



TECHNICAL AND COMPLIANCE COMMITTEE
Eleventh Regular Session
23 - 29 September 2015
Pohnpei, Federated States of Micronesia

REVIEW IMPLEMENTATION OF COMMISSION RECOMMENDATIONS (FROM 2012)
SMALL WG

WCPFC-TCC11-2015-16
27 August 2015

Purpose

1. This paper presents for TCC11 consideration the outstanding issues relating to the recommendations of the small working group on the VMS from 2012. TCC11 is invited to discuss this priority project specific task which was included in the approved TCC workplan 2013-2015.

Background

2. In 2011, the WCPFC VMS was reviewed to assess the performance of the Service Level Agreement in providing an effective and efficient VMS services for the Commission. The report from the study was presented to TCC7 and WCPFC8. In the presentation to WCPFC8, the following recommendations from the study were highlighted:

- a. FFA and WCPFC should continue to work cooperatively and collaboratively;
- b. The objectives of the respective VMSs should be defined;
- c. Both organizations should work toward developing a central database;
- d. Responsibilities should be migrated from commercial service providers to fishery management organizations;
- e. Data sharing procedures should be expanded to a wider range of users under strict confidentiality guidelines;
- f. WCPFC should adopt FFA's approved ALC list;
- g. Costs should be reduced by reducing packet size, rationalising polling rates and eliminating redundant data transmissions;
- h. The SLA should be replaced with a legally binding agreement which is reviewed annually; and
- i. The SLA should be amended to allow the WCPFC to liaise directly with the service provider.

3. Also presented to WCPFC8 was the outcomes from an informal small group which met during TCC7 to consider the study recommendations (WCPFC8-2011-36)). The informal small group provided a commentary and rank of priority against the recommendations from the study (a copy of this report is provided here as **Appendix 1**)

4. The agreed outcome from WCPFC8 was to task a small working group, jointly chaired by Stan Crothers (Tokelau) and the late Colin Brown (Cook Islands), to recommend approaches to address the two highest priority recommendations from the WCPFC/FFA Joint VMS Review:

- Identify the needs, purposes and attributes of the Commission VMS;
- Review the existing VMS Standards, Specifications and Procedures (SSPs) and CMM 2007-02 to determine if they meet the needs, purposes and attributes identified in (a) and if not, provide recommended changes to the SSPs and CMM 2007-02.

5. The final report of the VMS-SWG (2012) was presented to WCPFC9 (WCPFC9-2012-15). Three documents were produced by the working group and some comments (shown here in *italics*) were provided as introductory text by the VMS-SWG Chairs related to the status of each document within the VMS SWG:

1. Draft Purpose and Principles statement for the Commission VMS (WCPFC9-2012-15, Appendix 1);

It was noted that there was general consensus, but not full agreement, by the working group on the draft Purpose and Principles statement. The Purpose and statement does not confer any obligations on CCMs – it simply provides direction for future Commission decision-making.

WCPFC9 Summary Report paragraph 227. WCPFC9 adopted a statement describing the purpose and principles of the WCPFC VMS (WCPFC9-2012-15 (rev 1)). (WCPFC9 Summary Report Attachment F)

2. Draft CMM and SSPs (WCPFC9-2012-15, Appendix 2 and 3);

There was no consensus by the working group on the proposed draft amendments to the CMM and SSPs. These documents were attached for CCMs' information only.

WCPFC9 did not discuss the draft amendments to the CMM and SSPs.

6. Table 1 provides a short commentary in the form of notes on subsequent WCPFC decisions which might be related to the draft amendments to the CMM and SSPs which were provided for information by the VMS-SWG (2012).

7. This paper is provided to assist TCC11 with its consideration of this project priority specific task.

Table 1. Commentary on draft amendments to VMS CMM and VMS SSPs (WCPFC9-2012-15, Appendix 2 and 3) which were provided for information in the VMS SWG(2012)

Draft amendments provided for information in report of VMS-SWG (2012) (WCPFC9-2012-15, Appendix 2 and 3)	TCC/ WCPFC outcomes	Secretariat comment
<p>CMM 2011-02 CMM on VMS (para 1- 4)</p> <p>1. A Commission VMS</p> <p>2. The system shall commence, to be activated 01 January 2008, in the area of the Convention Area south of 20N, and east of 175E in the area of the Convention Area north of 20N.</p> <p>3. With respect to the area north of 20N and west of 175E, the system will be activated at a date to be determined by the Commission.</p> <p>4. Any fishing vessels fishing for highly migratory fish stocks on the high seas within the areas of the Convention Area described in paragraph 2 above that move into the area of 20N and west of 175E shall keep their ALCs activated and continue to report to the Commission in accordance with this Conservation and Management Measure.</p> <p><i>Comment: There is already such a provision in paragraph 9, so this paragraph could be deleted (if paragraph 3 is also deleted) - but note that the NC recommendation is to have the VMS fully operational in the NW quadrant starting only Dec 31, 2013, so paragraphs 3-4 might have to remain in some form).</i></p>	<p>WCPFC11 agreed to CMM 2014-02 – which includes modifications to reflect the NW quadrant activation from Dec 31, 2013 but does not include the deletions as proposed.</p>	<p>Editorial correction – not reflected in CMM 2014-02</p> <p>Reflection of the activation of the Commission VMS in the NW quadrant is reflected in CMM 2014-02</p>
<p>CMM 2011-02 CMM on VMS (para 6b)</p> <p>6. Applicability:</p> <p>(a) The Commission VMS shall apply to all fishing vessels that fish for highly migratory fish stocks on the high seas within the Convention Area.</p> <p>(b) It shall apply to all vessels in excess of 24 meters in length with an activation date of 01 January 2008, and it shall apply to all vessels 24 meters in length or less with an activation date of 01 January 2009.</p>	<p>WCPFC11 agreed to CMM 2014-02 – which does not include the proposed modification to delete the schedule of timing of coverage for different vessels to be covered by the Commission VMS.</p>	<p>Editorial correction – not reflected in CMM 2014-02</p>

<p>CMM 2011-02 CMM on VMS (new footnote 1 to paragraph 7)</p> <p>7. Nature and specification of the Commission VMS:</p> <p>(a) The Commission VMS shall be a stand-alone system¹:</p> <ul style="list-style-type: none"> • developed in and administered by the Secretariat of WCPFC under the guidance of the Commission, which receives data directly from fishing vessels operating on the high seas in the Convention Area; and • with the added capability that it can accept VMS data forwarded from the FFA VMS, so that the fishing vessels operating on the high seas in the Convention Area will have the option to report data via the FFA VMS; <p>footnote 1: <u>“A “stand-alone system” may still allow for the WCPFC VMS to use the same data warehouse, software, and hardware as the FFA VMS in order to maximize cost-efficiencies, provided that independence and security of the two VMSs can be demonstrated.”</u></p>	<p>WCPFC9 gave some consideration to a proposal to qualify what is meant by the Commission VMS being a “stand alone system”):</p> <p>229. Mark Young (FFA) introduced a joint WCPFC-FFA Secretariat paper outlining three areas of potential cost savings: a) integrate the FFA and WCPFC VMSs under one license while maintaining the firewall separation between the two systems; b) combine the infrastructure and airtime service contracts, which are currently separate, into one fully-managed service contract; c) strengthen the ALC type approval process to increase the number of transmissions that are received through single packet reporting which would provide a substantial savings over current double packet reporting (WCPFC9-2012/IP-08). The paper estimates that over \$150,000 in savings could be realized through this proposed cost rationalization.</p> <p>233. As these concerns could not be addressed during informal discussions in the margins of</p>	<p>Pending</p>
--	---	----------------

Draft amendments provided for information in report of VMS-SWG (2012) (WCPFC9-2012-15, Appendix 2 and 3)	TCC/ WCPFC outcomes	Secretariat comment
	<p>WCPFC9, further discussion of the VMS cost rationalization proposals was deferred, noting that the ED and the FFA would work intersessionally on the proposed cost savings and that he would provide an update on progress but that no changes would be made until after the matter was discussed at TCC9 and action decided at WCPFC10.</p> <p>The matter was not further discussed at TCC9.</p>	
<p>CMM 2011-02 CMM on VMS (new bullet point to paragraph 7(b)) 7. Nature and specification of the Commission VMS: (b) The Commission shall develop rules and procedures for the operation of the Commission VMS, including, <i>inter alia</i>: * <u>Mechanisms to facilitate compatibility of rules and procedures between national and subregional VMSs and the Commission VMS</u></p>	<p>238. WCPFC9 adopted the decision on flick the switch...</p> <p>...xv. These decisions will be effective 60 days after the Commission meeting and shall only allow for the provision of data generated from that date forward. These decisions will be reviewed or revised in two years. During this period, CCMs will consider additional technical solutions to address concerns of illegal fishing occurring in waters.</p>	<p>Partial / complete – to be discussed at TCC11 (Agenda 8.1 (a)) Review compatibility of WCPFC high seas VMS with coastal VMS (TCC workplan 2013-2015)</p>

Draft amendments provided for information in report of VMS-SWG (2012) (WCPFC9-2012-15, Appendix 2 and 3)	TCC/ WCPFC outcomes	Secretariat comment
<p>CMM 2011-02 CMM on VMS (modification of paragraph 7(c)) 7. Nature and specification of the Commission VMS: (c) Security standards of the Commission VMS data shall be developed by the Commission, consistent with the WCPFC Information Security Policy. <u>Adherence to these security standards shall be annually reviewed through a security audit according to procedures to be determined by the Commission.</u></p>	n/a	Reflects current practice - not reflected in CMM 2014-02
<p>CMM 2011-02 CMM on VMS (modification of paragraph 9(a)) Each flag CCM shall ensure that <u>its fishing vessels that fish for highly migratory fish stocks</u> on the high seas in the Convention Area comply with the requirements established by the Commission for the purpose of the Commission VMS and are equipped with ALCs that shall communicate such data as determined by the Commission.</p>	n/a	Editorial correction –not reflected in CMM 2014-02
<p>CMM 2011-02 CMM on VMS Annex 1: Minimum Standards for Automatic Location Communicators (ALCs) used in the Commission Vessel Monitoring System Pursuant to Article 24 (8) of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (Convention), the Commission hereby establishes the following minimum standards for ALCs: 10. Under normal satellite navigation operating conditions, positions derived from the data forwarded must be accurate to within 100 square metres Distance Root Mean Squared (DRMS) (i.e. 98% of the positions must be within this range).</p>	n/a	Editorial correction – not reflected in CMM 2014-02

Draft amendments provided for information in report of VMS-SWG (2012) (WCPFC9-2012-15, Appendix 2 and 3)	TCC/ WCPFC outcomes	Secretariat comment
<p>CMM 2011-02 CMM on VMS Annex 1: Minimum Standards for Automatic Location Communicators (ALCs) used in the Commission Vessel Monitoring System</p> <p>Pursuant to Article 24 (8) of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (Convention), the Commission hereby establishes the following minimum standards for ALCs:</p> <p><u>13. The ALC shall be capable of two-way communications between the mobile communication service provider and the ALC, such as manual polling.</u></p> <p><u>14. The ALC shall have the capacity to send and receive free-form internet e-mail text messages.</u></p> <p><u>15. The ALC must be capable of having its reporting intervals changed remotely, and only by authorized users.</u></p> <p><u>16. Existing ALCs not meeting the standards of Paragraphs 13, 14 or 15 shall be phased out in [two] years after this CMM enters into force.</u></p>	<p>WCPFC11 agreed to CMM 2014-02 – which does not include the proposed modifications related to implementing an ALC type approval approach and shift to only allowing ALC units that can be remotely polled.</p>	<p>Substantive change - not reflected in CMM 2014-02</p>

Draft amendments provided for information in report of VMS-SWG (2012) (WCPFC9-2012-15, Appendix 2 and 3)	TCC/ WCPFC outcomes	Secretariat comment
<p>Standards, specifications and procedures (SSP) for the fishing vessel monitoring system (VMS) of the Western and Central Pacific Fisheries Commission (WCPFC)</p> <p><i>2. Methods to ensure ALCs comply with WCPFC standards</i></p> <p>1. Vessels subject to the Commission’s VMS in the WCPFC Convention Area will be required to carry a fully operational ALC that complies with the full range of minimum standards set out in Annex 1 of CMM-2011-02 <u>or its successor CMM</u>, (hereafter referred to as Annex 1).</p> <p>3. <u>During the two-year phase-out period for ALCs that cannot be remotely polled,</u> vessels with ALCs that comply with the full range of the minimum standards set out in Annex 1, but that cannot be remotely polled must either have a regular reporting rate of one hour or less, or will carry and operate, in addition to the ALC, a means of two-way communication by voice (e.g., radio, satellite telephone) or data (e.g., telex, facsimile, email) permitting real time contact with the WCPFC Secretariat, as necessary, with the assistance of the flag CCM, in the English language.</p> <p>7. The Secretariat will assess proposals for inclusion of additional ALC makes and models on this list from both CCMs and equipment manufacturers, <u>and make recommendations for the Commission’s approval. Such recommendations and Commission approval of ALCs such requests</u> will be based on assessments of ALCs against minimum standards for the Commission VMS as set out in Annex 1 of CMM 2007-02, WCPFC <u>these</u> SSPs, as relevant, and using the methodology established by the FFA with expenses for type approval processing to be borne by the proposing entity. <u>The Secretariat will also make recommendations, subject to Commission approval, for the removal from the approved list of ALC makes and models that do not meet minimum standards.</u></p>	n/a	Some editorial and some substantive changes which are mostly additions related to implementing an ALC type approval approach and a shift in practice to only allowing ALC units that can be remotely polled - not reflected in current VMS SSPs

Draft amendments provided for information in report of VMS-SWG (2012) (WCPFC9-2012-15, Appendix 2 and 3)	TCC/ WCPFC outcomes	Secretariat comment
<p>Standards, specifications and procedures (SSP) for the fishing vessel monitoring system (VMS) of the Western and Central Pacific Fisheries Commission (WCPFC)</p> <p><i>2. Methods to ensure ALCs comply with WCPFC standards</i></p> <p>8. The Secretariat will administer a Commission VMS database. For each fishing vessel required to report to the Commission VMS the flag CCM will submit all necessary data to complete its data file in the Commission’s VMS database. This data will include the name of the vessel, unique vessel identification number (UVI)¹, radio call sign, length, gross registered tonnage, power of engine expressed in kilowatts/horsepower, types of fishing gear(s) used as well as the make, model, unique network identifier (user ID) and equipment identifier (manufacturer’s serial number) of the ALC that vessel will be using to fulfil its Commission VMS reporting requirements.</p>	<p>137. TCC9 agreed to recommend to WCPFC10 that vessels which can be confirmed to be in good standing on the FFA Vessel Register shall be exempted from the requirements to submit the information contained in a VTAF for the Commission’s VMS.</p> <p>WCPFC10 adopted this recommendation (para 220 of WCPFC10 Summary Report)</p>	<p>No changes proposed by VMS SWG, although amendments which were proposed to VMS SSPs 7.2.2 (see below) are similar in concept to those agreed at WCPFC10 which are not presently reflected in VMS SSPs.</p>
<p>Standards, specifications and procedures (SSP) for the fishing vessel monitoring system (VMS) of the Western and Central Pacific Fisheries Commission (WCPFC)</p> <p><i>4. Rules on polling and reporting of ALCs units incapable of being polled (applicable only during the two-year phase-out period for such ALCs)</i></p> <p>1. Any request by the WCPFC monitoring authority for a vessel’s current position must receive a response within 90 minutes after its transmission, that response to include the vessel position in latitude and longitude, and date and time of message transmission.</p> <p>2. For vessels carrying an ALC that uses the ARGOS system to report to the Commission VMS, the Commission VMS will use the ARGOS proprietary positioning system as a means of verifying the GPS calculated positions provided by the vessel’s ALC.</p>	<p>n/a</p>	<p>Substantive change mostly additions related to implementing an ALC type approval approach and shift to only allowing ALC units that can be remotely polled - not reflected in current VMS SSPs</p>

Draft amendments provided for information in report of VMS-SWG (2012) (WCPFC9-2012-15, Appendix 2 and 3)	TCC/ WCPFC outcomes	Secretariat comment
<p>Standards, specifications and procedures (SSP) for the fishing vessel monitoring system (VMS) of the Western and Central Pacific Fisheries Commission (WCPFC)</p> <p><i>7. Obligations and roles of fishing vessels, CCMs, Service Level Provider(s) and the WCPFC Secretariat</i></p> <p><i>7.2 CCMs</i></p> <p>2. <u>For the purpose of the Paragraphs 2.9 and 7.2 above, for vessels reporting through the FFA VMS, the Certificate of Good Standing issued by FFA may be used by CCMs to satisfy the periodic ALC inspection requirements.</u></p>	n/a	<p>Substantive change - not reflected in current VMS SSPs.</p> <p>Currently CCMs that confirm having audited ALCs are asked to share that information with other CCMs through entry into the online MTU audit database.</p>

Draft amendments provided for information in report of VMS-SWG (2012) (WCPFC9-2012-15, Appendix 2 and 3)	TCC/ WCPFC outcomes	Secretariat comment
<p>Standards, specifications and procedures (SSP) for the fishing vessel monitoring system (VMS) of the Western and Central Pacific Fisheries Commission (WCPFC)</p> <p><i>7. Obligations and roles of fishing vessels, CCMs, Service Level Provider(s) and the WCPFC Secretariat</i></p> <p><i>7.3 The WCPFC Secretariat</i></p> <p>5. To enter into, and to maintain, direct contracts with mobile communications service providers for the provision of position (and other) data from the ALCs to the Commission VMS. A strategy of joining cooperating RFMOs, <u>coastal States and intergovernmental organizations (with respect to other regional, national and sub-regional VMS)</u>, where possible, will be followed to achieve a goal of negotiating the best possible rates for these services.</p>	n/a	Substantive change - not reflected in current VMS SSPs

Draft amendments provided for information in report of VMS-SWG (2012) (WCPFC9-2012-15, Appendix 2 and 3)	TCC/ WCPFC outcomes	Secretariat comment
<p>Standards, specifications and procedures (SSP) for the fishing vessel monitoring system (VMS) of the Western and Central Pacific Fisheries Commission (WCPFC)</p> <p><i>7. Obligations and roles of fishing vessels, CCMs, Service Level Provider(s) and the WCPFC Secretariat</i></p> <p><i>7.3 The WCPFC Secretariat</i></p> <p>6. To utilize the Commission VMS in a manner consistent with the Convention, the Commission’s conservation and management measures, and any of the standards, specifications and procedures relating to the Commission’s VMS adopted by the Commission. Unless explicitly requested by a coastal State in accordance with Article 24(8) of the Convention the Commission shall not have access to, interfere with, or use any VMS data owned by <u>or originated within areas under the national jurisdiction of coastal States other than for the purpose of administrative oversight and cost-effective operation of the system.</u></p>	<p>238. WCPFC9 adopted the decision on flick the switch...</p> <p>...xv. These decisions will be effective 60 days after the Commission meeting and shall only allow for the provision of data generated from that date forward. These decisions will be reviewed or revised in two years. During this period, CCMs will consider additional technical solutions to address concerns of illegal fishing occurring in waters.</p>	<p>Substantive change - not reflected in current VMS SSPs.</p> <p>May be discussed at TCC11 (Agenda 8.1 (a) Review compatibility of WCPFC high seas VMS with coastal VMS (TCC workplan 2013-2015))</p>

Draft amendments provided for information in report of VMS-SWG (2012) (WCPFC9-2012-15, Appendix 2 and 3)	TCC/ WCPFC outcomes	Secretariat comment
<p>Standards, specifications and procedures (SSP) for the fishing vessel monitoring system (VMS) of the Western and Central Pacific Fisheries Commission (WCPFC)</p> <p><i>7. Obligations and roles of fishing vessels, CCMs, Service Level Provider(s) and the WCPFC Secretariat</i></p> <p><i>7.3 The WCPFC Secretariat</i></p> <p>7. To administer the list of ALCs approved for use in the Commission VMS, and to process requests for additional ALC make and model approvals pursuant to paragraph 2.7.</p>	n/a	<p>Substantive change mostly additions related to implementing an ALC type approval approach and shift to only allowing ALC units that can be remotely polled)</p> <p>- not reflected in current VMS SSPs.</p>
<p>Standards, specifications and procedures (SSP) for the fishing vessel monitoring system (VMS) of the Western and Central Pacific Fisheries Commission (WCPFC)</p> <p><i>7. Obligations and roles of fishing vessels, CCMs, Service Level Provider(s) and the WCPFC Secretariat</i></p> <p><i>7.3 The WCPFC Secretariat</i></p> <p>8. To compile and circulate to all CCMs a list of registered ALCs by vessel and flag reported to the Commission in compliance or non-compliance with CCM <u>2011-02</u> and these standards, specifications and procedures, as agreed by the Commission.</p>	n/a	<p>Editorial correction –not reflected in current VMS SSPs</p>