the Chair explained that the intention in the guides was to ensure that DNA testing and analysis is conducted in accordance with accredited procedures and that CCMs set out any recognized standards that may be applicable.
- It was noted that some CCMs have certified laboratories that needed to be used to provide proof of sampling. Another CCM noted that there were protocols for laboratory testing and that it was important to be able to set out what standards were applicable when DNA testing is used.
- A suggestion that the scope of DNA testing should be limited to distinguishing between 1. Southern bluefin tuna and Pacific bluefin tuna. 2. small bigeye and yellowfin tuna. Subsequent discussions, led to a third point which was testing of shark species and to keep the scope all encompassing, the third point was clarified to include all species "prohibited for retention". The text in the draft guides was updated to reflect this discussion.

#### Role of DNA testing in supporting flag CCM investigations

- A view that the working paper presents a guideline, so their understanding is that DNA testing could not-be used to sanction a vessel. DNA sampling was for the purpose of risk analysis and should allow for resampling by the flag CCM. Other participants said that the goal of these guidelines is to set out minimum standards for DNA testing so that it could be used as evidence to sanction a vessel, but the flag state can ultimately choose how they use the evidence provided or if they want to do further testing.
- There was a question about whether the fish that was subject to DNA testing by the boarding inspection party can be identified so that the flag CCM can later undertake their own testing of the same individual fish for the purpose of sanctioning the vessel. The Chair noted the importance of the points raised and asked whether the boarding inspection could

be sufficient evidence to satisfy the flag CCM so that it could undertake a subsequent sanction if they choose to do so.

- A view that DNA testing was appropriate for risk analysis, but also that this can support investigative efforts by the flag CCM and sanctioning vessels. Based on this CCMs long history of using DNA testing, it considered that DNA testing can be used to support domestic prosecutions so long as proper protocols and procedures were used.
- A view that the evidence collected during the HSBI boarding was only a starting point. The flag CCM was responsible for undertaking an investigation. Genetic testing is another tool for use by the flag CCM if it wished. Any technology or process, such as genetic testing, should be treated the same as any other process or procedure.
- A view that whilst the responsibility was on the flag CCM to undertake an investigation, it was also important to have the legal basis for follow-up by the flag CCM. If there was, for example, no certification of the laboratories, there was no possibility for the flag CCM to follow-up. Therefore, issues such as how to undertake the testing and the accreditation were in their view important.
- It was noted the importance of not having guides that were too prescriptive and that it should contain core principles that should be used. A view was expressed that the use of terms such as 'shall' or 'must' within the draft guide may unintentionally convey binding obligations. It was suggested that the document adopt clear, non-binding language to avoid confusion regarding the voluntary nature of the guidance.
- A suggestion that the Guide needs to reference the identification of samples, and the process for the flag CCM to potentially access these samples to support their investigations.
- An indication that one CCM is still considering where DNA testing fits within the HSBI system and there are several details and logistical matters, such as DNA testing of tissue samples, that will need to be addressed.
- In addition to flag CCM responsibilities, it was noted that there could be information from HSBI activities, including DNA sampling, that could lead to a request for port inspection, and perhaps the guide needs to envisage the potential for the Port CCM having an interest in the sample, particularly where there is a prohibited species.
- A view that if DNA results were to be used for compliance purposes, it would be useful to have more detail regarding the chain of custody to ensure that there would be a methodology to ensure that the chain of custody was maintained.
- Several participants emphasized that DNA testing should serve as a tool for risk assessment and investigative support. With clear chain of custody and analysis by accredited laboratories, DNA testing could also support enforcement action but any application of sanctions is ultimately a decision for the flag state.
- Several participants indicated their intention to submit comments on the draft guide during the intersessional period.
- 8. Australia, as proponent of Working Paper 2, noting that the guide was intended to operate at a high level, were also some technical details that were being drafted that could accompany the draft guide. The guide also includes some reference to accreditation of laboratories. In

response to all comments and suggestions, Australia indicated that any drafting suggestions and written feedback would be welcomed.

9. The Chair noted that the guide was separated into minimum standards as well as recognizing domestic procedures, which would be posted so that all CCMs knew what each CCM procedures are. The Chair also noted the example of fish biopsy that was included in the guide and obtained confirmation that this could be included.

# 3.2 Draft Voluntary guide on use of volumetrics method for estimating the fish quantity onboard – prepared by France

- 10. The Chair invited France to introduce <u>Working Paper 3</u> which is a step-by-step guide regarding the conduct of volumetrics for estimating fish quantities onboard. This procedure was presented as a guide for how the volume of frozen fish could be estimated and it was acknowledged that other procedures could be relevant for fresh fish.
- 11. The Chair noted that this process could be used to identify whether there were significant discrepancies between the quantities on board and the logbook, which could identify potential issues which could be followed up by the flag CCM.
- 12. Key points raised in the discussions included:
  - Noting that compared to the HSBI estimate, a more precise calculation of catch weights can be made at the offloading point.
  - The method outlined in Working Paper 2 was not to be used to identify one species which is on board or to provide final weight estimate, but rather it can be used as a risk assessment tool that can identify potential misreporting of catch onboard the vessel. It was not intended for use by itself or as a replacement for the calculation of catch at the offloading point. Such estimation could be used for risk assessment purposes and can be useful, for example, to the flag CCM to monitor the vessel and investigate further.
  - An observation that the method in Working Paper 2 could be an important tool. It provided an estimation, but the exact quantities are also important. It was pointed out that the method would need to be modified depending on whether the catch was fresh vs frozen fish. France noted that the method in Working Paper 2 was based only on frozen fish.
  - In response to a query regarding the documents such as vessel schematics that are referenced in the method, France noted that the documents that could be used are not mandatory, and some may not be useful for this method. If the documents are available on board, these could be useful for the boarding team, so they spend less time calculating volumes. These documents are not required, and the guide would not impose any additional requirements.
  - In further developing the guide, there was a request that France checks the details and the formula presented in the diagram, and for additional notes to explain how to accommodate heading and gutting practices on board a vessel.
  - The volumetrics tool is useful from a practical inspection perspective, despite being only an estimation. If Inspectors have access to the vessel schematics and plans, the volumetric tool can be used to estimate the hold volume. This then can provide an

indication of whether there may be false walls or compartments in the holds. Although the calculations may be complicated, Australia has a card that it could share as a useful tool for inspectors.

- Noting that ICCAT has a conversion factor ratio that was formally adopted, there was a query as to whether a similar decision would need to be taken by WCPFC to support the use of this guide. If so, it may be a complex discussion to reach agreement on a single conversion factor ratio in WCPFC context.
- 13. The Chair noted that there was more work to be done on this guide, particularly regarding the purpose, and to clarify its use for risk assessment. The Chair requested participants provide views in writing before the next meeting.

#### 3.3 Review 2009 Standardized Multi-language Questionnaire

- 14. In response to a query from a participant, the Secretariat noted that <u>Working Paper 4</u> contains no changes made to the questionnaire which was originally issued on 6 February 2009. Since the finalisation of the questionnaire in 2009, several Members have provided translated versions in a range of languages to support HSBI activities. The Secretariat confirmed that their understanding of the process through this Intersession Process, was to have clarity over the changes that would be made to the questionnaire, and that potentially there was interest by participants in updating the questionnaire to reflect new CMMs. The questionnaire initially produced was very general in nature. Now there is a discussion that a more detailed questionnaire should be developed, and it would be important to have guidance and direction on what is intended to be reflected in the questionnaire.
- 15. The Chair acknowledged an action point from the first virtual Working Group was to request that participants provide comments on necessary updates to the questionnaire.
- 16. Key points raised in the discussion included:
  - The questionnaire was too general, and a more specific approach was needed to support the scope of current HSBI activities.
  - Some participants noting that more recently, they had been using the Fish Talk app to support translation of key CMM-related questions.
  - There was a need to have more questions on the effective control of the fishing gear, lexicon of the main species, and how to pronounce them.
  - Encouragement to all participants provide comments to update and improve the usefulness of the questionnaire before the next meeting.
  - A suggestion that a lexicon to support the questions would also be useful. It may also be useful to have guides, such as the cetacean's identification guide, as an appendix.

17. The Chair requested participants provide views in writing before the next meeting.

#### 3.4 Update on development of Photo and Video Evidence Guide

18. The Chair invited an update on work to develop a voluntary guide for photographic and video evidence. Canada noted it intends to circulate a draft best practices document in the coming days or weeks, following the general format already introduced by Australia. The guide will be shared for feedback ahead of the next meeting in August, with opportunities for intersessional comments through the Chair and the Secretariat.

#### 3.5 Update on development of Bycatch Mitigation Guide

- 19. The Chair invited New Zealand to provide an update on the development of a bycatch mitigation measuring guide.
- 20. New Zealand advised that, while a formal draft is not yet ready, they are reviewing relevant material developed through other intersessional processes, particularly those relating to seabird mitigation. These existing guidelines may serve as a starting point for the working group's consideration. A draft is expected to be shared ahead of the next meeting.

#### 3.6 Update on Measuring Tool Calibration Guide

21. The Chair confirmed that Australia would take this topic forward. The Chair requested participants to provide their domestic guides on this.

#### Agenda Item 4. Programme of Work and Next Meeting

22. The next steps for the Intersessional Process outlined by the Chair included:

- I. The Chair will aim to send out a Chair's report of the meeting as soon as possible after the meeting.
- II. All participants are encouraged to share comments and questions via email to progress development of each guide.
- III. The third virtual meeting will be held for three-hours on 7 August 2025.
- IV. There will also be an opportunity to finalise text of each draft guide during the intersessional period prior to TCC.

## Agenda Item 5. Summary and Close of Meeting

23. The Chair expressed appreciation to all participants for their constructive input and for their continued support in the development of the voluntary guides. The meeting closed at 12.08pm Pohnpei time.

Attachment 1



Virtual Meeting 2 of HSBI WG 26 June 2025 10:00 – 12:00 (Pohnpei time)

## Adopted Agenda

1. Opening of Meeting

2. Introduction and Opening Remarks

3. Discuss Draft HSBI Voluntary Regional Guides | TOOLS FOR HIGH SEAS BOARDING AND INSPECTIONS

- 1. Draft Voluntary guide for DNA testing in HSBI prepared by Australia
- 2. Draft Voluntary guide on use of volumetrics method for estimating the fish quantity onboard prepared by France
- 3. Review 2009 Standardized Multi-language Questionnaire (English)
- 4. Updates on other Guides:
  - Photo and Video Evidence Guide Canada
  - Bycatch Mitigation Guide Guide New Zealand
  - Measuring Tool Calibration Guide Australia
- 4. Programme of Work and Next Meeting
- 5. Summary and Close of Meeting

#### Attachment 2

SECOND MEETING OF HSBI WG ONLINE 26 June 2025 LIST OF PARTICIPANTS

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