



TECHNICAL AND COMPLIANCE COMMITTEE

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**ANNUAL REPORT ON THE ADMINISTRATION OF THE WCPFC DATA ACCESS RULES
AND PROCEDURES**

WCPFC-TCC11-2015-RP07

15 September 2015

Paper prepared by the Secretariat

Purpose

1. This paper provides a report for the year 2014 and 2015, on the administration of the two sets of rules currently in place, namely the:

- Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the Commission; (2007 data RaP)
- Rules and Procedures for the Protection, Access to, and Dissemination of High Seas Non-Public Domain Data and Information Compiled by the Commission for the Purpose of Monitoring, Control or Surveillance (MCS) Activities and the Access to and Dissemination of High Seas VMS Data for Scientific Purposes. (2009 MCS data RaP)

CCMs reporting on implementation of MCS data RaP, paragraph 44, covering 2013 activities

2. As with previous years, a question was included in the Annual Report Part 2 covering 2014 activities regarding CCMs implementation of paragraph 44 of MCS Data RaP. CCMs had the choice of answering “Yes” meaning the obligation has been implemented; “No” meaning the obligation has not been implemented; or “N/A” meaning CCM determined that the obligation is not applicable. CCMs also had the opportunity to provide further information on each obligation and/or attach any supporting documentations.

3. Fourteen CCMs answered “N/A” with regards to MCS RaP paragraph 44, 19 CCMs answered “Yes” and provided some further information while 2 CCMs have not submitted an Annual Report Part 2 and 1 CCM left this blank. Of the 16 CCMs that answered “Yes”, some provided further information to say that, in summary: data requested is not disseminated and is destroyed in accordance with the rules; CCMs complied with the data retention and destruction requirements; confidentiality of the data received is ensured under regulation; and that processes and procedures are in place to maintain the confidentiality and security of the data. Three of the CCMs that answered N/A did request non-public domain data through their authorized MCS Entity for high seas MCS purposes.

Register of Authorized MCS Entities and Personnel

4. 2009 MCS Data Rules and Procedures (2009 RaP) paragraph 12 require the Secretariat to maintain a register of Authorized MCS Entities and Personnel. Annex 1 provides a summary of the notification of authorized MCS entities and personnel received by the Secretariat.

5. In addition, as advised in August 2015 (Circular No.: 2015/54), the Secretariat has made available on the secure page of the website at <https://www.wcpfc.int/official-circulars> the various groups of Official

Contacts details. One of these groups of official contact details is the Authorized MCS Entities and Personnel. The Secretariat has pre-populated this with the latest details it has. Further, CCMs now have the capability to update any of these contact details online. CCMs are asked to check and ensure that these are accurate and up-to-date. A quick guide on how to update CCM contact details is attached to Circular No.: 2015/54.

Access to WCPFC non-public domain data

6. As reported to TCC10, the Secretariat maintained its system of controls over approvals for access to data and information from the Commission. WCPFC non-public domain data can be disseminated only in accordance with the 2007 data RaP and 2009 MCS data RaP, and following the approval of the Executive Director. Copies of the approved “WCPFC data consideration request forms”, original request and implementation instructions are kept on the WCPFC Information Management System. These protocols all seem to have worked well with no known breaches occurring.

7. A register is required to be maintained by the Secretariat in accordance with paragraph 18 of the 2007 data RaP to record access to all WCPFC non-public domain data. The Secretariat provided a list of this register to TCC 9 in Annex 1 of WCPFC-TCC9-2013-RP06 and to TCC 10 in Annex 1 of WCPFC-TCC10-2014-RP07. This list is updated in Annex 2 of this paper, for the years 2014/2015.

Members and Participating Territory WCPFC data access 2014/2015

8. In 2014/2015, the Secretariat received and processed eighty six (86) requests from Members and others for specific WCPFC data, some of which related to multiple types of WCPFC non-public domain data.

9. Annex 3 lists all the WCPFC client CCM logins which have been established within the WCPFC VMS system, for accessing WCPFC VMS data through SmartTrac software. Annex 4 provides a list of WCPFC data requests which were approved or actioned in 2014/15. It should be noted that despite some requests being standing requests for relevant WCPFC data, automated extraction and provision tools are yet to be developed for WCPFC data other than WCPFC VMS and ROP data.

Recommendation

10. TCC11 is invited to consider and note the report on the administration of the WCPFC data access rules and procedures.

Annex 1: Summary of notifications for the Register of Authorized MCS Entities and Personnel

Member or Territory	Description	Date (of most recent update)
Australia	Authorized personal and entities to receive non-public domain data	12 June 2010
Cook Islands	Updated MCS entities advice	15 Jul 2013
European Union	EU MCS Entity and Management Personnel	18 May 2010
Federated States of Micronesia	Revised MCS Entity and Personnel	22 July 2015
French Polynesia	Personnel and entities information to receive non-public domain MCS data	11 Oct 2011
Japan	Authorized MCS Personnel Entity to receive and access non-public domain VMS data	3 Aug 2011
Korea (Republic of)	Updated information on the MCS Personnel for Korea	12 Dec 2011
Kiribati	Authorized MCS Officer to access HS VMS and Non-Public Domain Data	18 Sept 2014
Marshall Islands	RMI MCS Entities and Personnel	22 Feb 2013
Nauru	Nauru updated MCS entities	7 Aug 2013
New Zealand	Additional authorized MCS Entity and Personnel	16 Jul 2014
Niue	Updated MCS entities advice	9 Nov 2012
Palau	Designation of additional MCS Entity	14 Aug 2015
Philippines	Authorized MCS Entities for VMS	3 Aug 2011
Solomon Islands	MCS entities advice	17 May 2013
Chinese Taipei	CT updated rep. list to receive non-public domain data	30 Apr 2014
Tonga	Updated Authorized MCS Entity and Personnel	24 Aug 2012
Tuvalu	MCS entities	25 Nov 2014
United States of America	Revised non-public domain data MCS entity	20 Jan 2015
El Salvador	Authorized MCS Personnel	19 Sept 2014

Annex 2: Register of Access to WCPFC data by persons duly authorised by the Executive Director, within the WCPFC Secretariat and Service Providers, as well as Officers of the Commission (as at 9 September 2015)

The following register is being maintained in accordance with paragraph 18 of the **2007 Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the Commission**, which states...

4.3 Access to Non-Public Domain data by the Staff of the Secretariat, the WCPFC Service Providers and Officers of the Commission and its Subsidiary Bodies

18. Persons duly authorised by the Executive Director, within the WCPFC secretariat and service providers, including scientific experts engaged under Article 13 of the Convention, shall have access to the data necessary to perform their WCPFC duties. Officers of the Commission and its subsidiary bodies shall have access to the data necessary to perform their WCPFC duties. All such persons shall sign a Confidentiality Agreement with the Executive Director and maintain the data security standards of the Commission in respect of data to which they have access. The Executive Director shall maintain a Register of all such persons (including the purpose for which they require access to the data) and make the Register available to a CCM on written request.

There are general categories of access to WCPFC data by WCPFC staff and service providers. In accordance with paragraph 18 of 2007 data RaP, all Secretariat staff, including short term individuals working with the Secretariat, eg interns and temporary data entry staff have been required to sign a confidentiality agreement as a condition of their working with the Commission. Service providers have a confidentiality agreement as part of their contract with WCPFC.

Executive Director: access to all WCPFC non-public domain data

- **ICT Manager:** full access for administration and maintenance of the systems and data, including VMS Data backup for purpose of checking redundancy back-up. Access by contractor Taz-E for enhancements and support to IMS
- Access by contractor BMC for service support as required for WCPFC duties
- Access by contractor Eighty Options for service support to the WCPFC website as required for WCPFC duties
- Short term access by Deloitte Touche for IMS and VMS audit;
- Short-term access, under the supervision of ICT Manager, to other individuals who have provided assistance and expert advice to the Secretariat (Larry Li (NOAA-OLE Honolulu) – VMS data analysis IT tools, Tim Jones (CCAMLR IT Manager) – RFV SSPs assistance).
- Short-term access (11 – 14 Oct 2014) by FAO consultant (Fabio Fiorelatto) who worked alongside the WCPFC IT Manager to establish an automated RFV extraction mechanism for CLAV.

WCPFC MCS staff and service providers

Access to VMS data through the Commission VMS SmartTRAC system and also WCPFC VMS data through Sydney

- VMS Manager
- VMS Operations Officer 1 and 2
- Compliance Manager
- Assistant Compliance Manager
- Compliance Officer

- ROP Coordinator
- ROP Data Quality Officer
- WCPFC VMS Service Provider: Absolute/Pole Star (on behalf of FFA)

- Eastern High Seas Special Management Area
 - VMS Manager
 - VMS Operations Officer 1 and 2
 - Compliance Manager
 - Assistant Compliance Manager

- Access to WCPFC ROP data
 - ROP Coordinator
 - ROP Data Quality Officer
 - Compliance Manager
 - Assistant Compliance Manager
 - SPC-OFP ROP data staff
 - WCPFC ROP data staff
 - GEF ABNJ Tuna Project Technical Coordinator-Sharks and Bycatch

- WCPFC MCS Information Management System: discard report, transshipment reports, HSBI reports, CMM reporting and correspondence, WCPFC Record of Fishing Vessels, Access to Compliance Monitoring Report drafts, provisional reports and correspondence
 - Executive Director
 - VMS Manager
 - VMS Operations Officer 1 and 2
 - Compliance Manager
 - Compliance Manager-Assistant
 - Legal Adviser
 - Compliance Officer
 - ROP Coordinator
 - ROP Data Quality Officer
 - RFV Officer
 - WCPFC IMS developer and technical support: Taz-E
 - Science Manager
 - Assistant Science Manager
 - GEF ABNJ Tuna Project Technical Coordinator-Sharks and Bycatch

- Access to WCPFC catch and effort data through CES
 - Science Manager
 - Assistant Science Manager
 - Compliance Manager
 - Compliance Manager-Assistant
 - VMS Manager
 - ROP Coordinator
 - ROP Data Quality Officer
 - GEF ABNJ Tuna Project Technical Coordinator-Sharks and Bycatch

Seconded staff from national agencies / WCPFC consultants: 2014/2015

Confidentiality agreements were signed and they may have had access to WCPFC non-public domain data information, greater than what they would have as national representatives to WCPFC, during the period of the secondment/consultancy:

- 2014: Kerry Smith – Australia

WCPFC Interns

Confidentiality agreements were signed and they may have had access to WCPFC non-public domain data information, greater than what they would have as national representatives to WCPFC, during the period of their internship:

- 2014: Ms. Lee, So-Young, Korea
- 2014: Mr. Kim, Deuk-keun, Korea
- 2014: Ms Jung, So-yeon, Korea
- 2014: Angela Abolhassani – United States of America
- 2015: Moon-Oh Choi, Korea
- 2015: Ga-young Kim, Korea
- 2015: Natasha Franklin, FSM
- 2015: Cui Shuo, China
- 2015: Gu Jialy, China

SPC-OFP science and data management staff:

- Access to WCPFC scientific data,
- Access to WCPFC ROP data;
- Access to VMS data for cross-verification of ROP and logsheets;
- Access to VMS data one year old for science purposes;
- Access to preliminary and draft Compliance Monitoring Report information; and
- Access to maintain the data and science pages on the WCPFC website.

A summary of access to WCPFC non-public domain data and information is provided here:

Secure CCM section on the WCPFC website

The Commission has a secure web page that is accessible to Members for sensitive documents, non-public information for meetings or compliance information, such as Register of MCS entities and personnel Register, CNM applications and analyses, draft and Provisional IUU lists. Draft and Provisional Compliance Monitoring Reports, CCMs Annual Report Part 2 and High Seas Pocket Monitoring. In 2014, the Individual CCM portal pages were created (each CCM can access only their own pages and not that of others), and CCMs are provided with supporting information for draft CMRs, as well as an ability to maintain their official contacts list. In 2015, the CCM portal pages were again used to disseminate supporting information for Compliance Monitoring Reports.

The following have access:

- WCPFC staff;
- Office bearers of the WCPFC and Subsidiary Bodies;
- SPC-OFP staff working on behalf of the Commission;
- Each Member or Territory according to their request.
- Certain representatives of WCPFC-registered inter-governmental sub-regional agencies which are recognized as providing advice and assistance to developing State CCMs participation in WCPFC processes (presently SPC, FFA and PNA).

WCPFC Meeting Server

Has a valid login for each CCM and WCPFC staff

Eastern High Seas Pocket Special Management Area WCPFC VMS data and manual entry and exit reports is in accordance with CMM 2010-02

- WCPFC MCS staff
- MCS personnel of all CCMs

Direct Data Entry for WCPFC RFV

Login to the WCPFC Record of Fishing Vessels system, for CCMs to create and modify their vessel records on the Record of Fishing Vessels. This capability is available to all CCMs after the RFV SSPs came into force in June 2014. FFA is also given access to the RFV as a duly authorized MCS entity on behalf of some of its members.

Compliance Monitoring Report and Annual Report Part 2

A login provided to each CCM to the WCPFC intranet for CCMs to complete their Annual Report Part 2 and enter their reply to their preliminary draft Compliance Monitoring Report. This login is used for MTU audit data entry by CCMs.

WCPFC VMS SmartTRAC access

Login and password management of the WCPFC VMS system is maintained outside the Secretariat, as part of the SLA for the WCPFC VMS – with instructions provided by the WCPFC VMS Manager. Logins for CCMs to view flagged vessels in the high seas of the WCPFC area, were enabled in accordance with CMM 2007-02 (now CMM 2014-02) *Commission VMS*, and the WCPFC Standards, Specifications and Procedures for the WCPFC VMS. Access by coastal CCMs to VMS data related to the 100nm high seas buffer around their EEZ, was enabled in accordance with an approved request under the 2009 data RaP. Access by coastal CCMs to the in-zone VMS data was enabled in accordance with a notification in accordance with WCPFC9 decision, or prior agreements approved by the Commission.

Annex 3: List of WCPFC client CCM logins for the WCPFC VMS system (current and previous)¹

CCM	To view flagged vessels in high seas WCPFC area	100nm high seas buffer around EEZ	EHSP SMA **	EEZ
Australia	Y	Y		15 March 2013
China	Y			
Cook Islands	Y	Y	Y	14 May 2010 #
European Union	Y			
Federated States of Micronesia	Y	Y		4 April 2013 #
Fiji	Y			
France – French Polynesia	Y	Y	Y	16 June 2013
Japan	Y	Y		
Kiribati	Y	Y#	Y	
Republic of Korea	Y			
Republic of Marshall Islands	Y	Y#		
Nauru	Y	Y#		19 July 2015 #
France – New Caledonia	Y	Y		13 June 2013
New Zealand (incl. Tokelau)	Y	Y#		23 Feb 2010 #(NZ) 22 Aug 2012 # (TK)
Niue	Y	Y		1 Jan 2013 #
Palau	Y	Y		1 Sept 2013 #
Papua New Guinea	Y			
Philippines	Y	Y		
Samoa	Y			6 Oct 2013 #
Solomon Islands	Y	Y		
Chinese Taipei	Y			
Tonga	Y	Y		13 Mar 2015 #
Tuvalu	Y	Y		8 Sept 2013 #
United States of America	Y	Y		9 Mar 2013
Vanuatu	Y			
France – Wallis and Futuna	Y			16 June 2013
FFA Regional Surveillance Centre	Y	Access as a nominated MCS entity where noted # above		

¹ Note only the 100nm high seas buffer is a Data Rules and Procedures data request. Access to other data is provided in accordance with other CMMs and WCPFC decisions.

** All CCMs have access to the 'live list' (ie. of vessels present in the EHSP). The live list is displayed in the secure page on the website

Annex 4: List of CCMs request received and actioned in 2014/2015

CCM	Description	Reporting Requirement	Received Date (2014/2015)
Japan	100nm HS VMS Data around JP's EEZ	Data RaP MCS 19–25	10 Jan 14
International Scientific Committee (ISC)	ISC request - CAT2 data for SWO LL fishery	Data RaP 29	24 Jan 14
FSM	FFA RFSC request on behalf of Palau, FSM, Nauru and RMI – MCS Operation	Data RaP MCS 19–25; Data RaP MCS 27	31 Jan 14
Marshall Islands			
Nauru			
Palau			
El Salvador	Request observer and discard data	Data RaP 19	10 Feb 14
New Zealand	Request Gen3 data for 4 NZ flag vessels	Data RaP MCS 14-15	25 Feb 14
MSC	China AR Part 2: 2011, 2012, 2013 – part of MSC assessment of Luen Tahi albacore longline fishery in CK EEZ	Data RaP 2	9 Apr 14
Cook Islands	FFA request for CK, Tuvalu, Niue and WS – MCS Operation	Data RaP MCS 19–25; Data RaP MCS 27	19 Apr 14
Niue			
Samoa			
Tuvalu			
Chinese Taipei	High seas VMS data request for MCS activities	Data RaP MCS 19-25	22 Apr 14
Chinese Taipei	TW request observer reports	Data RaP 19	24 Aug 14
China	Request for specific transshipment declaration involving its vessel as offloading vessel (in port)	Data RaP 19	25 Apr 14
France	France for NC: MCS Op. in NC EEZ and HS	Data RaP MCS 19-25	30 Apr 14
United States of America	Data request (catch and discard) for 10 US flag vessels	Data RaP 19	30 Apr 14
United States of America	Catch & effort data for 2005, 2009 & 2010 in A/Samoa's EEZ	Data RaP 19	17 May 14
New Zealand	Request HS VMS data	Data RaP MCS 19-25	9 Jun 14
France	France on behalf of New Caledonia	Data RaP MCS 19-25	17 Jun 14
France	France on behalf of French Polynesia - HS VMS data request	Data RaP MCS 19-25	22 Jun 14
New Zealand	High seas VMS data	Data RaP MCS 19-25	24 Jun 14
New Zealand	Request VMS positions for a vessel which is has requested to enter NZ port	Data RaP 19	26 Jun 14
France	France on behalf of NC – request a view of vessels on a specific area	Data RaP MCS 19-25	27 Jun 14
Chinese Taipei	High seas VMS data – to investigate possible non-compliance event & to facilitate cost effective high seas MCS activities planning	Data RaP MCS 19-25	4 Jul 14
Chinese Taipei	High seas VMS data – to investigate possible non-compliance event	Data RaP MCS 19-25	4 Jul 14
France	France on behalf of New Caledonia – high seas VMS data	Data RaP MCS 19-25	16 Jul 14
European Union	ROP data for EU flag vessel for trip May 2014	Data RaP 19	1 Aug 14
Chinese Taipei	Observer reports for alleged incidents identified	Data RaP 19	24 Aug 14

CCM	Description	Reporting Requirement	Received Date (2014/2015)
	in dCMR		
Japan	VMS data for MCS activities	Data RaP MCS 19-25	31 Aug 14
Cook Islands	FFA RFSC, as an authorized entity for Cook Islands, FSM, Kiribati, Nauru, Niue, Palau, Marshall Islands, Solomon Islands, Tonga and Tuvalu: request of high seas VMS data; VMS data for waters under national jurisdiction of participating members; other non-public data	Data RaP MCS 19–25; Data RaP MCS 27	3 Sept 14
FSM			
Kiribati			
Nauru			
Niue			
Palau			
RMI			
Solomon Is			
Tonga			
Tuvalu			
El Salvador	ROP data request	Data RaP 19	11 Sept 14
ISC	- CAT 1 Mako Sharks Longline data by country for North Pacific, all years - CAT 2 Mako Sharks Longline data by country for WCPFC Statistical Area, all years - CAT 3 Mako Sharks Longline data by country for North Pacific, all years (and if sex is available) - Request for CAT I, 2, and 3 are also for other gear (e.g., Purse Seine) that have mako shark data	Data RaP 29	Nov 14
France	On behalf of French Polynesia: high seas VMS data for MCS operation	Data RaP MCS 19-25	8 Nov 14
France	On behalf of French Polynesia: high seas VMS data for MCS operation	Data RaP MCS 19-25	9 Dec 14
CCM	Description	Reporting Requirement	Received Date (2015)
USA	High seas VMS data to support patrol	Data RaP MCS 19–25	8 Jan 15
France	France on behalf of French Polynesia – high seas VMS data request to support operation	Data RaP MCS 19–25	31 Jan 15
FSM	VMS data for FSM EEZ + 100nm high seas VMS data	Data RaP MCS 19–25; Art 24(8)	4 Feb 14
FSM	FFA RFSC, as an authorized entity for Palau, FSM, Nauru, RMI, Solomon Island - request of high seas for MCS operation	Data RaP MCS 19–25; Data RaP MCS 27	23 Feb 15
Nauru			
Palau			
RMI			
Solomon Is			
USA	High seas VMS data to support patrol	Data RaP MCS 19–25	28 Feb 15
New Zealand	Historical, current and future ROP data derived from trips undertaken on NZ flag vessels to monitor flag vessels for any non-compliance that may take place	Data RaP 19	25 Mar 15
Cook Islands	FFA RFSC, as an authorized entity for CK, NU, WS, TK, TO & TV: request of high seas; VMS data for waters of CK, NU, WS, TK, TO & TV;	Data RaP MCS 19–25; Data RaP MCS 27	7 Apr 15
Niue			
Samoa			

CCM	Description	Reporting Requirement	Received Date (2014/2015)
Tokelau	other non-public domain data for MCS operation		
Tonga			
Tuvalu			
CCSBT	- Public domain version as per the 3-vessel rule – public data (released already) - Full dataset- non-public domain data – this is currently being worked upon	Data RaP 29	17 Apr 15
USA	Request high seas VMS data to support an authorized US inspection vessel	Data RaP MCS 19–25	25 Apr 15
Philippines	Request ROP data for vessels flagged to PH and for vessels active in PH waters to satisfy the wide range of WCPFC reporting obligations	Data RaP 19	6 May 15
Vanuatu	Request ROP data for vessels flagged to VU and for vessels active in VU waters to satisfy the wide range of WCPFC reporting obligations	Data RaP 19	6 May 15
Australia	High seas VMS data; VMS data in AU waters; other non-public domain data for MCS operation	Data RaP MCS 19–25; Data RaP MCS 27	19 May 15
New Zealand	Request high seas VMS data for MCS activities	Data RaP MCS 19–25	20 May 15
Tuvalu	Request ROP data for vessels flagged to TV and for vessels active in TV waters to satisfy the wide range of WCPFC reporting obligations	Data RaP 19	21 May 15
France	France for NC: high seas VMS data to support MCS operation	Data RaP MCS 19-25	28 May 15
Australia	High seas VMS data; VMS data in AU waters; other non-public domain data for MCS operation	Data RaP MCS 19–25; Data RaP MCS 27	12 Jun 15
Nauru	Request ROP data for vessels flagged to NR and for vessels active in NR waters to satisfy the wide range of WCPFC reporting obligations	Data RaP 19	17 Jun 15
Australia	Request VMS data for 2 VOIs – for further investigations and inquiries	Data RaP MCS 19–25	17 Jun 15
New Zealand	Request high seas VMS data for MCS activities	Data RaP MCS 19–25;	22 Jun 15
FSM	FFA RFSC, as an authorized entity for FSM, KI, NR, PW, MH, SB and TV: request of high seas; VMS data for waters of CK, NU, WS, TK, TO & TV; other non-public domain data for MCS operation	Data RaP MCS 19–25; Data RaP MCS 27	23 Jun 15
Kiribati			
Nauru			
Palau			
RMI			
Solomon Is			
Tuvalu			
Australia	Request VMS data for a VOI	Data RaP MCS 19–25	24 Jun 15
USA	High seas VMS data to support authorized US inspection vessels	Data RaP MCS 19–25	9 Aug 15
Chinese Taipei	High seas VMS data to facilitate MCS activities	Data RaP MCS 19–25	10 Aug 15
France	France on behalf of New Caledonia – high seas VMS data to support patrol vessel operation	Data RaP MCS 19–25	26 Aug 15

CCM	Description	Reporting Requirement	Received Date (2014/2015)
Japan	High seas VMS data for MCS activities	Data RaP MCS 19–25	29 Aug 15
USA	High seas VMS data to support authorized US inspection vessels	Data RaP MCS 19–25	4 Sept 15