



## **TECHNICAL AND COMPLIANCE COMMITTEE**

### **SIXTH REGULAR SESSION**

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Pohnpei, Federated States of Micronesia

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### **2009 FAD Closure Report**

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**WCPFC-TCC6-2010/09 Rev 1**

**23 September 2010**

Prepared by the Secretariat

#### Introduction

1. The TCC5 and WCPFC6 requested that a FAD closure report be made regarding observers comments contained in last year's ROP report to TCC5. Many of the reports as indicated at the time were made verbally by observers visiting the Commission or were passed on by ROP Coordinators or by observers direct from the vessel to the Secretariat. The reports were to be verified when the data from the observers was sent to the Secretariat. At the time of preparation of this document only four countries had given permission for the Secretariat to use their observer data for the report on the 2009 FAD closure period and, unfortunately some of those reports have still to be received and entered by the Commission's Data Provider (SPC). However, the GEN3 (Vessel Trip Monitoring Reports) for 148 trips have been received by the Secretariat, of these 76 trips were for the 2009 FAD closure period, and these forms have been used to compile some of the reporting in this paper.

#### Coverage during 2009 FAD Closure

2. The 2009 FAD closure period for August and September had 100% observer coverage for all purse seine vessels fishing between 20°N and 20°S. A summary report of the FAD closure period of vessel coverage is contained in Table 1. There was some confusion at the beginning of the closure period as vessels tried to find observers for their vessels as some vessels had left it late, and were having problems in finding available observers for their vessels prior to August 1<sup>st</sup>. However, shortly after the commencement of the closure period, all vessels were reported to have an observer on board. Many of the observers were contracted by their providers to stay on the vessels for the two month closure period. The observer coverage during the period was maintained at 100%. Of the 215 vessels being monitored, 51 vessels had indicated they were not fishing in the WCPFC Convention Area 20°N to 20°S during the closure period indicating reasons as shown below:

- 21 vessels indicated they were in, or going to 'Dry Dock' during the period;
- 18 vessels declared they were fishing outside of the 20°N – 20°S closure area (most of these

- vessels fished in the IATTC Convention area);
- 9 vessels declared they were not fishing during this period; and
- 3 vessels decided to fish only as domestic vessels and were not part of the ROP

**Table 1:** Summary of 100% observer coverage for FAD Closure period Aug 1<sup>st</sup> – Sept 31<sup>st</sup> 2009

Vessel Flag	Number of Vessels	Number of Obs. placed	Vessels advised not fishing	Number of Observers Required	Observers still to board and/or notification of not fishing to be received
China	12	11	1	11	0
Chinese Taipei	32	24	8	24	0
Ecuador	7	0	7	0	0
El Salvador	2	2	0	2	0
FSM	5	5	0	5	0
Japan	36	24	12	24	0
Kiribati	3	2	1	2	0
Korea	27	24	3	24	0
Marshall Islands	6	6	0	6	0
New Zealand	4	4	0	4	0
Papua New Guinea	3	0	3 <sup>1</sup>	0	0
Philippines	17	12	5	12	0
Solomon Islands	1	0	1	0	0
Spain	4	1	3	1	0
Tuvalu	1	1	0	1	0
United States	39	33	6	33	0
Vanuatu	16	15	1	15	0
Totals	<b>215</b>	<b>164</b>	<b>51</b>	<b>164</b>	<b>0</b>

<sup>1</sup> Vessels advised as fishing only in domestic waters.

### Vessel Trip Monitoring Forms GEN3

3. The observer ‘Vessel Trip Monitoring Form’ (GEN3) is a trip monitoring form completed during and on completion of their trip onboard a purse seine or longline vessel in the Convention area. The forms that were received from the ROP national and subregional programmes were the FFA/SPC version issued in 2007 for purse seiners. The FFA /SPC GEN3 forms analyzed for 2009 do not contain all the standard data fields required by the Commission. The equivalent Commission minimum standard wording has been added to the table for information purposes. The GEN3 Form was revised at the Data Consultative Committee meeting held late 2009, and will be issued with all Commission Data Standard Fields for observer use in January 2011. An analysis of 76 trips received for the FAD closure period presented in Table 2 also provides the percentage of trips where the observer had recorded a positive response to alleged non compliance. Altogether GEN3 forms for 148 trips (Table 3) were received by the Secretariat, of these 76 occurred during the FAD Closure period in 2009 (Table 2).

**Table 2.** Vessel Trip Monitoring Record FAD Closure Period 2009 (Data based on 76 trips received for FAD closure period 2009.)

<b>Vessel Trip Monitoring Record (FFA/SPC 2007 version)</b>	<b>Alleged Non Compliance Percentage</b>	<b>Replacement Commission Minimum Data Standard to be in place by 2012</b>
<b>Vessel Master and crew attempted or did any of the following:</b>		<b>Did the vessel do any of the Following</b>
a) Record inaccurate positions on the vessel logsheet	3%	Inaccurately record vessel position on vessel log sheets for sets, hauling and catch.
b) Fish in an area that were not covered by any license or access agreements	1%	Fish in areas where it is not permitted to fish
c) Misreport catch in vessel logs or weekly reports	17%	Inaccurately record retained target species in vessel logs Inaccurately record target species discards Inaccurately record retained bycatch species Inaccurately record bycatch species discards
d) Not reporting catch of commercial species including discards	24%	Inaccurately record retained target species in vessel logs Inaccurately record target species discards Inaccurately record retained bycatch species Inaccurately record bycatch species discards
e) Not record by-catch and discards	36%	Inaccurately record bycatch species discards
f) Record by-catch and discards inaccurately	25%	Inaccurately record bycatch species discards
g) Target species other than those they are license to target	0%	Interact with Non Target Species
h) Use a fishing method other than the method they are licensed to use	5%	Use a fishing method other than the method the vessel was designed or licensed
i) Record one species as another species	38%	Record species inaccurately
j) Catch species of special interest	21%	Interact with Non Target Species
k) Breach MARPOL Regulations	38%	Dispose of Metals, Plastics Chemicals Oil or old Fishing Gear
l) <i>This item is not required for recording by the Commission</i>		
m) Transfer fish from or to another vessel at sea	11%	Transfer or transship fish from, or to, another vessel
n) Request that an event not be reported	8%	Request that an event not be reported by the observer
o) <i>This item is not required for recording by the Commission</i>		
p) Hinder the observer in carrying out of their duties	9%	Did the operator or any crew member assault, obstruct, resist, delay, refuse boarding to, intimidate or interfere with observers in the performance of their duties
q) Not supply reasonable accommodation, food and facilities to the observer onboard the vessel	8%	Did the operator fail to provide the observer, while on board the vessel, at no expense to the observer or the observer's government, with food, accommodation and medical facilities of a

		reasonable standard equivalent to those normally available to an officer on board the vessel
r) High grade or cull the catch	8%	High grade the catch
s) Not report position to countries when crossing from one zone to another	5%	Fail to report vessel position to countries, where required, when entering and leaving an EEZ (crossing to or from an EEZ into or out of the high seas)
t) Not display or present a valid (and current) license document onboard	3%	Coastal state license when applicable

**Table 3.** Vessel Trip Monitoring Record 2009 /2010 (Data based on 148 GEN3 forms received by Secretariat)

<b>Vessel Trip Monitoring Record (FFA/SPC 2007 version)</b>	<b>Alleged Non Compliance Percentage</b>	<b>Replacement Commission Minimum Data Standard to be in place by 2012</b>
<b>Vessel Master and crew attempted or did any of the following:</b>		<b>Did the vessel do any of the Following</b>
a) Record inaccurate positions on the vessel logsheet	5%	Inaccurately record vessel position on vessel log sheets for sets, hauling and catch.
b) Fish in an area that were not covered by any license or access agreements	1%	Fish in areas where it is not permitted to fish
c) Misreport catch in vessel logs or weekly reports	24%	Inaccurately record retained target species in vessel logs Inaccurately record target species discards Inaccurately record retained bycatch species Inaccurately record bycatch species discards
d) Not reporting catch of commercial species including discards	32%	Inaccurately record retained target species in vessel logs Inaccurately record target species discards Inaccurately record retained bycatch species Inaccurately record bycatch species discards
e) Not record by-catch and discards	37%	Inaccurately record bycatch species discards
f) Record by-catch and discards inaccurately	33%	Inaccurately record bycatch species discards
g) Target species other than those they are license to target	0%	Interact with Non Target Species
h) Use a fishing method other than the method they are licensed to use	3%	Use a fishing method other than the method the vessel was designed or licensed
i) Record one species as another species	41%	Record species inaccurately
j) Catch species of special interest	28%	Interact with Non Target Species
k) Breach MARPOL Regulations	42%	Dispose of Metals, Plastics Chemicals Oil or old Fishing Gear
l) <i>This item is not required for recording by the Commission</i>		
m) Transfer fish from or to another vessel at sea	11%	Transfer or transship fish from, or to, another vessel
n) Request that an event not be reported	7%	Request that an event not be reported by the observer
o) <i>This item is not required for recording by the Commission</i>		

p) Hinder the observer in carrying out of their duties	11%	Did the operator or any crew member assault, obstruct, resist, delay, refuse boarding to, intimidate or interfere with observers in the performance of their duties
q) Not supply reasonable accommodation, food and facilities to the observer onboard the vessel	6%	Did the operator fail to provide the observer, while on board the vessel, at no expense to the observer or the observer's government, with food, accommodation and medical facilities of a reasonable standard equivalent to those normally available to an officer on board the vessel
r) High grade or cull the catch	9%	High grade the catch
s) Not report position to countries when crossing from one zone to another	3%	Fail to report vessel position to countries, where required, when entering and leaving an EEZ (crossing to or from an EEZ into or out of the high seas
t) Not display or present a valid (and current) license document onboard	1%	Coastal state license when applicable

4. Observer's limited explanations given in the GEN3 forms indicate that:

- a) Recording inaccurate positions on the vessel logsheet
  - i) An Observer reported that in a few instances, the vessel logs were misreporting latitude as north (N) when indications on GPS were south;
  - ii) Observers reported incorrect positions posted in log books when crossing from one Zone to the other.
- b) Fishing in an area that were not covered by any license or access agreements
  - i. No report received on fishing, however, one observer reported vessel bunkered in Solomon waters but misreported the position to be on the high seas.
- c) Misreporting catch in vessel logs or weekly reports
  - i. Observers reported that often bigeye was not recorded and was recorded as yellowfin or skipjack
  - ii. Vessels underreported some sets, with some vessels not recording all sets particularly if only a small amount of tuna was caught.
- d) Not reporting catch of commercial species including discards,
  - i. Observers reported that some vessels often did not record tunas caught in sets where free schools had escaped, but still a couple of tons were caught in the net when hauled in.
- e) Not recording of bycatch and discards
  - i. Virtually all observers who recorded this field as 'Yes' said that the vessel did not keep any records of bycatch discards or of any commercial species being discarded.
- f) Record by-catch and discards inaccurately
  - i. Observers reported various problems in by-catch and discard reporting:
    - often the recorded amounts discarded were under reported,
    - some species were recorded for a set, but other species not recorded for the same set, and

if turtles, manta rays or species of special interest were caught and landed, vessels did not report in logs.

- g) Target species other than those they are licensed to target
  - i. Vessels target skipjack and yellowfin, with no reports from vessels targeting other species.
- h) Use of a fishing method other than the method they are licensed to use
  - i. Observers reported that crew were hand lining from vessel for tuna and other species attracted by lights.
- i) Recording one Species as another Species
  - i. Most observers reported that vessels were recording small bigeye tuna as yellowfin, or were recording small yellowfin and bigeye as skipjack
  - ii. Quote from observers report  
“Any of the target tuna species, YFT /BET that is less than 10lb is always called skipjack tuna, bigeye tuna is always recorded as yellowfin by the vessel .”
- j) Catch species of special interest
  - i) Observers recorded false killer whales, pilot whales, toothed whale, whale sharks, loggerhead, hawksbill and olive ridley turtle caught during the hauling of the purse net. One whale shark was injured and distressed and another was alive when caught but was deceased when released. One predawn set caught 30 pilot whales and another predawn set caught 15 false killer whales. Turtles were all reported as being alive on release.
- k) MARPOL
  - i. Continues to be a major problem with many vessels with most observers reporting that plastics contained in garbage continues to be thrown over the side, bilge water containing oil is discharged, empty salt bags and wire cables were also reported as being dumped at sea.
  - ii. A few of observers reported that the vessels they were aboard sorted the plastics from the garbage and incinerated all plastics.
- l) *Item not required by the Commission*
- m) Transferring of fish from or to another vessel at sea
  - i. All reports involved set sharing on the final set.
- n) Requesting that an event not be reported
  - i. A few vessels asked observers to not report certain activities of the vessel, and a vessel asked the observer to not record some species of special interest caught in the nets. A couple of observers reported that they were asked not to report FAD sets made during the FAD closure period. Observer reported that he was asked not to record any sets made predawn.
- o) *Item not required by the Commission*
- p) Hindering the observer when carrying out of their duties
  - i. Observers reported that a couple of captains were not helpful and made it hard to gather information, and one observer was prevented from measuring fish. One observer reported that his callipers were hidden by the crew, where as another observer spotted the crew

trying to hide a turtle that had been caught in the net, they tried to keep him away. Another observer reported he was prevented from recording information required when the vessel transferred fish to another vessel.

- q) Not supplying reasonable accommodation, food and facilities to the observer onboard the vessel
  - i. Observers generally reported that they were looked after, however, the major complaint of observers that answered positive to this field said that the accommodation was often very poor, noisy and crowded, and one observer was not given food and another toilet paper wasn't supplied.
- r) High grading or culling of the catch
  - i. It was reported that a couple of vessels were sorting out the sashimi grade quality of yellowfin from the catch and keeping them in separate freezers.
- s) Not reporting position to countries when crossing from one zone to another
  - i. Observers reported a few instances where vessels did not record any position when the vessel crossed from one Zone to another and then back.
- t) Not displaying or presenting a valid (and current) license document onboard
  - i. One observer was unable to view current licence for waters where the vessel was fishing.

5. The 2009 period required only 20% coverage for the entire year, except for the FAD closure period which required 100% coverage. The two months of 100% coverage resulted in most purse seine fleets achieving 20% overall coverage for the year; with the majority of the observer effort during the FAD closure period.

6. In Jan 2010, the 100% observer coverage for purse seiners commenced, and the FAD closure period in accordance with CMM 2008-01 was extended to cover the period from July to September. At the time of writing, it can be reported that all purse seine vessels fishing 20°N to 20°S are carrying observers for 2010.

7. The TCC6 is invited to review and comment on this report and provide guidance to address problems associated with data obligations to the Secretariat for the FAD closure for 2009.