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**REVIEW OF THE CCMs SUPPORTING THE WCPFC RFV, VMS AND THE
REGIONAL OBSERVER PROGRAM**

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Paper prepared by Secretariat

ISSUES:

1. Over the last 7 years the WCPFC has implemented RFV, VMS, ROP and other related CMMs. These measures are designed to ensure that the WCPFC can manage the MCS and science business of the Commission in the most efficient manner. These are your three key MCS management tools.
2. What has become obvious over time is that some of these measures have been crafted in a way that limits their effectiveness and efficiency and as such do not produce the best results for the WCPFC and its members.
3. The Secretariat has difficulties in applying elements of these measures and providing advice on their implementation as they currently exist. There would also be cost and efficiency benefits that would flow from greater integration and engagement in MCS and the development of MCS tools with other regional fisheries organizations in the Convention Area, namely FFA, PNA and SPC.

DECISIONS/ENDORSEMENTS TO WCPFC:

4. TCC7 is invited to consider options to enhance the effectiveness of the CMMs for RFV, VMS and ROP and other related CMMs for the Commission.

BACKGROUND AND SUGGESTIONS:

5. The three CMMs are all related to vessel activities in the Convention Area, although they will be addressed individually, links will be noted where efficiencies can be realized.

A. RECORD OF AUTHORISED FISHING VESSELS (RFV)

1. The RFV is the base for any information and management system in that all activities by fishing vessels, including carriers and bunker vessels is based around the data on each vessel.

There are concerns regarding the effectiveness of the current CMM 2009-01 including amendment of CMM 2009-01 and linked CMMs to address the following eight (8) issues:

- Establishment of common protocols within the region for the RFV/Register of Fishing Vessels;
- Establishment of common minimum regional standards for RFV data requirements to meet the Lloyd's Fairplay Unique Vessel Identifier (UVI/IMO);
- Inclusion of Vessel Tracking Agreement Form (VTAF) in the minimum data requirements for the RFV;
- Trial the proposed 'batch entry' scheme;
- Harmonize and accept RFMO IUU Lists as per the KOBE III recommendation;
- Removal and non-acceptance of RFV applications for vessels listed on other RFMOs IUU lists;
- Automatic removal of a vessel from the RFV by the Commission when listed as IUU; and
- Amendment to Rules and Procedures to allow a vessel de-listed from the IUU list to commence fishing operations immediately after publication of the inter-sessional decision.

2. Minimum Regional Standards

The WCPFC has completed trials and is now starting to implement a 'direct entry scheme' for CCMs to enter their vessels on the RFV with the Secretariat then reverting to a data quality standard role. This is effective and can be made to require all fields to be completed prior to acceptance by the system.

The WCPFC CMM 2009-01 requires 19 information elements to be completed for the RFV in accordance with Article 24 Para 3 and Annex IV of the WCPFC Convention. The global standard to which all RFMOs are working is the Lloyd's Fairplay Unique Vessel Identifier (UVI/IMO) number to facilitate tracking of vessels regardless of changing of national registrations, and also facilitate global fishing vessel information exchange. *The WCPFC needs five new elements of information to meet this global standard.*

In 2011, FFC approved the new requirement for the data elements to meet the Lloyd's Fairplay UVI as a standard for their registry (17 of the Commission Members). Further complicating the current situation is that there is no authority for the Secretariat to deny posting of the vessel if all data elements are not provided, thus reducing the effectiveness of the RFV.

Suggestion: **TCC is invited to recommend that the Commission** revise CMM 2009-01 to meet the requirements of the Convention and incorporate common information elements of sub-regional organizations to move to the Global standard of Lloyd's Fairplay UVI requirements. It is further suggested that there be an amendment to the CMM to ensure that all elements are required to be provided to the Secretariat before the vessel is listed on the RFV. Revised wording in CMM 2009-01 para 35 could be considered to achieve this, e.g., 'within 7 business days of receipt of complete information for a fishing vessel under Paragraph 6, the Secretariat will include the vessel on the record of fishing vessels', *or alternatively* the 'direct entry' scheme could be programmed to deny entry of a vessel on the RFV if all data elements have not been provided.

3. **Common Protocols**

The WCPFC RFV is the master record of authorized fishing vessels for the region, the FFA, PNA and coastal members are required to check the WCPFC RFV to ensure the vessel is on the list prior to placing it on their Registry of Fishing Vessels in Good Standing or other registries. However the following occurs:

- The FFA Register receives vessel application information from individual fishing companies.
- The WCPFC receives vessel applications for the RFV and the Interim Register of Non-Member Carriers and Bunker Vessels from government agencies of CCMs.
- There are no standards for protocols or cross verification of data thus leaving open the opportunity for duplicate registrations and listings of the same vessel with slightly differing names, e.g. *Aichi Maru 1* and *Aichi Maru No. 1* or *No. 1 Aichi Maru*, or vessels having the same name and slightly different registration numbers, e.g., *KN3-1883* and *JP-KN3-1883*.
- Duplication adds costs for monitoring and tracking of vessels.

Suggestion: As common protocols for application information within the region may alleviate this concern and save costs on monitoring duplicate information for the same vessel, **TCC is invited to direct** the WCPFC Secretariat to work with FFA to develop protocols for cross verification of data on the vessel records, registers and recommendations how to streamline the system on a regional basis for presentation at WCPFC8, or alternatively, at TCC8.

4. **VTAF**

There are concerns regarding the fact that the VTAF (VMS Tracking Agreement Form) does not come to the Secretariat until the vessel is about to commence fishing. This form sometimes has information differing from the RFV thus creating the potential for double counting of vessels as well as creating additional costs for double tracking of the same vessel. This matter could be resolved if the VTAF was considered as a mandatory information element requirement on application to the RFV, thus creating a closer link between the RFV and VMS databases. This has also been noted in the VMS Annual Report. Suggestion: **TCC is invited to recommend that** the VTAF be listed as a mandatory information element required for the RFV on application under the revised information elements noted above.

Note: **The above points** could be a task of a Small Working Group (SWG) to prepare the amendments to the CMM, and submit them to TCC for recommendation to WCPFC8.

5. The initiative for a 'batch entry' is addressed in the annual report on the Record of Fishing Vessels.

6. **KOBE III**

KOBE III recommended that tRFMOs cooperate to harmonize illegal, unregulated and unreported (IUU) vessel listing criteria, processes, and procedures, to the maximum extent possible, and move towards adopting principles, criteria, and procedures for cross-listing IUU vessels that are listed on the IUU list of other tRFMOs.

Suggestion: **TCC7 is invited to recommend action on** the KOBE III proposal.

7. **Global Cooperation re IUU**

Global cooperation to deter and eliminate IUU fishing is resulting in sharing of RFMO IUU lists. Some Tuna RFMOs already accept IUU lists of other RFMOs and will not allow a vessel on their Register if it is on the IUU list of another RFMO, or remove the vessel from the registry if it is on said RFMO IUU List. The Commission CMM 2009-01 permits removal of a vessel from the interim registry if it is found to be on another RFMO IUU list, *but it does not allow the same practice for vessels on the Commission RFV, thus not showing the same level of commitment to stop IUU fishing as other RFMOs.*

Suggestion: TCC 7 is invited to consider applying the same process to the RFV as is currently the case for removal from the Interim Register of Non-Member Carriers and Bunkers those vessels found on other RFMO IUU lists. This could include not placing a vessel on the RFV if the vessel is found on the IUU Vessel list of another RFMO. The SWG noted in Item 3 for revision of CMM 2009-01 could be tasked accordingly.

8. **Commission Removal of an IUU Vessel from the RFV**

Link to CMM 2010-06 – IUU Listing - Currently, only the flag State can apply to post a vessel on the RFV, and only the flag State can remove a vessel from the RFV. This means if the flag State refuses to remove a vessel from the RFV that has been listed on the WCPFC IUU Vessel List, then the vessel remains on the authorized record of fishing vessels and also the IUU list, thus an embarrassment to the Commission and its mandate.

Suggestion: TCC are invited to recommend to the Commission the idea that when the Commission lists a vessel as IUU, it is automatically removed from the RFV by the Executive Director when the decision comes into force, e.g., 60 days after the decision. If so endorsed the SWG could amend CMM 2009-01 accordingly.

9. **Fishing Operations after Intersessional De-Listing from IUU List**

Link to CMM 2010-06 – IUU Listing – There is not clarity whether a vessel which is on the Commission IUU list and an inter-sessional decision has been made to remove the vessel from the list, whether the vessel can carry on fishing immediately, or it has to await the 60-period for the decision to come into force.

Suggestion: TCC is invited to consider that by the time the intersessional decision has been made to remove the vessel from the IUU list, the vessel and flag State have already taken appropriate action to resolve the issue to the satisfaction of the Commission and the decision should take effect immediately on notice of the decision to all CCMs. TCC is invited to direct the Secretariat to draft an exemption clause in the Rules of Procedure to accommodate such a measure is recommended to the Commission.

B. VESSEL MONITORING SYSTEM (VMS)

1. Noting that the FFA SLA fees, the joint WCPFC/FFA VMS review, VMS issues surrounding the WCPFC/IATTC Overlap area and cost recovery issues will be addressed in other papers, the three (3) key VMS issues remaining include:

- Permitting the VMS Manager full administrative rights to the Commission VMS data;
- Resolution of bracketed text for manual reporting; and
- Procedures for monitoring Commission VMS data in EEZs.

2. VMS Management Authority

VMS SSPs - In their current form, some sections of the SSPs constrain the WCPFC Secretariat from effectively managing the Commission VMS. WCPFC Secretariat is hampered in its management of the Commission VMS because it does not have administrative rights/privileges that would enable it to better manage the system. Currently there are 3,135 vessels listed on the WCPFC VMS database, 1639 of them report via FFA VMS and the remainder report directly to WCPFC VMS. Only 49% of those reporting directly are visible on the WCPFC VMS the remainder is either in quarantined zones or offline. The Commission is paying for airtime data it cannot access plus a monthly MTU recurring fee of \$18.00 per month per vessel. Further WCPFC is paying for vessels for which it cannot determine the location whether in the Convention Area or in another ocean and hence validity of invoices cannot be verified as positions in the Convention Area. To remedy this constraint it is proposed that a new section (7.3.11) is added to the SSPs. This has also been included in the VMS Annual Report.

Suggestion: **TCC is invited to recommend** the following change to VMS SSPs - Administration Access to VMS data - Propose new para 7.3.11 “*The WCPFC Secretariat shall have administrative rights/privileges to all Commission VMS data in order to effectively manage the system.*”

3. Manual Reporting

VMS SSPs - The bracketed text 5.4 and 5.5 in the SSPs regarding manual reporting has not yet been resolved, thus leaving the requirement for manual reports when the MTU stops transmitting in limbo.

Suggestion: Manual Report – **TCC is invited to finalize** the text in paragraphs 5.4 and 5.5 of the SSPs to facilitate VMS operations in cases of failure of the MTU/ALCs.

4. VMS Template

Monitoring of National Waters – The Draft Template has been circulated with final comments from CCMs. Fiji has submitted further comments to this final draft. A number of CCMs have expressed interest to sign agreements to this arrangement to minimize the IUU opportunities in their waters. This is also included in the VMS Annual Report.

Suggestion: **Commission Members are invited**, if they have not already done so, to agree on the new VMS Template Agreement to enable CCMs to reduce IUU fishing in the Convention Area.

C. REGIONAL OBSERVER PROGRAMME (ROP)

1. The Regional Observer Programme would operate more effectively if several decisions that remain unresolved were decided. These include:

- Concurrence on standards and definitions in the CMM and operational procedures;
- Resolution on vessel size for carrying observers;
- Determination on processes for access to ROP reports by flag States and vessel Masters;
- Requirement for Advisory Group for ROP;
- Assistance to ROP providers for timely data transmission to the Commission, noting that SPC is considered as part of the Commission with respect to ROP data.

2. Standards and definitions

Three Intersessional Working Groups (IWGs) for the ROP determined standards and definitions to be used in the development of the ROP. These standards were discussed at SC and TCC before being approved by the WCPFC; however a number of definitions were sidelined for TCC and the Commission to discuss as it was thought that the whole body of the Commission at a TCC or Commission meeting should make the decisions on these items, however when raised at these meetings no consensus could be reached, therefore we have important definitions which are required to ensure good management, that are continually passed over as consensus is difficult to attain.

CMM 2008-01 and the PNA 3IA has given guidance for the placement of observers for 100% coverage for purse seining. However, with 5% Long line coverage to be attained by June 2012 these definitions are more important than ever to ensure coverage is reached and that members are fully aware of the requirements, however in many instances those requirements are not agreed on and members are not sure if they are complying or not complying with the rules of the Commission. The ROP secretariat is also unable to give helpful advice to member countries on these definitions other than to say they have not been agreed upon as no consensus could be reached.

TCC is invited to consider the following as a guide in its discussions to resolve these issues.

2. a *ROP Trip*

The definition of what a ROP trip is stated in the WCPFC Convention Article 28 Para 5 and also is similarly stated in the CMM 2007-01 however, there still seems to be some confusion by some programmes on when an observer is on a ROP trip. For purse-seiners this should not be a problem as all trips that are described in the Convention are ROP Trips. However with 5% coverage for long liners, observer programmes and flag States can chose which trips they wish to nominate as ROP trips, providing 5% coverage is attained for each of the long line fleets.

An ROP trip is defined in the WCPFC Convention Article 28 paras 4 & 5

Para 4 - Each member of the Commission shall ensure that fishing vessels flying its flag in the Convention Area, except for vessels that operate exclusively within waters under the national jurisdiction of the flag State, are prepared to accept an observer from the regional observer programme, if required by the Commission.

Para 5. The provisions of paragraph 4 shall apply to vessels fishing exclusively on the high seas in the Convention Area, vessels fishing on the high seas and in waters under the jurisdiction of one or more coastal States, and vessels fishing in waters under the jurisdiction of two or more coastal States.

When a vessel is operating on the same fishing trip both in waters under the national jurisdiction of its flag State and in the adjacent high seas, an observer placed under the regional observer programme shall not undertake any of the activities specified in paragraph 6 (e) when the vessel is in waters under the national jurisdiction of its flag State, unless the flag State of the vessel agrees otherwise

The words that have been placed in the CMM and the Convention and remain undefined and therefore cause interpretation problems for fleets include:

2. b Principally - Oxford dictionary meaning- “Most part; chiefly, mainly; mostly,”

The proposal is that in the CMM 2007 - 01 Paragraph 13 (ii) that the word ‘principally’ takes on the meaning of chiefly or most of the time, which in the context of Para (ii) would mean the vessel fishes within its own flag State zone for the majority of the time, and only leaves its flag State zone for part of the time to fish on the high seas or neighboring country where it has permission.

Suggestion: **TCC is invited to consider the idea** “that **principally** means a vessel that fishes approximately 70% of the time in its own Zone during any one trip.

2. c Occasional - Oxford dictionary meaning - “Occurring infrequently or irregularly, acting in a specified capacity from time to time,”

The proposal is that in the CMM 2007 - 01 Paragraph (ii) that the word “occasionally” takes on the meaning, that a vessel goes onto the high seas some of the time from the EEZ where the vessel is flagged for a proportion of a trip. The vessel would not require an observer from another programme and may carry observers from their own national programme to fulfill Commission requirements.

Suggestion: **TCC is invited to consider** that “**occasionally**” means a vessel can fish an approximate 30% of the time outside its own Zone on the high seas in any one trip and still use its own national observers if it wishes to do so.

Note that the applications proposed under independent and impartial may also apply.

2. d Adjacent - Oxford dictionary meaning “Next to, or adjoining something else, lie near to, nearby.”

The proposal is that in the CMM 2007 - 01 Paragraph 13 (ii) that the word “adjacent” takes on the meaning, that any high seas areas that adjoins the flag State or its territories within a determined distance would be called adjacent.

Suggestion: **TCC is invited to consider that** “*adjacent*” means any area on the high seas within 100¹ miles from the vessels flag State maritime boundary.

2. e Independent - Free from outside control or influence, not depending on, not connected with another; separate, not subject to control by others, not affiliated with a larger controlling unit

2. f Impartial - Neutral, unbiased, not partial or biased, treating or affecting all equally

The accountability of an observer placed on a vessel is stated in the Convention and the CMM ROP 2007-01 where it is clear that the observer is accountable directly to the provider and in turn the Commission membership. Although the Convention states that the observer must be independent and impartial, the substance of their independence and impartiality are not conventionally determined.

There has always been difficulty in reaching consensus for a meaning for independent and impartiality at WCPFC meetings. The problem is not so much the meaning but the application of the meaning and for this reason it is suggested that a meaning of the words be established, and then different applications can apply for different gear types and situations.

¹ The 100 nm miles is to maintain consistency with the 100 nm buffer zone recognized by the Commission for VMS.

An MRAG study in 2006 stated that CCAMLR applies the definition in a manner that the observer must be from a flag State different from the flag of the vessel, IATTC allows up to 50% of the vessels to carry observers selected by national programmes with the IATTC itself supplying the other 50%, and that CCSBT allow national observers on all vessels.

Suggestion: **TCC7 is invited to consider the following for definitions of:**

“Independent and Impartial”

Observers will be free from outside control or influence of their roles and duties, and must be able to execute their powers and functions in an uninfluenced and unbiased way without fear of endangering their position as a result of decisions with which the vessel master or crew, the flag State of the vessel or some other entity may not agree.

2. g Application

Different gear types will wish to have different applications applied to the source of their observers for the coverage required by the Commission.

Suggestion: **TCC7 is invited to consider applying the concept of independent and impartial observers in the following manner:**

Purse seiners

Observers ROP trips are defined by the Convention - to ensure the ROP coverage determined by the Commission for purse seine vessels is attained; currently 100% for 20N -20S of the Convention area, and a minimum of 20% for all other high seas areas of the Convention areas.

Source of observers for purse seine ROP trips

- Observers placed on a purse seiner as part of the ROP coverage determined by the Commission shall come from an approved ROP observer programme of a CCM, other than the flag State of the vessel.

Longline

Observers ROP trips are defined by the Convention – The ROP coverage determined by the Commission for Long line vessels is currently 5% of all trips by 2012 for long liners. There are different types of operations involving long line fleets including Distant Water Fleets and Coastal Fleets that also fish on the high seas. Applying the same rules across the board as purse seining has in the past presented problems with some members, therefore different rules for placement of observers may be required. The following is presented for consideration.

- a. Long line vessels nominated by the flag State, for the 5% ROP coverage of trips required by the Commission by 30th June 2012, that fish in the EEZ of a WCPFC country other than their own flag, will operate by the rules and laws of that country. However for all ROP coverage trips the observer shall be a national from an approved ROP observer programme of a CCM, other than the flag State of the vessel.
- b. Long line vessels nominated by the flag State, for the 5% coverage of trips required by the Commission by 30th June 2012, that fish on the high seas and depart from their home port in the WCPFC country to which they are flagged, and return

- to a port outside the country to which they are flagged for their first trip, and any subsequent trips, including the vessel returning to its home port after all these trips; shall for all ROP coverage trips carry an observer who is a national from an approved ROP observer programme of a CCM, other than the flag State of the vessel.
- c. Long line vessels nominated by the flag State, for the 5% coverage of trips required by the Commission by 30th June 2012, that fish in their EEZ and also the high seas and depart and return to the same port in their flag State within 30 calendar days for any one trip, may use their own national observers, providing the Commission ROP is permitted to place ROP observers they choose on these vessels from time to time, for the purposes of auditing and checking the data that has been collected by national observers being placed on these vessels. Trips conducted as part of the audit process can be counted as part of the 5% coverage required for the long line fleet.

Carriers

Observers ROP trips for fish carrier vessels have been determined by the Commission to be 100% coverage for all carriers transshipping at sea in the WCPFC Convention area.

Source of observers for carriers transshipping at sea

- Observers placed on a fish carrier as part of the ROP coverage determined by the Commission shall come from an approved ROP observer programme of a CCM, other than the flag State of the vessel.

Pole and Line

- Pole and Line vessels nominated by the flag State, for the 5% ROP coverage of trips required by the Commission by 2014 that fish in the EEZ of a WCPFC country other than their own flag will operate by the rules and laws of that country. However for all ROP coverage trips the observer shall be a national from an approved ROP observer programme of a CCM, other than the flag State of the vessel.
- Pole and Line vessels nominated by the flag State, for the 5% coverage of trips required by the Commission by 2014, that fish on the high seas and depart from their home port in the WCPFC country to which they are flagged, and return to a port outside the country to which they are flagged for their first trip, and any subsequent trips, including the vessel returning to its home port after all these trips; shall for all ROP coverage trips carry an observer who is a national from an approved ROP observer programme of a CCM, other than the flag State of the vessel.
- Pole and Line vessels nominated by the flag State, for the 5% coverage of trips required by the Commission by 2014, that fish in their EEZ and also the high seas and depart and return to the same port in their flag State within 30 calendar days for any one trip, may use their own national observers, providing the Commission ROP is permitted to place ROP observers they choose on these vessels from time to time, for the purposes of auditing and checking the data that has been collected by national observers being placed on these vessels. Trips conducted as part of the audit process can be counted as part of the 5% coverage required for the long line fleet

Noting that PS, LL & PL vessels fishing in the EEZ of waters of countries other than their flag, the requirements for observers will be dependent on the rules of the country licensing the vessel.

2. h Observer Trip Length

Coverage of vessels is determined by trips (CMM 2007-01); defining a vessel trip length is complex as it depends on gear types whereby the duration of a trip can be from 1 day to 18 months. The shorter term observer trips can be attained quite easily by observers, however, the longer term vessel trips 3 – 18 months can present a problem for observers, observer programmes and the vessels that they board to carry out ROP duties.

***Suggestion:* TCC is invited to consider the following for further defining ROP observer trips**

- **Purse seiners** - Observer trip length is calculated from the time observer boards the vessel to time vessel comes to port and fully unloads. If the observer remains on board, the new trip will commence after the vessel fully unloads its catch.
- **Long liners/ pole & liners** - ROP trip for an observer will in general be taken from the time the observer boards the vessel and the vessel trip is completed, or if in the case when vessel trips are for long periods, the observer will disembark the vessel when it is determined by the provider.
- For smaller long line vessels that have trips of a short duration (1-30 days) observers should spend a minimum of approximately 21 days on individual small long liners, this may mean multiple trips on some small long liners.
- For long line vessels that normally have trip durations greater than 30 days, Observers will spend a minimum of approximately 45 days on these long line vessels. This may mean observers are on board for only a part time of the trip of the vessel.
- ROP Observers will be limited to the number of days on one vessel so that total continuous time on one vessel does not exceed approximately 90 days, this is the maximum continuous time limit for observers aboard all vessel types.

3. Vessel Size For Carrying Observers

The implementation of ROP for small LL vessels was deferred in accordance with paragraph 10, Annex C of CMM 2007-01. No consensus has been reached on size limitations therefore currently there is no limit to the vessel size to take an observer on board. The standard currently being used by most countries is that all vessels must take an observer providing it is safe to do so. This essentially means it's up to the flag State to determine which vessels are available and safe enough for boarding's by observers. National programmes may have other stipulations when vessels fish inside their EEZ's.

***Suggestion:* TCC is invited to consider that the current standard being used is adopted by the Commission:**

- “To attain 5% ROP coverage as required by the Commission, all fleets must be prepared to take an ROP observer regardless of size of the vessel, providing it is safe to do so. Safety will be determined by the flag State, observer provider and the observer.

4. Access to ROP Trip Information by Flag States and Vessel Masters

CCMs have requested access to ROP data according to the Convention. This ROP information falls under two categories,

- Category (a) data approved as minimum standard data fields including the vessel trip summary report.
- Category (b) observer information such as written reports, journals, briefing & debriefing reports, and other written notations, etc

Category (a) data is the only data and summary that the Secretariat is tasked to collect and can release to CCMs on written request. This data will be released following debriefing of the observer, or entry into the ROP database to ensure the data provided is correct.

Access to Category (b) information collected by the observer will require the Commission to make a decision to include this information as part of the formal ROP reporting requirements which are to be sent to the Commission Secretariat. The ROP staff could then compile a report based on the information contained in the Category (b) information and release this to CCMs on written request.

Suggestion: TCC is invited to consider the following processes for access to ROP trip data and information by flag States and vessel masters.

- a. The ROP “Vessel Trip Summary” (commonly referred to as General Form 3) should be provided to the flag State of the vessel and/or Master, on request following the debriefing of the observer².
- b. The flag State is only entitled to request data for a trip completed by observers on vessels flagged to their country.
- c. The vessel master is only entitled to request data completed by an observer on the vessel to which he/she is the master.
- d. Observer data Category (a) with the exception of Vessel Trip Summary will be available for release to the flag State of the vessel and/or master on request following its receipt, data quality checks and entry into the ROP database by the Commission’s data service provider.
- e. Requests for ROP “Vessel Trip Summary” (General Form 3) by the Captain should be directed to the national observer provider that provided the observer, a copy of the request should also be sent to the WCPFC Secretariat. Other requests shall be directed to the WCPFC Secretariat as per the rules and procedures for data access (2009).

Requests for observer data can also be directed to the SPC which conducts data quality checks and enters the ROP observer data, with a copy of the request also to be sent to the WCPFC Secretariat.

5. Requirement for Ad Hoc Task Group for the ROP

There have been several occasions where the ROP could benefit from an advisory group to assist in timely addressing operational issues as they arise during the year. As can be seen by this and other papers presented at TCC paper, there are issues that could have been handled before TCC and a report presented, rather than having the TCC have to discuss every item that requires direction.

Some other examples include:

- a. Observer safety and harassment issues,
- b. Complaints by vessel masters of observer performance at sea or ashore;
- c. Data information sharing with flag State or Master;
- d. ROP Data release policy.
- e. Transshipment observer policy exemption to carry an observer in the cases of transiting to or from Shipyards.

² It must be noted that depending on where the observer is disembarked, the debriefing may not occur for a period up to 7-14 days after disembarkation depending on the travel time for the observer to reach his home port/and national provider for debriefing.

Suggestion: TCC is invited to consider the formation of a small advisory group to be available to work intersessionally, preferably electronically, and report to TCC meetings on actions it has taken to resolve ROP issues on a timely basis. The group should have a representative chosen by the FFA, PNA, one from non PNA FFA members as well as three representatives from Non-FFA members and will be coordinated by the ROP Coordinator. The group would be convened electronically when a ROP issue arises.

6. **Assistance to ROP providers for timely data transmission to the Commission**, noting that SPC is considered as part of the Commission with respect to ROP data.

ROP National Providers have agreed that the Secretariat can receive the ROP data from ROP trips covered by their ROP observers. This enables the Secretariat to better monitor the programme and report to the Commission. If the Commission decides to include both Category (a) and (b) data as part of the formal ROP Trip Records, then all such data will, of necessity be required to be sent to SPC and the Secretariat to use as a cross verification for assessments on management, science and compliance.

Suggestion: TCC is invited to endorse the direction to CCMs that all Category (a) and (b) ROP collected data be considered as part of the formal ROP Trip Record and sent to SPC and/or the Commission ROP Coordinator by either hard copy or by electronic means. Each national programme that requires assistance in copying these data or reports for transmission may be provided funding assistance by the Commission.