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**CODE OF CONDUCT FOR RESPONSIBLE OBSERVER PROGRAMMES - STAKEHOLDER  
RESPONSIBILITIES - PAPER SUBMITTED BY WWF**

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**Paper by submitted by WWF**

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**CODE OF CONDUCT FOR RESPONSIBLE OBSERVER PROGRAMMES –  
STAKEHOLDER RESPONSIBILITIES (CCROP-SR)**

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**WCPFC-TCC10-2014-OP05**  
**9 September 2014**

Paper submitted by WWF

# CODE OF CONDUCT FOR RESPONSIBLE OBSERVER PROGRAMMES – STAKEHOLDER RESPONSIBILITIES (CCROP-SR)

## Introduction

Detailed, systematic and comparable fisheries information is important to strengthening fisheries management schemes (DeYoung 2007). Observer programmes provide the best source of independent data in support of sustainable fisheries management (Babcock et al. 2003, WWF UK 2006). This document is global in scope but does not intend to supersede any existing international, regional, national, state / provincial or local law or observer programme requirements which may be more extensive or restrictive.

Observers have an important role to maintain as professional scientists. To become a 'qualified' observer, one needs sufficient understanding of the science behind the management of the resources being monitored and time to learn their duties. Observers need to develop good judgment in carrying out those duties, adhering to professional standards of conduct, and adapting to the rigors of a hazardous working environment. Multiple stakeholders are responsible for the various components of an observers' work environment. For the purposes of this document, observer programme stakeholders are categorised by the titles *Regulatory Authority*, *Observer Programme*, *Employer*, *Monitored Entity*, and *Observer*. The intent of this document is to provide explicit guidance regarding the responsibilities of each of these stakeholder groups.

This document supplements and complements the provisions in the International Observer Bill of Rights ([IOBR](#)) and Code of Conduct for Responsible Observer Programs – Observer Health and Safety ([CCROP-HS](#)). A standard list of definitions is used for referencing these documents (CCROP-SR, Glossary). These documents were distributed for public comment to over 1200 stakeholders internationally from February 2013 until August 2013. Venues for outreach were the Association for Professional Observers (APO) Mail List, APO Facebook Group, the 7th International Fisheries Observer and Monitoring Conference (IFOMC) Steering Committee, and targeted mail lists of additional public stakeholders.

The APO has agreed to be custodian of this document<sup>1</sup> and associated IOBR and CCROP-HS. These documents will be modified biennially with stakeholder input<sup>2</sup>. For enquiries, comments, contributions and updates, please contact the IOBR Team: E-mail: [iobr@apo-observers.org](mailto:iobr@apo-observers.org); Web: <http://www.apo-observers.org/billofrights>.

## Section I: Regulatory Authority

I. Regulatory authorities must:

1. Have the power and ability to implement and enforce these stakeholder codes of conduct, including regular independent reviews to evaluate stakeholders' performance in terms of achieving programme goals, meeting objectives and implementing protocols that result in the programme's intended purpose. Evaluations shall include input from observers;
2. Consistent with the International Plan of Action on Illegal, Unreported and Unregulated (IPOA IUU) fishing (FAO 2001), uphold (through policy, procedure, and accountability) that any *Monitored Entity* that engages in IUU fishing, or engages in business or trading in fish or fish products derived from IUU fishing, which involves interference with an

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<sup>1</sup> Suggested citation: Code of Conduct for Responsible Observer Programmes – Stakeholder Responsibilities (CCROP-SR) [Internet]. Association for Professional Observers (APO): The International Observer Bill of Rights and Codes of Conduct for Responsible Observer Programmes. Version 1.0. September 2013. Available from: <http://www.apo-observers.org/billofrights>.

<sup>2</sup> The next revision will begin by September 2015.

observer, must be submitted for inclusion on IUU lists according to appropriate Regulatory Authority (e.g. RFMO) procedures and criteria (CCROP-SR Section IV(15));

3. Ensure (through policy, procedure and accountability) that IOBR, CCROP-HS, and CCROP-SR are upheld.

## **Section II: Observer Programme**

*Note: 'Observer Programme' and 'Observer Employer' may be the same; in such cases, consider both Sections II and III.*

II. Observer programme shall:

1. Clearly define, enforce, make transparent (to all observer programme stakeholders), and regularly update:
    - A. The responsibilities of all programme stakeholders (Davies and Reynolds 2002);
    - B. A structure of inter-stakeholder communication protocols and stakeholder accountability, including regular communications (e.g. radio, e-mail) between observer and programme/employer (CCROP-HS Section IV(7));
    - C. Observer employer approval process (e.g. certification, permit, contract award), including: criteria for annual evaluation of observer employer performance, with inclusion of observers' grievances, input and evaluation; protocols for monitoring and reporting of observer employer performance; and, a system of fining or suspending observer employer contracts for failing to meet observer employer performance standards (U.S. Dept. of Commerce 2004);
    - D. Objectives, terms, and expectations of observers' employment, including but not limited to:
      - i. Define applicant eligibility criteria (including applicable 'waiver' criteria) for who a 'qualified observer' is; competency testing standards; professional standards of conduct; and, indicators for evaluating work performance;
      - ii. What factors determine 'quality observer data';
      - iii. Parameters for levels of observers (e.g. 'junior', 'senior'; 'level 1', 'level 2');
      - iv. How and when tools and strategies such as Electronic Monitoring (EM), Electronic Reporting (ER), industry self-monitoring (NMFS 2013) may be utilised as an alternative to a 'qualified' observer;
    - E. Terms of conduct with regards to reporting assault, harassment (e.g. sexual, racial), interference or bribery and enforcement of offenses; and associated trainings and emergency action protocols, particularly in the context of the remote nature of much of observer work (e.g. aboard fishing vessels);
    - F. Criteria that constitutes a 'bribe'; a 'gift' vs. a 'provision'; and acceptable 'gifts' exchanged between stakeholders;
    - G. All activities among stakeholders that constitute a conflict of interest or perceived conflict of interest, and the associated policies and procedures in place to guard against conflict of interest;
  2. Not engage in an activity that may give rise to the appearance of a conflict of interest that could cause a reasonable person to question the impartiality, fairness or objectivity with which the observer programme is administered;
  3. Develop policy, procedures, and accountability measures to:
    - A. Ensure that observers, observer employer staff and observer programme staff maintain financial independence from monitored entities; that all interests in the employment of observers are free from conflicting financial and personal interests that could jeopardise the objectivity of observer services or the fair and equitable treatment of observers; including a system for separating industry funding of observer programmes from observer payment (MRAG Americas Inc. 2000);
    - B. Require the observers' right to a safe and healthy working environment (CCROP-HS and IOBR Article IV);
    - C. Uphold observers' right to 'Observer Programme Support' (IOBR Article V);
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- D. Protect and support observers right to professional development, such as a plan of action that outlines how quality data collection and long-term retention of observers is encouraged (IOBR Article VII);
4. Develop and implement statistically valid, unbiased monitored entity selection procedures;
  5. Ensure deployment and post-deployment support (CCROP-HS Section IV);
  6. Seek feedback from observer workforce after every assignment; describing their evaluation of all stages (e.g. briefing, training, deployment, debriefing, stand-by) of their employment, including information on equity issues that may be linked to specific social groups; and, produce annual reports (available to observers) regarding observer feedback;
  7. Explicitly specify what compliance monitoring duties the observer has with the monitored entity and the observer;
  8. Maintain awareness of how other programmes define observer employment, their successes, limitations and pitfalls; and share information with other programmes on successful practices, limitations and pitfalls;
  9. Harmonise on principles with other programmes wherever possible;
  10. Guard against the issuance of eligibility ‘waivers’ and like practices leading to real or perceived double-standards. Unclear standards (e.g. eligibility) can have negative impacts on the morale of an observer workforce, on the credibility of the observer data and the integrity of the programme;
  11. Require observer candidates complete and pass an observer training demonstrating their competency of core training modules (McVea and Kennelly 2007)<sup>3</sup> and hands-on safety competency components before being authorised to work as an observer (CCROP-HS Section III(3));
  12. Make certain that any entity facilitating observer training has the qualifications and infrastructure to provide training at prescribed standards and evaluate competencies and performance at prescribed levels of quality;
  13. Ensure training elements are supported by training materials (e.g. training manual, species identification guides) that detail subject matter and can be fully accessed by observers while working;
  14. Ensure that debriefings and performance evaluations are conducted by observer programme personnel who are experienced in data collection from the resources being monitored;
  15. Ensure options for mental health counselling are provided, including crisis intervention and drug and alcohol counselling, independent of observer programme or observer employer that allow observers to freely address psychological stresses of the job. If there is indication of a mental health or alcohol or drug problem, counselling is required (CCROP-HS Section IV(8));
  16. Develop a pre-deployment safety inspection checklist appropriate to the class of vessels or worksites to be monitored and establish minimum requirements for assignment refusal (IOBR Article IV(3) and CCROP-HS Section III(2)(E)(vi) and Section IV (1)(B) and (2)(B));
  17. Ensure observers are provided with sampling and safety gear appropriate to the assignment (CCROP-HS Section IV(9)) ;
  18. Ensure face-to-face debriefing of observers;
  19. Develop observer performance evaluation criteria and conduct observer performance evaluations that are reported back to observers (in written form) as part of the debriefing process and prior to next deployment;
  20. Ensure observer collected data is accessible to the public in a usable format;
  21. Ensure (through policy, procedures, and accountability) that IOBR, CCROP-HS, and CCROP-SR are upheld with regards to defining and enforcing the responsibilities of Observer Employer, Monitored Entity and Observer stakeholders.

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<sup>3</sup>See 5th Conference Observer Training Work Group ‘core’ and ‘enhanced’ training programme elements.

### Section III: Observer Employer

*Note: 'Observer Programme' and 'Observer Employer' may be the same; in such cases, consider both sections II and III.*

#### III. Observer Employer should:

1. Uphold and protect observers' right to 'Fair and Equitable Employment' (IOBR Article II), with policy and accountability measures;
  2. Enact policies to foster social equity in all stages and levels of observer employment, including:
    - A. Ensure accountable resources are set aside to promote social equity;
    - B. Establish protocols for including underrepresented social groups in employment recruitment;
    - C. Ensure gender balance and sensitivity in: employee applicant screenings – such as, medical examinations that determine aptitude for work; trainings (e.g. life at sea, conflict scenarios); and, deployment (e.g. competitive wage package; accommodations, including bathing facilities);
  3. With policy and accountability measures, protect and support observers' right to:
    - A. A safe and healthy working environment (CCROP-HS and IOBR Article IV);
    - B. 'Observer Employer Support' (IOBR Article V);
    - C. A competitive wage package (IOBR Article III);
    - D. 'Professional Development' (IOBR Article VII);
  4. Not engage in an activity that may give rise to the appearance of a conflict of interest that could cause a reasonable person to question the impartiality, fairness or objectivity with which the observer programme is administered;
  5. Only deploy observers who have been trained and supported according to observer programme standards of conduct.
  6. Guard against discrimination due to industry's selection requests for or against individual employees; and, ensure that selection preferences act to retain experience among qualified employees, and that less experienced employees are not favoured due to less compensation projections;
  7. Support statistically valid, unbiased observer deployment procedures for monitored entities;
  8. Develop and implement non-discriminatory observer placement procedures; after being 'selected' to have an observer, ensure that monitored entity (company or personnel) cannot influence observer(s) selection and that observer(s) cannot select specific monitored entity;
  9. Clearly define observer employment terms by way of written contract with observer employees (IOBR Article I).
  10. Provide transparent standards and procedures for regularly scheduled payment including itemised deductions where appropriate;
  11. Provide for medical examinations or 'physicals' pertinent to the specific work of observers, to be completed by the observer prior to deployment (CCROP-HS Section I);
  12. While protecting employee privacy, collect observer employment data (from employee recruitment to exit) disaggregated by social factors such as gender, ethnicity, age, class, etc., with policy and accountability measures;
  13. Uphold and protect observers' right to refuse an assignment with documentation of reason and without negative repercussions or requirement that the observer address the issue (IOBR Article IV(2) and CCROP-HS Section IV (2)(B)). In any case that a monitored entity breaches the guidelines of observer programme and/or observer employer (especially with regards to observer health, safety and general welfare), the observer employer shall remove the observer(s). Henceforth, the observer employer shall submit a full report to that monitored entity. The observer employer shall only provide a replacement Observer when the issue(s) surrounding observer refusal or removal event has been satisfactorily resolved;
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14. Ensure adequate break time between deployments and deployment notice (CCROP-HS Section I(2)(C) and Section IV(6) and (8));
15. Conduct observer performance evaluations that are reported back to observers (in written form) as part of the debriefing process and prior to next deployment;
16. Communicate with the Observer Programme within 24 hours any reports or investigation of:
  - A. Violations observed;
  - B. Refusals of vessels for any reason;
  - C. Assault, harassment, interference or bribery attempts reported by observer;
  - D. Injuries;
  - E. Observer misconduct;
17. Ensure (through policy, procedures and accountability) CCROP-SR, CCROP-HS and IOBR are upheld with regards to defining and enforcing the responsibilities for Monitored Entity and Observer stakeholders.

#### **Section IV: Monitored Entity**

##### IV. Monitored Entity shall:

1. Ensure that masters/managers, crew and owners of the monitored entity do not obstruct, intimidate, harass, assault, interfere with, influence, bribe or attempt to bribe an assigned observer (IOBR Article IV(1));
  2. Take appropriate measures within competence to ensure to the extent possible that any observer designated by observer employer and/or observer programme will be allowed on board/premises to observe and report on monitored entity activities, as agreed upon;
  3. Ensure that master/manager of monitored entity shall accept deployment of observers on-board/on-site without regard to, inter alia, observer gender, ethnicity, race, spiritual beliefs, age, class, sexual preference, nationality, or political activities;
  4. When operating a vessel, ensure personnel comply with the stability report or stability guidelines;
  5. Take steps as are necessary, including the instruction of its on-board/on-site master(s)/manager(s) to assist in the prompt, efficient and safe embarkations and disembarkations of observers (CCROP-HS Section IV(3));
  6. Acknowledge and respect observers' right to refuse an assignment (IOBR Article IV(2) and CCROP-HS Section IV(1)(B));
  7. Acknowledge and support that, prior to deployment, observers shall conduct a (pre-deployment) safety inspections and a familiarisation tour of monitored entity (CCROP-HS Section IV(2)(B) and IOBR Article IV(2 and 3));
  8. Acknowledge and support that the observer employer may need to recover the observer from monitored entity at any time during the deployment period. Replacement of an observer prior to the completion of deployment may become necessary, for example in the following circumstances (this list is provided for guidance only and is not exhaustive) (ICCAT 2007):
    - A. The observer needs urgent medical attention that is unavailable on monitored entity or is injured or ill to the extent they are prevented from performing their duties for the remainder of their intended/planned deployment;
    - B. As a result of an unforeseen family emergency involving the Observer (e.g. death or serious illness of a close member of the observer's family);
  9. Allow observers access to monitored entity personnel and to gear and equipment pertinent to their duties or maintaining their safety;
  10. Allow, upon request, observer access to the following equipment, if present on monitored entity to which they are assigned, in order to facilitate the carrying out of their duties:
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- A. Satellite navigation and communications equipment;
  - B. Radar display viewing screens when in use;
  - C. Electronic means of communication (e.g. email, fax);
11. Amply inform observer(s) according to observer programme policy, of all monitored entity activity plans pertinent to performance of their duties;
  12. Provide observer(s) with accommodations, according to the minimum standards listed in CCROP-HS Section IV(4) (IOBR Article IV(5));
  13. Provide observer(s) with adequate space for completing clerical work, as well as adequate space and accommodations for carrying out their field duties (e.g. on deck, in factory);
  14. Not engage in an activity that may give rise to the appearance of a conflict of interest that could cause a reasonable person to question the impartiality, fairness or objectivity with which the observer programme is administered (See above - Section II(3)(A));
  15. Acknowledge that: 1. Any *Monitored Entity* that engages in IUU fishing or engages in business or trading in fish or fish products derived from IUU fishing involving interference with an observer, must be submitted for inclusion on IUU lists according to appropriate Regulatory Authority (e.g. RFMO) procedures and criteria; and, 2. A *Monitored Entity* is presumed to have carried out IUU fishing activities - consistent with the IPOA on IUU fishing, when an observer programme stakeholder presents documented information that such activity has occurred, including having:
    - A. Interfered in any way with an observer that prevents the observer from recording or reporting according to the observer's duties, consistent with conservation and management measures;
    - B. Coerced, bribed, attempted to bribe, or otherwise influenced an observer to make false reports, or;
    - C. Engaged in any other activities that undermine the provisions of the regulatory authority, convention, observer programme or any other conservation measures; including the proper function and engagement of observers;
  16. Acknowledge that in the event the monitored entity breaches agreements with observer programme/observer employer, the observer employer shall remove the observer. In such circumstances the monitored entity will take such steps as necessary for the prompt, efficient and safe recovery of the observer, including cooperation with the observer employer. In such a situation, the observer employer shall submit a full report to the monitored entity and observer programme. The observer employer shall only provide a replacement Observer when the issue(s) surrounding the event has been satisfactorily resolved.

#### **Section V: Observer**

- V. Observer shall:
  1. Provide proof of medical and physical employment criteria as defined in CCROP-HS Section I;
  2. Maintain professionalism in work; attempt at all times to have a professional and courteous relationship with industry and monitored entity personnel; and, avoid behaving in a manner that could adversely affect the public confidence in the integrity of the observer programme, the observer employer, the data provided or other observers;
  3. Maintain independence at all times and shall report any attempt to compromise their independence; including attempts to assault, harass, bribe, or interfere with their duties;
  4. Adhere to all safety guidelines set forth by their observer programme; including appropriate knowledge and use of safety gear and performance of safety checks during their deployment (CCROP-HS);
  5. Ensure that they do not hinder or interfere with the proper functioning of their assigned monitored entity; observers will respect all property and equipment and living space on board/at monitored entity, including documents, logbooks and

activity plans and shall respect the safety, sanitary rules, chains of command, and regular functions of their assigned monitored entity;

6. Recognise that observers are not law enforcement officers but shall be firm, fair and tactful in giving official notice of potential compliance issues to monitored entity. Observers do not possess the authority to direct any monitored entity function (Dietrich *et al.* 2012);
7. Diligently perform assigned duties as described by their observer programme and as described in observer programme resources (e.g. manuals);
8. Accurately record their data, write complete reports and report accurately and honestly any observations of suspected violations. Truthfully follow scientific protocols as prescribed; if data are not known, record as such;
9. Preserve the confidentiality of the collected data and observations made during their employment; Observers shall ensure that data and information collected are kept secure and confidential at all times, and are not disclosed to any person who is not approved by their observer programme;
10. Expressly refrain from any illegal actions or activities. This includes, but is not limited to:
  - A. Engaging in the use or distribution of illegal substances;
  - B. Soliciting or accepting, directly or indirectly, any bribes from anyone who has interest(s) that may be substantially affected by the performance or non-performance of the observers' official duties. Soliciting or accepting, directly or indirectly, bribes in money or kind (e.g. gratuity, gifts, favours, loan, and future job opportunities) from anyone who has interest(s) that may be substantially affected by performance or non-performance (neglect) of the observer's official duties, before or after deployment;
11. Not engage in an activity that would compromise their independence or give rise to the appearance of a conflict of interest that could: cause a reasonable a person to question the impartiality, fairness or objectivity with which the observer programme is administered; significantly impair the observer's ability to perform his/her duties; or, adversely affect the overall image observers, programme, employers, their accomplishments or missions. Observers may not:
  - A. Select their monitored entity;
  - B. Have direct financial interest in the monitored industry, other than the provision of observer services including, but not limited to, monitored entity(s) involved in the catching, processing, transport of the products of the industry; otherwise impacting living aquatic resources; companies selling supplies or services to at-sea or dockside locations; or companies purchasing raw or processed products from monitored entities;
  - C. Serve as observers of any monitored entity owned or operated by a person who previously employed the observer in any capacity;
  - D. Solicit or accept employment as a crew member or an employee of the monitored entity in any fishery while employed as an observer;
  - E. Engage in physical or emotional relationships (including but not limited to sexual contact) with monitored entity personnel;
  - F. Engage in drinking of alcoholic beverages while on duty or engaging in excessive drinking of alcoholic beverages at any time (note: if the monitored entity maintains a stricter alcoholic beverage policy for its employees, then the observers should comply with that policy);
  - G. Serve as an observer for periods of time that would lead to excessive familiarity with a monitored entity.

#### References:

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### **Glossary**

The following definitions are included for the purpose of the IOBR, CCROP-HS, and CCROP-SR, with source documents in parentheses.

*Active Observer* – A person who has worked as an authorised ‘observer’ within the last year (IOBR).

*Assault* – Physical/verbal attack, threat of bodily harm, rape or attempt to destroy personal or professional property of the observer (IOBR).

*Assignment* – Beginning the day an observer is first told they are to be deployed (see Deployment) on board or at a monitored entity and ending the day the observer leaves the monitored entity, or the assignment is cancelled (IOBR, CCROP-SR).

*At sea* – Day an observer is required by the vessel to be on board the vessel, regardless if at sea, anchored, tied up at the dock or in transit to fishing grounds (IOBR).

*Bribery* – The offering of a gift or other type of incentive to influence the observer’s conduct or performance of their duties. Bribery comes in many forms and can often be subtle, with small gift giving, promise of future employment or special treatment and can be with no explicit request to alter the observer’s duties, but may have the effect of influencing the observer. Other forms of bribery of the observer are more blatant, with actual requests to alter data or influence the performance of their duties (IOBR, CCROP-SR).

*Briefing* – A training prior to deployment that an observer is required to participate, usually less time than initial training with the purpose of updating the observers on any protocol changes or changes in laws that affect the observer’s duties (IOBR).

*Conflict of interest* - an observer, observer employer, or observer coordinator's participation in any activity or relationship, whether pecuniary or social, that results in the impairment or perceived impairment of the official responsibilities or objectivity of that person (CCROP-SR).

*Crisis Intervention* – Emergency care aimed at assisting individuals in a crisis situation to restore equilibrium to their biological and psychological functioning and to minimise the potential for psychological trauma (IOBR).

*Debriefing* – observer programme or contracted personnel that performs a face-to-face debriefing with the observer, using observer programme debriefing protocols, after the observer's deployment to ensure the data quality and integrity of their data collection methods and that observer programme protocols were properly followed (IOBR).

*Debriefing (data quality accountability)* – period when an observer is interviewed by the debriefer to describe all aspects of their deployment, including data collection methods, protocols followed and problems encountered (IOBR).

*Deployment* – Beginning the day an observer starts travel to a monitored entity and ending the day the observer leaves the monitored entity (IOBR, CCROP-HS, CCROP-SR).

*Direct financial interest* - Any source of income to, or capital investment or other interest held by, an individual, partnership, or corporation or an individual's spouse, immediate family member or parent (CCROP-SR).

*Dockside Location* - shore-based sampling location where the observer collects catch information on aquatic resources coming off a vessel (retained catch only) (IOBR, CCROP-SR).

*Electronic Monitoring (EM)* – The use of technologies, such as vessel monitoring systems or video cameras, to monitor commercial fishing operations (CCROP-SR).

*Electronic Reporting (ER)* – The use of technologies, such as phones or computers, to record, transmit, receive and store fishery data (CCROP-SR).

*Essential Observer Programme Data* – Observer programme statistics that allow for comparison with other programme, such as number of vessels, plants and dockside locations covered in the programme, the number of observers utilised in each, the average deployment length by vessel type and fishery, observer attrition rates, violations reported and their outcome, estimated annual value of various target fisheries, unionised or not, desired vs. implemented coverage rates, and definition of fishing day for observer coverage purposes (IOBR).

*Fair Labour Standards* – A standard established and adhered to by the employer which includes the safeguarding of employee rights under national and international labour laws, including non-discriminatory practices, freedom from abuse or harassment, rights to collective bargaining (unions) and freedom of association, healthy and safe work environment, premium payment for overtime and holidays. Most international fair labour conventions set standards of reasonable weekly hours worked at no more than 60 hours/week. Many observers work in excess of 100 hours per week (IOBR).

*Financial Independence* – This term is used to denote a clear separation financially between the observer or observer employer and the monitored entity, beyond that of observer service provisioning. Financial transactions should not include direct payment for salary, travel, transportation, food (between assignments), lodging (between deployments), and medical support (between deployments) (IOBR, CCROP-SR).

*First-time Observer* - an observer's first-time embarking a monitored entity, during his/her first employed deployment as an observer (CCROP-SR).

*Former Observer* – A person who has former work experience (equalling 90 days or more) as an authorised observer and has not worked as an observer within the last year. Also known as prior observer (IOBR).

*Grievance Procedure* – An official process whereby observers can register a complaint or appeal to an action taken against them or appeal a performance evaluation (IOBR).

*Harassment* – Harassment of an observer can include anything that creates an intimidating, hostile, or offensive environment, with or without the intention of interfering with the observer’s duties. Sexual harassment is a type of harassment that involves “unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature [...] when submission to, or rejection of, this conduct explicitly or implicitly affect an individual’s employment, unreasonably interferes with an individual’s work performance, or creates an intimidating, hostile, or offensive work environment.”(AFSC 2011). Harassment is sometimes subtle and requires special training by the observer programme to help the observer define, avoid, de-escalate, and properly document instances of harassment for prosecution (IOBR).

*Industry Self-Monitoring* - Refers to the collection of information by representatives of the industry being monitored. Any representative hired directly by the industry should not be referred to as an *observer*.

*Interference* – Interference of an observer’s duties is any physical or circumstantial manipulation that has the effect of preventing or influencing any aspect of the observer’s duties in a way that prevents the observer from carrying out their duties according to the observer programme’s protocols (IOBR, CCROP-SR).

*Monitored Entity* – Vessel, processing plant, dockside location, research vessel or offshore platform that is being monitored as part of an observer programme; may be inclusive of any personnel (or company) responsible for the management or operation of the monitored entity (IOBR, CCROP-SR).

*Observer* – An ‘observer’ is a person who is authorised by a regulatory authority to collect information in the field (either at sea or on shore) to support sustainable aquatic resource management. The observer must be financially independent of the industry being monitored (IOBR, CCROP-SR).

*Observer Employer* – This includes any employer of the observer (observer programme or private company). If a private company (sometimes referred to as an “observer provider”), it is one that is contracted (or permitted) by the regulatory authority to carry out the purpose of providing monitored entities with observers (IOBR).

*Observer Performance Evaluation* – Observers should have ample opportunity to improve their performance through regular evaluations. This is usually done in a face-to-face meeting with debriefers after an established amount of time - for example, after each trip, contract, 6-month period, etc. Observer performance evaluations should have transparent protocols that ensure against discrimination, be readily available to observers, and include clear instructions required of the observer to reconcile any negative evaluation. Performance evaluations should include an appeal process that allows the observer to challenge a negative performance evaluation and this should be included with the performance evaluation record (IOBR).

*Observer Programme* – Includes all personnel of an agency, organisation, and/or contracted non-observer entity who are responsible for the direct management of the monitoring programme – including, trainers, briefers, debriefers, port coordinators, observer coordinators, and logistics personnel. May or may not include observer employer company staff (IOBR, CCROP-SR).

*Processing Plant* – A facility where vessels offload fish catch, where the fish are processed and packaged (IOBR).

*Qualified Observer* - An observer who has completed a certification course in accordance with a recognised Observer Programme. To become 'qualified', observers need sufficient time to learn their duties, develop good judgment in carrying

out those duties, adhering to professional standards of conduct, and adapting to the rigors of a hazardous working environment (CCROP-SR).

*Regulatory Authority* – Governing body that mandates, initiates, manages or oversees the management of an observer programme (IOBR, CCROP-SR).

*Standby* – Days observer is waiting for deployment and unable to take another job. This includes:

- days after training, waiting to receive word of their assignment;
- days observer is expected to check-in with their employer via phone or in person;
- days assigned but waiting in the port of hire to transit to the monitored entity;
- during transit to arrive at the monitored entity, and;
- days when residing in the port of the monitored entity, waiting for instructions to board or arrive at the monitored entity (IOBR, CCROP-SR).

*Training* – Days before deployment that are dedicated to training the observer in sampling methods, species identification, education of aquatic resource regulations, and informing the observer of any other aspect that they are likely to encounter during their deployment (IOBR)