



**FOURTH MEETING OF INTERSESSIONAL WORKING GROUP OF REGIONAL OBSERVER  
PROGRAMME (IWG-ROP4)  
Novotel Hotel, Nadi, FIJI  
July 6 - 8, 2015**

---

**DEFINING THE RESPONSIBILITIES OF THE PROVIDERS AND FLAG STATES IN  
RESPECT OF THE OBLIGATION IN CMM 2007-01 ATTACHMENT K ANNEX C  
PARAGRAPH 4**

---

**WCPFC-2015-IWGROP4-04  
26 June 2015**

**Task for IWG-ROP4**

1. Discuss and provide guidance to WCPFC12 on the definition of the responsibilities of the providers and flag states in respect to the obligation CMM 2007-01 Attach K Annex C paragraph 4 ( Ref:WCPFC11 Summary Report para 489 (iii)).

**CMM 2007-01 Attachment K Annex C paragraph 4**

*“4. No later than 31 December 2008:*

*\* Existing sub-regional programmes and national programmes shall be regarded as a part of the ROP, and shall continue unless otherwise determined by the Commission.*

*\* Data obtained through these observer programmes shall be submitted to the Commission and shall be considered Commission data.”*

**Discussion**

2. The SPC-OFP has been processing observer data on behalf of their member countries for more than 15 years, and for many years has also been providing support to the Commissions ROP data processing. The majority of the observer data processed by the SPC are ROP-defined purse seine trips<sup>1</sup> which have been designated as the highest priority for processing over the past 2-3 years. However, in recent years and with the implementation of the WCPFC requirement for 5% observer coverage in the longline fishery (established in 2012) has resulted in increased submission of observer longline data in recent years and these data are now assigned equal priority for data processing as the purse seine observer data. It should be noted that the SPC-OFP also processes non-ROP observer data that are, inter alia, of importance to the scientific work of the WCPFC.
3. Given its role, SPC-OFP has been the principal source of information on observer data provision to the Commission. In providing the Status of observer data management report to the Commission (WCPFC-TCC10-2014-IP05) SPC-OFP noted that the summaries of

---

<sup>1</sup> SPC notes that ROP trips do not include that part of an observer trip conducted on a vessel fishing in their home waters (waters of national jurisdiction).

observer data provision continue to be constrained by a number of factors. The constraints as described in that paper were:

- i. **Accurate information on the complete number of vessel trips by gear and flag in the WCPFC Convention Area.** This information is used as the ‘base’ with which to determine observer coverage. For purse seine, VMS data provides the a useful source of information to determine vessel trips by gear and flag, but there are several issues in using VMS data for the longline gear as a basis for determining coverage, the main issue being how to deal with transshipments at sea and accessibility of complete VMS data. Ideally, the full provision of operational data would be the best source of information to determine vessel trips for the purpose of determining coverage.
- ii. **Accurate information on the actual number of observer trips by authorized observer programme, gear and flag.** At this stage, SPC has accurate information on the observer data received, but do not have complete information on the actual observer trips undertaken which would provide a means of better determining coverage and where we should be focusing efforts to obtain the data. Some progress has been made in the past two years (see “regional observer trip list database” in Section 3 above), but there remains data yet to be provided.
- iii. **Assignment of an ROP trip in the unprocessed data.** The assignment of a trip as an ROP or a non-ROP trip (or part of a trip as ROP) can only be determined after the data have been processed since it depends on where the fishing activity occurred.
- iv. **Distinction between fleets.** The breakdown of the major longline fleets (i.e. China, Chinese Taipei and Japan) into the smaller-vessel offshore versus the larger-vessel distant-water fleets, as per the annual catch estimates, has not been undertaken at this stage.

4. Consequently, over the last two years TCC has agreed, when reviewing the draft Compliance Monitoring Reports, not to assess the reporting requirement CMM 2007-01 Attach K Annex C paragraph 4.
5. TCC10 did discuss this matter, and in the discussions it was noted that:
  - a. Flag States are clearly responsible for meeting the observer coverage requirements of their vessels in accordance with CMMs and other WCPFC decisions, and to confirm their implementation of the coverage requirements could provide information about observer placements on their vessels;
  - b. Data that is to be provided to the Commission in accordance with CMM 2007-01 Attach K Annex C paragraph 4 is the ROP data, but sometimes the determination of ROP data is a post-trip exercise; and
  - c. Given that flag States are responsible for meeting observer coverage levels on their vessels, a question remains as to whether it is flag States or observer providers that should be responsible for the obligation to provide ROP data to the Commission.
6. TCC10 recommended a two-fold approach in response to the issues:
  - i. IWG ROP encourage discussion to develop processes to facilitate the provision of data, including observer reports, from the observer providers and placement information from Flag States; and
  - ii. IWG-ROP to discuss and provide guidance to WPCFC12 on a more precise understanding of the responsibilities of the flag states in this obligation.
7. The IWG-ROP4 is invited to discuss this matter and make recommendations.