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Working Draft of Regional Observer Provider – Commission CCFS Process Flow

WCPFC22-2025-IP04a

15 November 2025

Submitted by the ROP-IWG Chair

(as provided to TCC21 with track changes removed - feedback requested)



Western and
Central Pacific
Fisheries
Commission

TECHNICAL AND COMPLIANCE COMMITTEE

Twenty-First Regular Session

24 September to 30 September 2025

Pohnpei, Federated States of Micronesia (Hybrid)

**WORKING DRAFT OF REGIONAL OBSERVER PROVIDER – COMMISSION CCFS PROCESS
FLOW – REVISION 1**

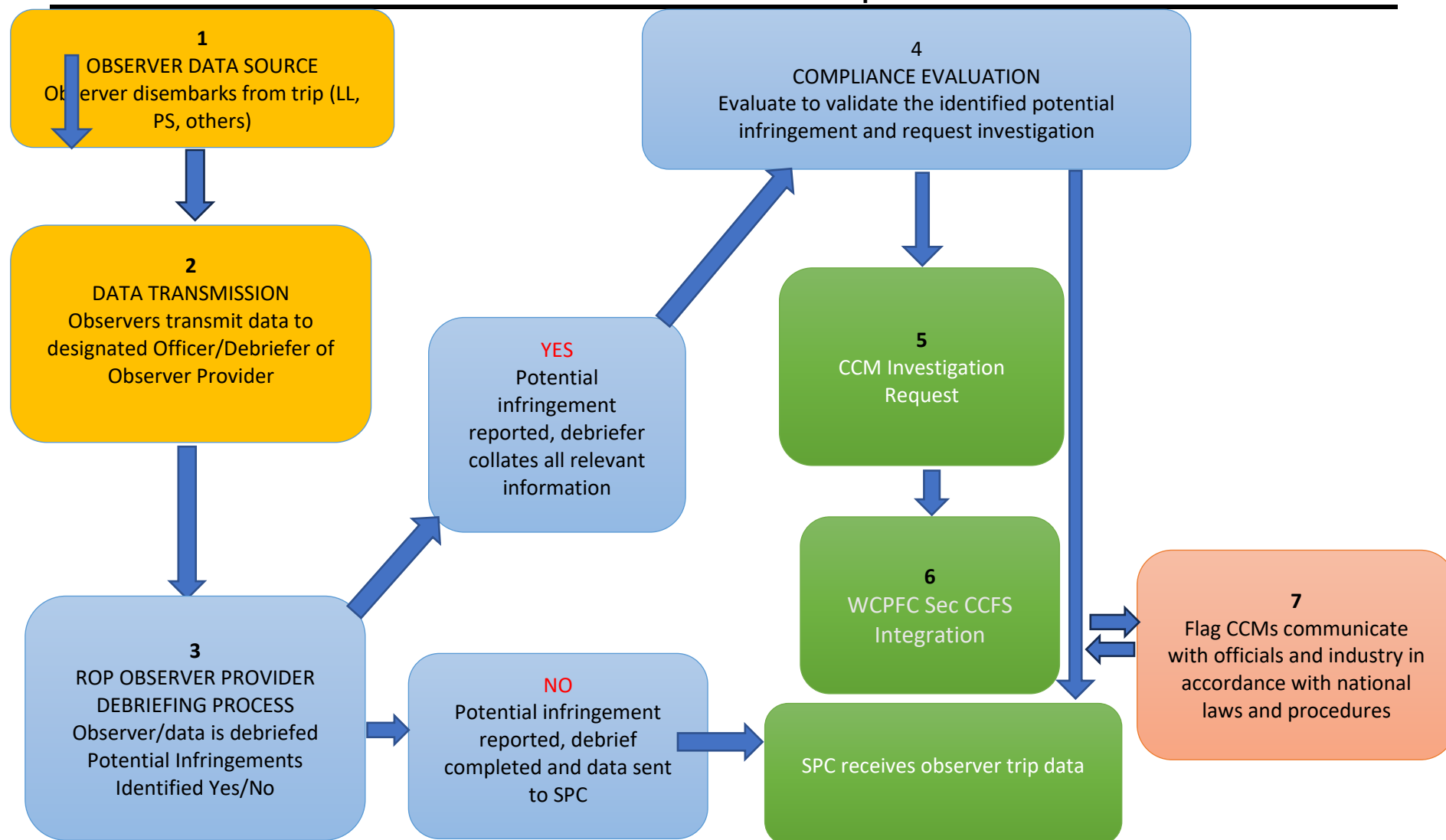
WCPFC-TCC21-2025-17B_rev1

29 September 2025

Submitted by ROP-IWG Chair

Purpose

1. This paper provides an updated working draft of the proposed Commission CCFS Process Flow. This draft has taken into consideration informal discussions between ROP-IWG participants during TCC21, in further reviewing and considering potential amendments to the pre-notification process adopted during WCPFC12.
2. The ROP-IWG Chair requests further feedback and views on this working draft by **October 10, 2025**.

Observer Provider – Commission CCFS process flow

Investigation outcome reported to Commission by Observer Provider and Flag state. Responses from other interested parties were relevant. Records of outcomes of investigations related to alleged infringements to be maintained Flag CCM and any other parties to the Case. Case progress review process administered by the WCPFC Secretariat

Notes:

1. Observer Data Source

- Observer disembarks
- Once the observer disembarks in port (home or foreign) the trip report is expected to be 90% complete
- Observer will notify observer provider to arrange for debrief and repatriation *CMM (agreed minimum standards and guides of ROPs) Standard requirement - IWGROP2/TCC4/WCPFC5*

Note that the requirements set out in [CMM 2017-03](#) Conservation and Management Measure for the protection of WCPFC Regional Observer Programme Observers would also apply to matters related to the health, safety and welfare of observers.

2. Data transmission

- Observer provides trip data either through hard copy in port or by ER processes (observer – ER database)
- It is recognized that within the Pacific Islands region, there are often existing arrangements that facilitate an observer being debriefed by another observer provider. For example, SBOB on POA trip is debriefed by PGOB debriefer.

3. ROP Observer-Debriefing Process

- Observer data is debriefed by an Observer Provider CCM, Coastal State, or other designated CCM.
- Debriefing will be conducted in line with the WCPFC ROP Agreed Minimum Standards and Guidelines as updated in 2023.
- Debriefing will prioritize any potential infringements against the agreed listed CMMs' paragraphs identified through a WCPFC ROP Debriefing Questionnaires (*to be developed*) to facilitate completing the WCPFC Observer Trip Monitoring Summary Form
- If the debriefer gives a "YES" in any or all of the agreed/listed CMMs paragraphs in the WCPFC ROP Debriefing Questionnaires, that form supported with observer evidence (photo/video/statement) is then passed on to the **designated CCM's personnel/contacts** in **Step 4** to verify and validate the debriefers' potential compliance summary report generated from the Debriefing questionnaires.
- If a "NO" is attained from the Debriefing questionnaire on the listed CMMs paragraphs, the trip data is cleared and send to SPC for scientific purposes and archiving.

4. Compliance Evaluation and Vetting

- The CCM designated personal/contact will review the debriefers report and complete an "Infringement Notification Form/Report" (to be developed), if potential infringements indicated in the debriefers report are established to be genuine with supporting evidence/information obtained from the observer report.

- At this step, a full case package is compiled with the following details;
 1. An Infringement Notification Form/Report outlining the
 - (a) Vessel and Trip Details,
 - (b) Infringement Descriptions (Date/Time, Location, Set/Species #, etc)
 - (c) Compliance Analysis
 - (d) Recommendation for Flag/Coastal state investigations
 2. Supporting Evidence (photo/video, observer statement or crew statement, including relevant observer reports forms)
- These details will be then used under CMM 2018-05 paragraph 11, to trigger an Article 23(5) or Article 25(2) CCM request in **Step 5** for investigations by the flag state responsible and the Coastal state that the infringement occurred.
- If the compliance evaluation carried out is NO CASE, due to insufficient observer information and or evidence, the data is given a CLEARED authenticity on the WCPFC Debriefers Report Form and submitted to SPC.

5. Formal Investigation Request

- The “Initiating CCM” (Observer Provider CCM, Coastal State CCM, or other designated CCM responsible for debriefing and compliance evaluation), submits a formal request to the Flag CCM including the Coastal State CCM, to investigate the alleged violation, as outlined in **Step 4**.
- The formal request is transmitted via email copying the WCPFC Secretariat for CCFS integration in **Step 6**.
- The flag CCM initiates a full investigation and provides progress reports within two months, per Article 25(2).

6. WCPFC Secretariat CCFS Integration

- When receiving a copy of the request, the Secretariat entered the case into the CCFS for tracking and centralized record-keeping of the case until it is closed.
 - The investigation outcomes and data from this process and through the CCFS are then considered in the CMS process for inclusion in the CMR, ensuring timely and accurate compliance assessments.
7. Flag CCM and other parties act on notification of a potential infringement and investigate, prosecute, and penalize proven infringements in accordance with national laws.
- The flag CCM initiates a full investigation and provides progress reports within two months, per Article 25(2) through the CCFS.

A Sample WCPFC ROP Debriefing Questionnaire

Trip Information

- Observer Name: _____
- Observer Programme: _____
- Vessel Name: _____
- Flag State: _____
- Trip Start Date: _____
- Trip End Date: _____
- Total Number of Sets: _____
- ROP Trip (Yes/No): _____ *(if Yes, proceed answering the questionnaires)*

Debriefing Questionnaire

The following table lists questions related to the potential compliance issues under the agreed lists of WCPFC CMMs for the CCFS purposes. Check **YES** or **NO** for each question. For **ANY** responses requiring further information, provide details (e.g., date, time, location, coordinates, set number) in the **Details** column or attached additional documentation -such as photos, videos and statements.

CMM 2018-05 (Regional Observer Programme), Paragraph 15(g) and Annex B			
QUESTIONS	YES	NO	Details (Date, Time, Location, Who, Notes)
1. Were there any instances during the trip where observer duties (e.g., captain's directives, crew interference)? <i>If YES, provide details in observer report.</i>	✓		<i>e.g; Observer was assaulted by the radio operator on xx/xx/2025, inside XX EEZ. Observer statement attached.</i>
2. Were there any instances where the observer was intimidated, resisted or delayed in performing duties, per Annex B (2(m), 4(a))? <i>If YES, provide details in observer report.</i>			
3. Were alternatives safe sampling methods offered when observer safety was cited as a concern? <i>If NO, provide details in observer report.</i>			
4. Did crew-collected samples fail to meet ROP standards (e.g., incomplete or inaccurate data)? <i>If YES, provide details in observer report.</i>			

CMM 2017-04 (Marine Pollution), Paragraph 2			
QUESTIONS	YES	NO	Details (Date, Time, Location, Who, Notes)
5. Were there any instances during the trip where plastics (e.g., packaging, items containing plastic, polystyrene) were discharged from the vessel? <i>If YES, provide details (e.g., material type, time, date coordinates, location) in observer report.</i>			<i>e.g Date: April 26, 2025; Time: 14:30; Coordinates: 2°S, 175°E; Location: XX EEZ; Notes: Observer noted a paper box containing plastic packaging discarded overboard.</i>
CMM 2023-01 (Tropical Tuna), Paragraphs 13-14			
QUESTIONS	YES	NO	Details (Date, Time, Set No's, Location, Notes)
6. Were there any sets during the trip where FADs were deployed, serviced, or set-on between July 1 and August 15 in EEZs or high seas between 20N and 20S? <i>If YES, specify set numbers and details (date, time, coordinates, location).</i>			
7. Were there any sets during the trip where FADs were deployed, serviced or set on in high seas during the CMM's notified 1-month closure (April, May, November or December) <i>If YES, specify set numbers and details.</i>			<i>e.g No high seas FAD activity; CCM notified April closure, but trip sets were in EEZ.</i>
8. For sets outside closure periods were any FADs observed to be entangling (e.g., using mesh nets), violating paragraph 16? <i>If YES, specify set number and details.</i>			
CMM 2024-05 (Sharks), Paragraph 24(1-2)			
QUESTIONS	YES	NO	Details (Date, Time, Set No's, Location, Notes)
11. Were there any sets where oceanic whitetip or silky sharks were retained, transshipped, stored, or landed in whole or in parts? <i>If YES, specify set numbers, species, quantities and details.</i>			
12. Were there any sets where oceanic whitetips or silky sharks were not promptly released with minimal harm (e.g., not following safe release guidelines)? <i>If YES specify set numbers and details (e.g., condition: alive/dead)</i>			<i>e.g; Set 20; Date: April 20, 2025; Time: 10:15; Coordinates: 1°S, 176°E; Location: XX EEZ; Notes: Silky sharks not released promptly; one appeared injured.</i>

CMM 2024-05 (Whale Sharks), Paragraph 25 (1-2)			
QUESTIONS	YES	NO	Details (Date, Time, Set No's, Location, Notes)
13. Were there any sets where a purse seine was set on a tuna school associated with a whale shark sighted prior to the set? <i>If YES specify set numbers and details (date, time, coordinates, locations)</i>			<i>e.g; No whale shark sightings reported.</i>
14. Were there any sets where whale sharks were retained, transshipped or landed, in whole or in part? <i>If YES, specify set numbers and details.</i>			<i>e.g; No whale shark retention reported.</i>
15. For sets with incidental whale shark encirclement, was safe release not performed per paragraph 25(5) or incident reporting not completed per paragraph 25(5)(b)? <i>If YES, specify set numbers and details.</i>			<i>e.g; Not applicable; no encirclements reported.</i>
CMM 2024-07 (Cetaceans), Paragraphs 1-5			
QUESTIONS	YES	NO	Details (Date, Time, Set No's, Location, Notes)
16. Were there any sets where a purse seine was set on a tuna school associated with a cetacean sighted prior to the set? <i>If YES specify set numbers and details (date, time, sets no's, location).</i>			
17. Were there any sets where cetaceans were unintentionally encircled, and the net roll was not stopped or safe released was not ensured per paragraph 2(a)? <i>If YES specify set numbers and details.</i>			
18. Were there any sets where cetacean encirclement incidents were not reported per paragraph 2(b)? <i>If YES specify set numbers and details.</i>			
19. Were there any sets where cetaceans were retained, transshipped or landed, in whole or in parts? <i>If YES, specify set numbers and details.</i>			
20. Were there any sets in long line fisheries where entangled cetaceans were not released with minimal harm per paragraph? <i>If YES, specify set number and details.</i>			

CMM 2019-05 (Mobulid Rays), Paragraph 3-5			
QUESTIONS	YES	NO	Details (Date, Time, Set No's, Location, Notes)
21. Were there any sets involving targeted fishing or international setting on mobulid rays? <i>If YES specify set numbers and details (date, time, sets no's, location).</i>			
22. Were there any sets where mobulid rays were retained, transhipped or landed, except as per paragraph 6 (purse seine surrender to authorities)? <i>If YES, specify set numbers and details.</i>			
23. Were there any sets where mobulid rays were not promptly released alive and unharmed or did not follow annex 1 handling practices? <i>If YES specify set numbers and details.</i>			<i>e.g; No mobulid ray interactions reported.</i>

Action Required

- For any **YES** response, immediately submit this form/report to the designated WCPFC Compliance Contact for compliance cases evaluation and vetting.
- Ensure all YES responses are detailed in this form/report, including set numbers, dates and times, coordinates, and other relevant information.

Debriefers Certification

I certify that this report accurately reflects the observer's responses during the debriefing conducted on [Date: _____] and aligns with the questionnaire's guidelines.

- Debriefers Name: _____
- Signature: _____

FOR COMPLIANCE OFFICIAL USE ONLY [Tick the appropriate box] ☐ No Potential Compliance Issue – Trip Data is CLEARED ☐ Potential Compliance Issues – Trip Data is being Notified to relevant CCMs for investigations
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