Western and Central Pacific Fisheries Commission

TECHNICAL AND COMPLIANCE COMMITTEE
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COMPLIANCE MONITORING SCHEME - MATTERS FOR TCC9

WCPFC-TCC9-2013-07
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Paper prepared by the Secretariat

1. This paper collates information that may be relevant to a number of Compliance Monitoring Scheme related topics on the TCC9 provisional agenda:

TCC9 Provisional Agenda	This paper
Agenda 2.3 Target capacity assistance to areas of need identified by CMR process	Section A: Requests for assistance from CCMs in Annual Report Part 2 and in replies on preliminary draft CMRs
Agenda 2.5 Review of annual reporting templates and deadlines, online interface further development	Section B: Notes and feedback received on the use of online system for Annual Report Part 2 and draft CMR reporting in 2013
Agenda 11.7 Consider recommendations from CMS process about CMM provisions that were ambiguous or problematic	Section C: Commentary on Secretariat approach to reviews of implementation in draft CMR and notes on current limitations

Background

2. In 2013, WCPFC9 tasked the Secretariat with:
   i) finalizing the development of an online interface for Annual Report Part 2, with a view to making it available for all CCMs to use for their 2013 Annual Report Part 2; and
   ii) continuing work to develop internal systems to streamline the process of generating draft Compliance Monitoring Reports (draft CMRs).

The online interface for Annual Report Part 2 was delivered for CCMs use on 4th April 2013 (Circular 2013/21). The solution was hosted within the WCPFC Intranet, which uses a Microsoft Sharepoint web application platform. The successful delivery of the online system was as a result of the combined efforts of the WCPFC Secretariat Compliance and IT staff and contractor Taz-E P/L.

3. During July 2013, the Secretariat developed 39 draft CMRs in response to the requirements of CMM 2012-02. The activities involved in completing the CMR process were as follows:

- Monday 29th July: a preliminary draft CMR was provided to each CCM (online access to the WCPFC intranet system, and a pdf copy provided) (Circular 2013/65);

- During August: 16 CCMs took up the opportunity and provided responses, and where appropriate additional information, on the preliminary draft CMR prepared by the Secretariat using the online Compliance Monitoring Report system; and
- Thursday 5th September: a final draft CMR containing a chapter for each CCM, was posted to the secure side of the WCPFC website (Circular 2013/85).

Section A: Requests for assistance from CCMs in Annual Report Part 2 and in replies on preliminary draft CMRs

4. The *Final CMR report 2012* said: "Capacity building, in particular for SIDS is crucial in order for these CCMs to fulfill their obligations. To this end, common areas identified where capacity building may be needed is the VMS MTU/ALC audit and inspection; shark species identification and reporting; estimates of discards; and data collection in particular for Philippines and Indonesia." This section of the paper provides a summary of information that the Secretariat has noted from developing the dCMR report process of requests for assistance from members. Table 1 lists the requests that WCPFC received through Annual Report Part 2 and in replies from CCMs using the online Compliance Monitoring Report system.

Table 1. Requests for assistance noted in 2012 and 2013 Compliance Monitoring Report Processes

CMM	CCM	Assistance needed
CMM 2007-01 *ROP*	Fiji	2012: Kindly request the assistance from the WCPFC Secretariat to broker MOUs with other interested CCMs [for provision of observers]
	Nauru	2013: Nauru require more training for observers, debriefers, funding for data processing positions, equipment, scanners, electronic reporting devices such as tablets
	Vanuatu	2013: Request assistance related to observer coverage in longline fisheries
CMM 2007-04 *Seabirds*	FSM	2013: Require assistance to develop its NPOA-Seabirds
	Philippines	2013: PH does not have much information on seabird interaction. PH does not have the capability to differentiate various species of seabirds. PH may need assistance on this aspect to educate fishers and would help improve recording/s of seabirds interaction.
CMM 2008-03 *Sea Turtles*	Niue	2013: Requires assistance with implementation
	Marshall Islands	2013: Stated: "Dip net requirement deemed burdensome by industry and might entail further request for assistance
	French Polynesia	2013: With respect to circle hook trials: "We are ok with these kind of studies but no fund to do this"
CMM 2009-05 *Data Buoys*	Nauru	2013: Stated against para. 5: Require assistance to include MTC licensing condition prohibits fishing on data buoys in Nauru EEZ
CMM 2010-01 *NP Striped Marlin*	Marshall Islands	2013: Need clarification on applicability of the measure in instances where species is not targeted but caught as incidental bycatch
CMM 2010-07 *Sharks*	Nauru	2013: Request assistance from FFA to assess need for NPOA-Sharks
	Samoa	2013: Request funding assistance from WCPFC to promote voluntary compliance by introducing incentive base strategy for fishermen to foster compliance with national measures and WCPFC CMMs
	FSM	2013: Require assistance to develop its NPOA-Sharks
	Niue	2013: Requires assistance with implementation
CMM 2011-02 *VMS*	Nauru	2013: Require ongoing training for upgrade and new staff, capital for hardware purchases and integrating data systems
	Fiji	2012: " Awaiting FFA for notification on the training in this area"
	Kiribati	2012: Seeking advise and assistance from the Secretariat on undertaking the audit.
	Niue	2013: Requires assistance with national measures for VMS
	Vanuatu	2012: Awaiting VMS MTU Training of national fisheries inspectors to be able to undertake required auditing of MTUs.

Section B: Notes and feedback received on the use of online system for Annual Report Part 2 and draft CMR reporting in 2013

5. The 2013 Annual Report Part 2 online system is Version 1.0. For WCPFC the online system for Annual Report Part 2 showed its strength in providing a way for the WCPFC Secretariat to generate parts of the draft CMR reports on the WCPFC IMS system using the Annual Report Part 2 responses automatically (instead of the manual cut-and-paste process, and MS Word tables that we used last year). This contributed to the Secretariat successfully delivering draft CMRs to CCMs by the end of July, and meeting the required timeframes in the CMM.

6. Some features that were provided with the Annual Report Part 2 online interface included:
- *MTU audit inspections reporting table (VMS SSPs 2.14):* seven CCMs provided details of the MTU/inspection details using the online reporting tool. A further four CCMs provided their MTU/inspection details as attachments, which the WCPFC is currently inputting into the online system. Some CCMs may have overlooked the MTU audit/inspection table that was provided with Annual Report Part 2.
- *Previous year CMR reporting (CMM 2012-02 21):* each section of the Annual Report Part 2 provided CCMs with an opportunity to respond to previous year CMR issues (at the end of each CMM page there is a question "did CCM have previous year CMR issues to address?", and a separate section that appeared for CCM responses)
- *Document library:* for attaching copies of supporting documentation as appropriate.
- *User instructions for Annual Report Part 2:* which guidance with printing, navigating and completing the online survey.

7. The Secretariat took note of issues that arose during CCMs work on their Annual Report Part 2 reports (Box 1). The feedback that the Secretariat received from CCMs was largely positive, and was accompanied by suggestions for improvement (see Box 2). The WCPFC Secretariat welcomes further feedback from CCMs during TCC9.

8. In developing Version 2.0 of the Annual Report Part 2 online system, the Secretariat notes that there will need to be some prioritization of the any potential new features that CCMs would be seeking.

Box 1. Notes on areas where CCMs requested assistance from the Secretariat during their completion on the Annual Report Part 2:

Clarifying the steps for re-accessing the Annual Report Part 2 survey: The majority of requests that WCPFC assisted CCMs with related to circumstances once the CCM had started the Annual Report Part 2, and was logging in for the second time. A second set of instructions provided to CCMs resulted in a successful resolution of the problem.

Incorrect password: there was one incident where the WCPFC had provided a CCM the incorrect password, testing the password after the problem was able to rectify the problem quickly.

Browser incompatibility: there were two incidences where a CCM was asked to use an alternative internet browser which resolved the difficulties that they were experiencing with the system.

System security timeout: when the system was initially launched the security timeout was preset to 15 minutes. This timeframe was subsequently reviewed and during the period that online draft CMRs was available for CCMs replies the timeout was extended to 90 minutes.

Online system outage: two incidents during Annual Report Part 2 reporting period where the WCPFC intranet system was offline and so CCMs were unable to work on their Annual Report Part 2. One CCM reported that they lost some of their work on the system that they had entered immediately prior to the outage.

Box 2. CCM feedback and suggestions on the Annual Report Part 2

Thanks

"no problem, certainly easier doing it online so thanks to all those who helped develop this great tool , now hopefully other RMFOs can follow suit and my year will get a lot easier !"

"I was stuck retrieving my saved work but later manage to get it after perusing through your value instructions. excellent online report system by the way."

"Overall the process went smoothly."

An offline version of the Annual Report Part 2 questions would be useful to provide to CCMs, especially where there are internet connectivity problems:
"Basically, I think this was a good exercise and move. We did find some difficulty some difficulty in typing the responses and got logged out because of weak typing skills. Perhaps, what the Commission could do is to send the questions in a pdf format in advance so that the replies can be typed first in a separate document then the replies can be cut and pasted thereon. That's what we did, at first slowly. The webpage responded positively. Since, we got logged out several times and felt a little frustrated, we decided to download the whole questionaire after we got stuck in question 26. Then we proceeded to type in our replies in a word document."

"Insert a download version to be able to download the document as a blank form (aside from a pdf version), so as to be able to work on it without having to log in. This would allow you to work on it without having to continually log in and to be able to have multiple people work on it simultaneously."

"I find that it is very difficult to get an overview of our submission. The empty form is now about twice as large as our 2012 completed form (in terms of number of pages). There is also no possibility to export in the form of a word or PDF document."

Ways that navigation within the Annual Report Part 2 might be improved:
Insert a 'back' button as an alternative when editing the form. "When you move to the next CMM (or page) there is a 'next' button but no 'back' button. It would be useful to go back and forth without having to go to the beginning of the document and scroll through all the pages. I noticed when I hit my 'back' button on my browser it didn't save the data I had entered and tended to log me off."

Tabs "I find it very difficult to navigate within the report. If you need to change something in one of the last field of the report, it takes you a lot of time to arrive there. A system of "tabs" could be useful."

Make the system automatically save your work if it logs you out:
"regardless of where you are on a page. I noticed if I was mid way through a CMM and got logged off the data was not saved."

"I saved my submission and then it was not saved because all the fields were not completed. Later I noted that I lost my data. I think it should be able to save even though all the fields on the page were not completely filled in."

Allow for tables to be inserted into the explanatory fields

Consider ways to limit scope of Annual Report Part 2 on an individual CCM basis:
"We have to answer a number of questions which are not relevant to us. It could be useful to have a simple questionnaire at the beginning asking for what species we target. For example, if we do not target North Pacific Albacore, then the whole list of NPA questions could be dropped. I imagine this will be particularly important for some SIDS, especially the ones that are fishing very little."

Previous years responses to Annual Report Part 2:
"It would have been useful to be able to have as default answers our answers from last year. A vast number of answers are still valid."

Section C: Commentary on Secretariat approach to reviews of implementation in draft CMR and notes on current limitations

9. CMM 2012-02 paragraph 9 describes part of the tasking of the Secretariat with respect to preparing draft CMRs;

> *"Prior to the annual meeting of the Technical and Compliance Committee (TCC), the Executive Director shall compile information received through Part 1 and 2 Annual Reports, other reporting obligations, the transshipment program, the regional observer program, the Vessel Monitoring System and any other data collection programs of the Commission and, where appropriate, any suitably documented information provided by non-government organisations and shall prepare a Draft Compliance Monitoring Report (the Draft Report) containing sections with respect to each CCM."*

10. The Secretariat has undertaken this task over the last three-years, during the trial implementations of the Compliance Monitoring Scheme. This section of the paper provides a short commentary on the approach taken by the Secretariat during 2013 to prepare draft CMRs. Some suggestions of areas where reviews by the Secretariat of CCMs implementation of CMMs could be strengthened and streamlined are provided for TCC9s information and consideration.

Draft CMR Section i) Catch and effort limits for target species

11. The evaluations by the Secretariat in 2013 draft CMRs of catch and effort limits under CMMs relied on whether a CCM has provided Annual Reports and the detail provided by individual CCMs in their Annual Reporting. The catch and effort limits under CMMs are not as well supported by the range of relevant information as they could be. Some reasons for this include:

- While Annual Report Part 1 information can usefully confirm the characteristics of a CCMs fishery and the applicability of certain limits, some CCMs Annual Report Part 1 were received after the agreed deadline when the Secretariat was in the final stage of preparing draft CMRs;
- In Annual Report Part 2 often many CCMs reported only "YES" in respect of implementation of limits, but did not provide supporting details;
- CCMs do not always include in their Annual Report Part 1 details on the levels of catch and/or effort during the reporting year that is in the currency of an applicable CMM limit;
- CCMs have different interpretations of whether certain CMM limits apply for vessels that operate within the applicable area but do not target the species covered by a limit, although it could be caught as bycatch;
- Where there is some flexibility provided in a CMM for the implementation of a limit, for example in catch, vessel numbers or effort, there is not always a reporting requirement in the CMM. For example the Pacific Bluefin CMM requires that CCMs provide a report on implementation but this is due after the deadline for draft CMR report generation;
- Information available to WCPFC, including what is available to SPC, does not necessarily provide an independent information on catch and effort estimates for the reporting year, as the information is often based on CCMs aggregated annual catch and effort summaries. Exceptions include estimated fishing days effort from VMS, or fisheries where timely submission on operational level catch and effort data for the reporting year has been submitted to WCPFC/SPC;
- VMS data is of limited application when monitoring limits in CMMs based vessels that are "actively fishing" or "targeting a species"

12. The reviews by the Secretariat of CCMs compliance with catch and effort limits could be streamlined and strengthened if:

- **The use of phrases within CMM limit requirements such as "actively fishing" or "targeting a species" is reconsidered by the Commission;**
- **Consideration is given to an approach of including within a CMM, a list of CCMs to which a CMM is applicable and where possible specify the applicable limits for each CCM, so as to clearly specify to which CCMs a CMM limit applies;**
- **CCMs provided in Annual Report Part 1 reported catch and effort in the currency of the applicable CMM limit, for example for South Pacific Albacore fisheries, CCMs provide the level of catches and number of vessels that operated in the area south of 20S, for purse seine fisheries, CCMs include in their reporting the number of days fished by their vessels in a reporting period.**
- **CCMs consider using CMM-specific tables to more clearly identify their required reports against applicable measures within their Annual Report Part 1 submissions;**
- **CMMs include a process for CCMs to confirm their intended implementation of a limit and the applicable limit, particularly where there is some flexibility provided for CCMs implementation. The timing of such reporting requirements should where possible be included within current annual reporting (eg Annual Report Part 1 or Part 2), or have a deadline that enables this information to be duly considered by the Secretariat in the draft CMR preparations.**

Draft CMR section ii) Catch and effort reporting for target species

13. The approach the Secretariat used for evaluations of CMM-required reporting requirements in 2013 draft CMRs was as follows:

- *No issues detected:* if a reporting requirement was not applicable to a CCM, or CCM submitted the report, and met the requirements specified including timeframes.
- *Additional information*: if CCM submitted a report within the timeframes specified, but the report was incomplete or if upon reviewing the report the Secretariat needed further clarification;
- *Potential compliance issues*: if not submitted at all; or if the report was submitted but was not received by the timeframe specified.

14. Improved timeliness of annual reporting by CCMs assisted with these reviews. The Secretariat found the approach that some CCMs have taken particularly helpful in providing in their Annual Report Part 1 CMM-specific tables for their reporting in accordance with applicable CMMs. Often these tables clearly noted in the title or within the table, the specific figures that should be taken as the CCMs report in accordance with the specific CMM and paragraph requirement.

15. The work by the Secretariat on developing IMS modules was able to be used to provide more detailed summaries of reporting received by WCPFC to support the draft CMR reviews of event-based reporting:

- High seas transshipment events, (CMM 2009-06 advance notification (para 35 a iii)) and transshipment declarations (para 35 a iv));
- Eastern High Seas Pocket reporting (CMM 2010-02);
- High Seas Pocket 1 reporting (CMM 2011-01); and
- High seas purse seine catch discard reporting (CMM 2009-02).

The evaluations in this years draft CMR were focused on reports received by WCPFC and where possible comparisons were made to VMS alerts and with CCM provided summary reporting in Annual Report Part 1.

16. The Secretariat intends to work towards having the reviews of high seas transshipment and high seas pocket special management area reporting by individual vessels become more a part of day-to-day activities. Within this we hope to work towards eventually providing more regular updates and feedback to flag CCMs on possible gaps or errors in their vessels reporting. We expect this will assist with making future reporting sections of the draft CMR report generation process more manageable and thorough moving forward.

17. The reviews by the Secretariat of CCMs compliance with reporting requirements could be streamlined if:

- **Reports that are to be included in Annual Report Part 1, are provided in table that clearly identifies the reporting that is made therein with a clear reference to the particular CMM paragraph;**
- **CCMs submissions of their Annual Report Part 1, Annual Report Part 2 met the agreed deadlines;**
- **CCMs submitted their reporting under CMMs through the specified processes in a CMM, for example if the CMM says "CCMs shall provide a report in annual report part 1…" that the report is provided within Annual Report Part 1, and not through a reference to other data submissions where the specific figure is not easily identifiable; and**
- **For near-real time event reporting to WCPFC (such as high seas transshipments, EHSP-SMA or purse seine catch discards), it is recommended that CCMs consider including clearer specifications to address the impreciseness of reporting. For example, vessels may report date/time in either GMT or local time, and lat/long information could be received in 'true degrees' or 'decimal degrees'. If standard units cannot be agreed, it would be nonetheless useful if CCMs could state explicitly as part of their reporting to WCPFC under CMMs, which format they are using for date/time and lat/long.**

Draft CMR Section iii) Spatial and temporal closures and restrictions on the use of FADs

18. All of the CMM provisions evaluated in draft CMR section iii) are related to the purse seine fishery, and these are a combination of flag State and coastal State responsibilities. With the implementation of the 100% observer coverage requirement on purse seine vessels, there should be an opportunity for ROP data and observer reports to be used by WCPFC to verify implementation of FAD requirements. It is clear that the inclusion in CMM 2012-01 of paragraph 22 provides a direction to the Secretariat that analysis of ROP reports for trips during the FAD closure period is envisaged.[1]

19. In 2013, the draft CMR assessments of FAD related measures were mostly self-assessments by the CCM through their Annual Report Part 2. One reason for this was that at the time of preparing draft CMRs, WCPFC ROP data covering the 2012 year, had not been completely input into WCPFC databases.

20. Some suggested of ways to improve ROP data holdings are provided in the EDs report to TCC9 (WCPFC-TCC9-2013-08). These include:

- A 90 day timeframe following an observers return to port, for ROP observer providers to submit ROP reports to SPC; and
- More regular and complete information being provided to WCPFC on observer placements by providers and by flag CCMs, which will assist with more readily identifying the number of trips expected from observer providers and what is expected from each observer provider.

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[1] CMM 2012-01 paragraph 22: ROP reports for trips taken during FADs closure period shall be given priority for data input and analysis by the Secretariat and the Commission's Science Provider.

21. In addition to having access to the ROP data, Secretariat has been working with Australia, the United States and European Union on initiatives that might improve the capability of the Secretariat to analyse available ROP information related to the FAD closure and other CMM requirements presently monitored by ROP observers. With this support, the Secretariat expects to be able to undertake further analyses of ROP data to support future reviews of implementation of FAD CMM requirements in draft CMRs.

Draft CMR Section iv) observer and VMS coverage

VMS provisions

22. During 2013 the Secretariat has implemented modules for VTAF record management and VMS manual reports, and made some headway with assistance from FFA to include the WCPFC RFV generated ID into the WCPFC VMS database. This years draft CMR analyses of VMS provisions was able to draw on these developments, for example the Secretariat was able to compare number of vessels by Flag that reported on VMS in 2012 (automatic reports and manual reports) with the advice from a CCM in their fished and did not fish report (CMM 2009-01), and a list of VTAFs received was provided to each CCM. The Secretariat intends to work towards having its day-to-day monitoring include reviews of WCPFC VMS requirement implementation at an individual vessel level and where possible providing regular information to flag CCMs. We expect this will assist with making future VMS section of the draft CMR report generation process more manageable and thorough moving forward.

ROP provisions

23. In this years draft CMR the evaluation of ROP-provisions can be grouped into two categories:

- Those ROP-provisions which were principally a self-assessment based on Annual Report Part 2 responses. These include flag State responsibilities such as making sure that operators comply with guidelines in the CMM 2007-01 (para 14 vii)), explanation of observer duties to captains (para 9), and preparedness to accept an observer (para 7).

- Those ROP-provisions for which there was not sufficient information for a thorough review of implementation to be undertaken.
  - *Observer data submission*: In 2013, the draft CMR assessed each ROP observer provider and was based on CMM 2007-01 Attachment K Annex C paragraph 4 which says: *"No later than 31 Dec 2008: data obtained through these observer programmes shall be submitted to the Commission and shall be considered Commission data"*. This provision does not specify a timeframe for submission, so for the purposes of draft CMRs the Secretariat assumed a deadline of June 2013 for ROP data related to the 2012 calendar year.
  - *Observer data coverage requirements*: In 2013, the draft CMR sought to review implementation by flag CCMs of the purse seine 100% coverage requirement, the 5% longline requirement and the 100% high seas transshipment requirements.

24. It is suggested that future reviews of ROP related CMM provisions could be strengthened in the following four ways:

i. **CCMs should where possible provide information that is specific to the ROP requirements in the Annual Report Part 2, and as appropriate in Annual Report Part 1.** It would be helpful to Secretariat reviews of implementation, if CCMs could provide additional information in Annual Report Part 2 on how flag CCM and observer provider CMM requirements are being met. In Annual Report Part 1 many CCMs do report on observer coverage levels, however some CCMs do not report on observer coverage levels achieved on its flagged vessels during the reporting period.

ii. **Additional and more regular information is provided to the WCPFC by both the flag CCM and the observer provider, related to observer placements on purse seine, longline and carrier vessels.** Specific recommendations are provided in the EDs report to TCC9 (WCPFC-TCC9-2013-08), the ROP Annual Report (WCPFC-TCC9-2013-RP02), and the paper with suggestions on guidelines for meeting ROP longline coverage (WCPFC-TCC9-2013-09).

iii. **Develop clearer rules about timeframes for ROP data submission.** Suggestions are provided in the EDs report to TCC9 (WCPFC-TCC9-2013-08), the ROP Annual Report (WCPFC-TCC9-2013-RP02),

iv. **The merits of annually reviewing implementation of ROP requirements which are implemented by CCMs through legislation or regulations, and/or part of standard licensing practices, is reconsidered because these wouldn't necessarily change from year to year.**

25. The WCPFC expects that additional and regular reporting to WCPFC of ROP coverage and placement information will mean that:

- observer coverage levels can be monitored by WCPFC staff as part of more day to day tasks and any anomalies clarified closer to the event; and
- any obvious capacity building needs can be identified more quickly and options for assistance from SPC/FFA or WCPFC identified.

The Secretariat envisages that draft CMR evaluations of ROP CMM requirements could then become more of a summation of the results of monitoring activities throughout the year. In addition, the SPC and WCPFC would have more current information on the number of trips expected from each observer provider, which will contribute to more complete ROP data holdings.

Draft CMR Section v) Scientific Data provision and Annual Report Part 1

27. This years draft CMR section v) benefitted from close work with SPC, and a particular thanks to Peter Williams, who provided a thorough review of the scientific data provision requirements. This section included reviews of CMM-required reporting in Annual Report Part 1, which were not otherwise included in draft CMR evaluations, this year it included CMM 2007-04 on seabirds and CMM 2009-06 paragraph 11 on summary transshipment reporting.

Recommendations

TCC9 is invited to review and as appropriate consider the above information when discussing Agenda 2.3; and Agenda 11.7 or other CMS related agenda items.

In respect of Agenda 2.5, TCC9 is invited to
 i. provide some prioritization to any new potential features recommended for the CCM online Annual Report Part 2 and draft CMR reporting systems;
ii. task the Secretariat to develop an Iteration 2.0 of the online Annual Report Part 2 system for CCMs use for 2014 reporting; and
iii. request that the Secretariat provide to FAC a short evaluation and indicative costing of the proposed development of iteration 2.0 of the online Annual Report Part 2 system.