



TECHNICAL AND COMPLIANCE COMMITTEE

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PROPOSED ARRANGEMENT BETWEEN IATTC AND WCPFC FOR THE CROSS-ENDORSEMENT OF OBSERVERS TO CARRY OUT DUTIES IN THE CONVENTION AREAS OF BOTH ORGANIZATIONS

WCPFC-TCC5-2009/09

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Introduction

1. Paragraph 29 of Conservation and Management Measure 2008-01 (CMM 2008-01) states:

In 2009 vessels fishing in the area described above will carry observers compliant with licensing arrangements and on the high seas will have a minimum of 20% observer coverage drawn from the Regional Observer Programme. The level of coverage achieved will be monitored and reported through TCC. The Secretariat, in conjunction with the Inter-American Tropical Tuna Commission (IATTC), will develop a cross-endorsement arrangement in order to allow vessels operating within IATTC and Commission areas on the same fishing trip to use the same observer.

2. This paper summarises discussions to date between the secretariats of the WCPFC and IATTC to progress consideration of a cross-endorsement arrangement in order to allow vessels operating within the IATTC and WCPFC areas on the same fishing trip to use the same observer. It seeks advice and guidance from the Technical and Compliance Committee (TCC) regarding further work on this matter.

Background

3. The secretariats of the IATTC and WCPFC met in the margins of the 80th IATTC Meeting held at San Diego, USA in June 2009. This paper is based on the agreed outcomes of those discussions and subsequent electronic communication.

4. The IATTC Observer Program:

- a) consists of an IATTC-Secretariat administered program and the national programs of parties;
- b) includes an observer program to monitor transshipment at sea by all large-scale tuna longline vessels (LSTLVs), mainly compliance with Resolution C-08-02, and that transhipped tuna quantities are consistent with the catch reported in the IATTC transshipment declaration;
- c) includes a scientific and enforcement program administered by the IATTC for the AIDCP. This applies to purse-seine vessels greater than 363 metric tons (t) carrying capacity. Its main purpose is monitoring the incidental catch of dolphins in the purse-seine fishery for tunas. The data collected are the basis for determining whether a Dolphin Mortality Limit (DML) has been exceeded, and is also used for scientific and research purposes, as well as for monitoring compliance with IATTC management and conservation measures. At least 50 per cent of

observers must be from the IATTC-administered component of the program. The remainder come from the national observer programs of the flag State; and

- d) is financed by contributions from parties and industry.
5. The WCPFC Regional Observer Programme:
- a) consists of observers from authorised sub-regional and national programmes of members;
 - b) includes scientific and compliance monitoring functions;
 - c) requires all vessels that operate beyond national jurisdiction on high seas or in other EEZs to participate in the programme;
 - d) will achieve 100 per cent coverage in the WCPO purse seine fleet from January 2010 and 5 per cent coverage of the longline fleet by June 2012;
 - e) requires purse seiners to use observers from the programmes of other members of the Commission¹. The source of observers for longline fisheries is still under discussion;
 - f) flag States or their vessels source observers directly from observer providers of the sub-regional or national observer programmes that have been authorised by the Secretariat to provide observers that have been trained and meet the standards set by the Commission;
 - g) the Secretariat has some observer deployment and training functions. However its basic function is coordination of the ROP, monitoring standards (audits) of the authorised programmes and administration of ROP data.
 - h) all members contribute to the Secretariat support functions. Flag States pay costs on a multilateral or bilateral arrangement basis to providers that are associated with achieving the required observer coverage.

Proposed Arrangement

6. It is proposed that each Commission authorize the functions and activities of existing observer programmes to extend to the Convention Area of the other organization. All data or information collected by observers operating on trips that extend into the Convention Area of the other organization will be provided to the both IATTC and WCPFC secretariats. The data will be exchanged under the Memorandum of Cooperation on the Exchange and Release of Data to be agreed by both Commissions. The Secretariats of the two Commissions may develop procedures for the transfer of the relevant data and information.

7. It is understood that, initially, the data and information requirements of each Commission may not be fully met by the observers authorized by the other Commission.

8. The cross-endorsement arrangement will not extend to WCPFC observers to endorse dolphin certificates for vessels fishing in the IATTC Agreement Area unless they have been authorized by the IATTC Secretariat for this function. It is understood that vessels fishing in the EPO that do not have a Dolphin Mortality Limit pursuant to the AIDCP shall not set on tuna associated with dolphins.

9. It is understood that vessels with observers may only fish in the IATTC Agreement Area if they are included on the IATTC Regional Vessel Register, and may only fish in the WCPFC Convention Area if they are included on the WCPFC Record of Fishing Vessels.

Proposed Work in 2010

10. The IATTC and WCPFC Secretariats work together to develop a cadre of observers from the observer programmes of each organization who may be used by vessels operating in both Convention Areas to fully meet the observer programme requirements of both IATTC and WCPFC.

¹ Except in the circumstances provided for in paragraph 14 of CMM 2008-01.

11. This work may include, among other tasks, the identification of the data and information required by the Commissions, and a Plan to ensure that observers are able to meet all such reporting requirements. The Plan should include a strategy for integrating any data or information gaps identified for either programme to the other so that a common set of data forms and formats may be used for observed trips on vessels operating in both Convention Areas during one trip. All minimum observer data standard fields of each Commission should be included in these formats.

12. In addition, the Secretariats should review the training and certification standards for observers who operate under the observer programmes (national, sub-regional and regional), including in relation to special situations of each organization; and consider a process for the inclusion of elements of the observer programmes of either organization not currently included in the training programmes of the other.

13. The status of the cross-endorsement initiative, a summary of activities and issues will be reported annually to each Commission to support an annual review of the operations of the observer program operating on vessels that operate in both Convention Areas and refine the program as necessary.

Advice and Recommendations

14. TCC is invited to provide advice and recommendations relating to the:

- a) proposed interim arrangements for supporting observer programmes on vessels that operate in the Convention Areas of IATTC and WCPFC on the same fishing trip;
- b) the proposed 2010 program of work to further develop a cross-endorsement programme for IATTC and WCPFC observers; and
- c) the key elements to be taken into account in the 2010 program of work, if that program of work is accepted.