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11th ANNUAL REPORT FOR THE REGIONAL OBSERVER PROGRAMME

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11th ANNUAL REPORT FOR THE REGIONAL OBSERVER PROGRAMME

WCPFC-TCC15-2019-RP02

23 August 2019

Paper by the Secretariat

Purpose

1. This paper presents the 11th Annual Report of the WCPFC Regional Observer Programme (ROP), for 2018 for the information and Consideration of TCC15.

Introduction

2. Paragraph Article 28 of the WCPFC Convention states: “The observer programme shall be coordinated by the Secretariat of the Commission and shall be organized in a flexible manner which takes into account the nature of the fishery and other relevant factors.”

3. Paragraph 3 of CMM 2018-05 for the Regional Observer Programme states: “The Secretariat of the Commission shall provide an annual report to the Commission with regard to the Commission ROP and on other matters relevant to the efficient operation of the programme.”

4. Paragraph 13 of CMM 2018-05 on the “Role of the Secretariat” lists several ROP activities that the Secretariat is required to carry out.

5. This paper reports on the several aspects of the ROP as required by the Convention, CMM 2018-05 and the outcomes of WCPFC15.

6. The structure of the paper is as follows:

- General
- Available Observer Data and ROP observer coverage
- Data and monitoring through the ROP of the Commission’s CMMs intended to minimize impacts of fishing on species of special interest including non-target species
- Authorised observer providers to the ROP and update on ROP audits
- ROP Observer Compliance Matters
- Observer Safety Matters
- Support from the Secretariat to National and Regional Observer programmes
- Cross endorsement of observers to collect data on behalf of other tuna RFMOs
- Secretariat observations
- Administration notes
- Recommendations

General

7. The Secretariat continues to support observer and debriefer trainings, assistance was given on request to help CCM programmes with observer training. It continues also to assist national and sub-regional observer programmes on matters regarding provider and observer roles in relation to CMMs, Commission requirements, Commission minimum standards for the ROP, data collection and data entry requirements, monitoring of transshipment and other ROP observer issues. Since the last report the Secretariat's Observer Programme Coordinator has participated in several observer related meetings, workshops and training, such as the Regional Observer Coordinators Workshop in PNG, the PNA Observer Coordinators workshop in Nauru; Philippines observer training in Navotas Philippines, the IATTC/WCPFC Cross Endorsement observer training in Nauru, the WPEA observer planning meeting in Hai Phong, Vietnam, the WPEA observer planning meeting in Jakarta Indonesia, and Commission meetings in Pohnpei and Hawaii. For 2019 ROP Audits are organized for 7 observer programmes in 6 countries. The Secretariat continues to answer many questions about CMM's and other issues involving observers, to members and others to help them understand CMM's, and other rules of the Commission. The Secretariat in 2019 has continued to utilize ROP observer data in the online "WCPFC Compliance Case File System" and in other papers and reports prepared for WCPFC meetings.

Data Entry Staff "Pohnpei"

8. The Secretariat currently employs three data entry staff, who primarily enter data collected by the 'FSM Observer Programme' into SPC databases, and on behalf of SPC. When this is completed, the data entry staff continues to enter data sent by SPC to the Secretariat. Staff from the data entry team also assist with the entry of high seas transshipment notifications and declarations (CMM 2009-06) and other information at the Secretariat when required. The Data Quality Officer and the ROP Coordinator regularly offer advice and assistance to the team on data entry problems and questions.

ROP Data Fields

9. There were no additions to the minimum standard data fields in 2018. The list of minimum standard data fields are available on the WCPFC website: - <https://www.wcpfc.int/regional-observer-programme>.

10. E-reporting technologies has the potential to reduce the timeframes between the end of an observed trip and the receipt of data by WCPFC. If necessary updates of software can be easily deployed to observers tablets and laptops in a timely manner, the implementation of updates or additions to observer data fields can be comparably simpler through E-reporting systems than if hard copy workbooks need to be updated and distributed to all observers operating throughout the region. Several observer programmes have already, or are going to switch to electronic reporting for observers in their programmes, others continue to use the work book formats.

11. To date the Commission has not defined a set of specific approved minimum ROP required data fields for observers to collect when monitoring high seas transshipment activities.¹ The Secretariat understands that SPC and FFA are presently working on the development of training courses and a set of minimum data fields for Pacific Island observer programmes to collect whilst deployed on carrier vessels operating in the Convention Area, including when involved in in-port and high seas transshipments.

WCPFC15 Outcomes

12. The Commission, at WCPFC15, adopted amendments to the *Conservation and Management Measure for the Regional Observer Programme* (CMM 2018-05) and to the ROP minimum standards for

¹ The guideline published by the Secretariat that maybe considered by ROP observer programmes when developing their monitoring programmes for transshipment activities, including in high seas waters:= Form FC1 - Fish Carrier General Description; Form FC2 - Observer At Sea Transshipment Report; Form FC3 - Catch Destination Form (access from <https://www.wcpfc.int/regional-observer-programme>)

Observer Programmes. Copies of both documents were published on the WCPFC website: - <https://www.wcpfc.int/regional-observer-programme>.

Available Observer Data and ROP Coverage

13. The paper *Status of Observer Data Management (Updated version of WCPFC-SC15-2019-ST IP-02) WCPFC-TCC15-2018-IP04* indicates the amount of data that has been entered and highlights that CCMs with fleets active in the WCPFC Convention Area (WCPFC-CA) showed there were no major data gaps, however it was noted in the last report the deterioration in the timeliness in the provision of purse seine observer data for the 2017 period. In 2018 there was an improvement in the timeliness of purse seine observer data to SPC. The timely provision of 2018 observer data has meant that more data for the most recent calendar year were available for the scientific work required for SC15 and for inclusion in the online WCPFC Compliance Case file system.

14. The recommended time frame for submission of observer collected data to the Secretariat or the 'Commission Data Provider' (SPC) was determined at WCPFC10 and should where possible occur within 100 days of the observer disembarking a purse seine vessels; and within a 120 days of the observer disembarking a longliner.

15. In 2018 there were changes to the way many observers were asked by their national observer programme to collect data, with some programmes converting to using electronic tablets instead of paper formats. Some programmes had a few problems in the changeover; however most problems have reportedly been rectified. With the introduction of electronic reporting by tablets, ROP observer data entry and quality is expected to improve.

16. Recalling in the 10th Annual ROP that it was reported that debriefing was being improved in many programmes to better improve the quality of information collected before it is entered in the SPC databases. All indications of the data collected and entered is that the debriefing of this information has improved, and that along with this, the improvement initiated by SPC with data entry checks, indicates that the observer data base contains very little error and if it does have some inaccuracies, its mainly because of simple data entry mistakes or observers not recording fields correctly. Generally, these errors are detected during data entry, but may also be updated through analyses and corrected when compiling reports using the information.

ROP Observer Coverage - Longline 2018

17. The minimum ROP coverage rates for longliners is set at 5%, based on one of the approved and agreed metrics for longline coverage. As per CMM 2018-05, which replaced CMM 2007-01, the 5% ROP coverage rate was to be achieved by 30 June 2012. However, whilst there is improvement several programmes continue to not achieve this coverage rate for different reasons; the figures included in paper **WCPFC-TCC15-2018-IP04** shows coverage with the different fleets Noting that some fleets fish domestically and may not have had observers placed on ROP trips.

18. There is no decision made by the Commission on the minimum size of vessels to which the implementation of the ROP will be deferred (CMM 2018-05 Annex C). In practice, the Secretariat understands that placement of observers is based on safety and the ability of an observer to be able to work on a vessel without unduly hindering the operation of the vessel.

ROP Observer Coverage purse seine 2018

19. Observer coverage for purse seine vessels was monitored by the Secretariat with most information supplied by observer flag CCMs and some from providers for purse seine vessels when fishing in the Convention area 20N – 20S. The Secretariat was able to verify most placements but not all during 2018. Table 1 indicates reported ROP trips for 2018. A small number of purse seiners may have fished for part of the year and their ROP trips may or may not be reported in the table.

Table 1 – Available ROP Purse Seine Observer Placement information by fleet Jan - Dec 2018

CCM	PS on RFV	RFV Fished	ROP notified Placement													
			2018	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	
CN	78	15	15	14	15	15	15	15	13	13	11	14	14	13	14	14
EC	7	4		0	0	0	0	0	0	0	0	0	0	0	0	0
EU	37	10	10	1	2	3	2	3	2	1	2	2	3	3	3	3
FM	23	23	22	21	20	21	19	14	12	17	6	20	20	21	21	21
JP	97	35	27	26	25	26	27	27	26	27	26	24	27	27	27	26
KI	10	10	10	10	10	10	10	10	10	10	10	9	9	10	10	9
KR	51	26	27	27	27	27	26	26	24	24	24	23	23	23	23	22
MH	11	8	8	7	7	8	7	4	5	7	8	8	6	8	8	8
NR	2	2	2	0	0	0	0	0	0	2	2	2	2	2	2	2
NZ	6	1	1	0	0	0	0	0	0	1	1	1	1	0	0	0
PG	27	27	11	10	10	11	11	11	7	10	11	11	11	9	6	6
PH	65	65	9	3	2	3	3	0	2	3	2	3	5	3	5	5
SB	11	10	5	4	2	4	3	1	4	4	4	4	5	5	5	5
SV	4	2		0	0	0	0	0	0	0	0	0	0	0	0	0
TV	2	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1
TW	34	34	35	27	28	28	27	27	25	28	27	27	27	27	27	27
US	40	34	33	32	28	30	32	32	29	29	29	29	28	32	28	28
VU	4	3		0	0	0	0	0	0	0	0	0	0	0	0	0
Totals	509	311	216	183	177	187	183	169	160	175	166	178	182	185	177	177

Data and monitoring through the ROP of the Commission’s CMMs intended to minimize impacts of fishing on species of special interest including non-target species

Whale Shark Interactions in purse seine fisheries as reported by ROP Observers

20. Whale shark interactions between purse seine vessels in the ‘WCPO’ have been monitored by Pacific Island observer programmes since the early 1990’s, and the CMM 2012-04 prohibits deliberate setting on whale sharks and requires best efforts be made to ensure safe release where an encirclement occurs. Table 2 shows the number of whale shark interactions and landings for 1126 purse seine trips reported from ROP data entered by August 5th, 2019. Table 2a show previous year’s figures reported in annual ROP reports from the date of the CMM implementation.

Table 2a. Whale Shark Interaction and Landings 2013-2018 - data entered by August 5th, 2019

Year	Annual ROP Reports	Observer Reported Whale Shark Interactions/Landings	Trips analyzed for each ROP Annual Report	No’s of Vessels that caught Whale Sharks	No’s of Sets that Whale Sharks were reported
2013	6 th	365	1478	146	360
2014	7 th	342	1540	137	329
2015	8 th	368	1483	139	350
2016	9 th	180	1306	81	160
2017	10 th	137	966	73	134
2018	11 th	188	1126	89	178

21. In 2018 ROP observers reported 72 whale sharks landed on deck; most were of a small size and came aboard in the brail. There were 116 interactions (generally these are larger sharks) with the net reported during the sets; reports by observers indicated that a few whale sharks escaped by their own accord, however, there were many instances reported by observers that crewmen assisted the whale sharks escape from the net. Virtually all the sharks discarded after landing and or released from the net were alive and about 38% were reported to be in a healthy condition; the other sharks reported were alive and in a distressed state from being caught, but were expected to survive; of the 188 landed or interacted 5 were recorded as deceased, one was a large shark recorded at around 5 metric tons, and the other 4 sharks were less than .3 of a metric ton. (see Table 2b below)

Table 2b. Whale Shark ‘Landings and Interactions’ for 2018 - data entered by August 5th, 2019

Activity	Total Number	Released/ Escaped Alive and Healthy	Released Alive injured or Distressed	Alive Unknown Condition	Deceased	Unknown
Landings	72	22	21	12	3	14
Net Interactions	116	50	47	15	2	2
Total	188	72	68	27	5	16

22. Annex A, Table II provide a summary of the outcomes of investigations by flag CCMs of ROP observer reported interactions with whale sharks based on ROP observer data that were notified for flag CCM investigation pursuant to Article 25 of the Convention, for the period 1 January 2016 – 1 July 2019.

Seabird fishery interactions as reported by ROP observers for 2018

23. Table 3 shows available 2018 observer data collected by observers on Cook Island, EU (Spain), Fiji, FSM, Japan, Kiribati Hawaii, French Polynesia, New Caledonia, New Zealand and Chinese Taipei longline fleets.

24. Table 3a indicates that 316 birds were recorded as caught and landed on 668 longline trips in 2018. The data shows that observers confirmed 281 deceased and 23 released alive. The latitudinal coverage of the longline observed caught birds is given in the tables. The increased training of observers in bird identifications has expanded the sightings of birds, with 14670 sightings reported by observers on longliners and 1126 purse seine trips (Table 3b & 3c). It should be noted that collecting the figures for accurate sightings of bird numbers is difficult for observers; as often the same bird can be counted more than once over the length of the trip.

Table 3a. Observer reported 2018 seabird bycatch based on data entered by August 5th, 2019

Gear	Species	Number Caught	Alive	Dead	Unknw Cond	<23N >30S	<30S	>23N
LL	Albatross	1		1			1	
LL	Antipodean Albatross	7		6	1		7	
LL	Black-Footed Albatross	150	20	130		13		137
LL	Boobies & Gannets	1		1		1		
LL	Buller’s Albatross	17		15	2		17	
LL	Flesh Footed Shearwater	3		2	1		3	
LL	Grey Headed Albatross	1		1			1	
LL	Grey Petrel	1			1		1	
LL	Gulls Terns and Skuas	1		1			1	
LL	Laysan Albatross	29	3	26		8	1	20
LL	Parkinson Petrel	6		6			6	
LL	Petrels and Shearwaters	7		7		7		
LL	Royal Albatross	2		1	1		2	
LL	Salvins Albatross	10		10		10		
LL	Shearwater	9		9		9		
LL	Storm petrel	1			1		1	
LL	Southern Royal Albatross	2		1	1		2	
LL	Wedge Tail Shearwater	1		1		1		
LL	Westland Petrel	7		7			7	
LL	Bird (Unidentified)	7		6	1	6	1	
LL	White Capped Albatross	51		48	3		51	
LL	White Chinned Petrel	2		2			2	
Long Line Total Birds Caught		316	23	281	12	55	104	157

Table 3b. Longline observer 2018 seabird sightings based on data entered by August 5th, 2019

Gear	Species	Sighted	<23N >30S	<30S	>23N
LL	Albatross	23	20		3
LL	Black-Footed Albatross	2507	40		2467
LL	Boobies & Gannets	87	83		4
LL	Grey Headed Albatross	3	3		
LL	Gulls, Terns and Skuas	197	197		
LL	Laysan Albatross	1194	86		1108
LL	Petrels and Shearwaters	67	67		
LL	Short tailed Shearwater	31	31		
LL	Westland Petrel	335	225	110	
LL	Bird (Unidentified)	2	1		1
LL	Salvins Albatross	56	24	32	
	Longline Total Birds Sighted	4502	777	142	3583

25. Table 3c shows that purse seine observers did not record any interactions or landings but did record 10168 sightings between 23N to 30S. The table shows many more sightings than reported in previous year reports by observers and demonstrates that materials distributed to observers, plus training in how to identify and report these sightings and interactions has improved this data collection. It should be noted that the overall sightings of bird numbers are difficult to record for accuracy, as often the same bird is counted many times over the period of a trip.

Table 3c Purse seine Reported seabird sightings based on data entered by August 5th, 2019

Gear	Species	Sighted	<23N >30S	<30S	>23N
PS	Albatross	95	95		
PS	Black-Footed Albatross	824	824		
PS	Boobies & Gannets	487	487		
PS	Gulls, Terns and Skuas	4634	4634		
PS	Laysan Albatross	16	16		
PS	Petrels and Shearwaters	4073	4073		
PS	Bird (Unidentified)	39	39		
	PS Total Bird Sightings	10168	10168		

Sea turtle interactions as reported by ROP observers

26. Available 2018 observer data from 1126 Purse seine trips and 668 long line trips indicates there were 518 observed turtle landing and non-landed interactions recorded by observers on purse seiners and on long liners. Table 4 shows the number of reported landings/interactions and life status of the turtle when released or discarded. There were 4 deaths recorded by purse seine observers from 146 turtles caught; observers reported that if turtles were seen in the net, the crew generally assisted the turtles out of the net before landing. Turtles landed on deck were in most cases carefully handled and were generally released in the same condition as they were when landed. Many long-line caught turtles were deceased when landed, of the 372 reported caught by observers on long liners, 229 were deceased on landing; crews generally assisted with the recovery of any live turtles bought on board.

Table 4 Turtle landings and interactions for 2018 based on data entered by August 5th, 2019

Gear	Species	Number Observed	Released Alive before landing	Number Discarded Alive	Number Dead	Unknown Condition
LL	Flatback Turtle	2	1	1	1	0
LL	Green Turtle	37	3	16	17	4
LL	Hawksbill Turtle	23	11	15	8	0
LL	Leatherback Turtle	15	1	15	0	0
LL	Loggerhead Turtle	63	8	49	13	1
LL	Marine Turtle	11	0	0	4	7
LL	Olive Ridley Turtle	221	1	20	186	15
	Long-Line Turtles Caught	372	25	116	229	27

Gear	Species	Number Observed	Released Alive before landing	Number Discarded Alive	Number Dead	Unknown Condition
PS	Flatback Turtle	2	1	1	0	1
PS	Green Turtle	47	14	38	2	6
PS	Hawksbill Turtle	25	13	12	0	3
PS	Leatherback Turtle	4	1	3	1	0
PS	Loggerhead Turtle	35	21	21	1	6
PS	Olive Ridley Turtle	33	11	33	0	6
Purse Seine Turtles Caught		146	61	120	4	22
Total Turtles Caught		518	86	236	233	49

Sharks (other than Whale Shark) fishery interactions as reported by ROP Observers

27. Two CMMs with a no-retention requirement have been adopted by the Commission CMM 2013-08 (Silky Sharks), and CMM 2011-04 (Ocean White Tip Sharks). Table 6 show the total caught for observer reports since 2014. Since the introduction of CMM 2013-08 (Silky Sharks) which became effective from 1st July 2014, the alive ratio being discarded to amount caught has improved. Table 5 shows figures for 2018 and indicates that 61% silky sharks caught on long line were reported as released alive and approx. 27 % released alive on purse seiners. Overall a 29% alive release rate, the measures in CMM 2013-08 has been the catalyst to why there is a decrease of the reduction of sharks being retained and an increase in the number being released alive since 2014. A couple of vessels appear to be allowing crew to retrieve limited shark fins, and in a few cases are retaining the body with the fins.

Table 5. Silky Sharks 2018 Catch based on data entered by August 5th 2019

2018 Period 01-Jan to 31-Dec	Number Caught	Discarded Body, Fins Retained	Retained Body Fins & Whole	Condition - Cut off or Discarded			Released before landing	% Alive released
				Alive	Dead	Unknown		
Purse- seine	34345	7	23	9359	23439	1517	83	27.2
Long line	1799	2	0	1099	609	89	386	61.1
Total Catch	36144	9	23	10458	24048	1606	469	28.9

Table 6 Silky Sharks Shark Catch Reports 2014-2018* based on data entered by August 5th 2019.

2014-2018 Silky Sharks	Estimated Number Caught	Discarded Body, Fins Retained	Retained Body Fins & Whole	Condition when Cut/struck off or Discarded			Cut/Struck off before landing	% Alive released
				Alive	Dead	Unknown		
2014	42319	1019	1364	554	1658	37724	378	1.3
2015	37176	332	417	2352	14028	20047	241	6.3
2016	38747	130	342	7335	26263	4677	1134	18.9
2017	34606	26	89	10231	21322	2938	909	29.1
2018	36144	9	23	10458	24048	1606	469	28.9

*Note tables for each year have been adjusted from previous reports as data is entered.

28. Table 7 & 8 show the totals for observer reports for the years since the CMM 2011- 04 (Ocean White Tip Sharks) became effective from Jan 1st, 2013. The table figures indicate that both the reporting and adherence to the CMMs measures has improved since the implementation in 2013. The processing of ocean white tip sharks has been reduced with the amount released alive; 2013 was (16.1%) compared to (64.0%) in 2018, unfortunately one vessel was reported as retaining the fins of three sharks and in one case retaining the body and fins.

Table 7. Ocean Whitetip Sharks (2018) based on data entered by August 5th 2019

2018 Period Jan 1 – Dec 31	Number Caught	Discarded Body, Fins Retained	Retained Whole Inc., Fins	Condition when Cut off or Discarded			Cut off before landing	Total % Released Alive
				Alive	Dead	Unknown		
Purse seine	566	3	1	303	234	25	0	53.8
Long line	496	0	0	231	125	140	128	74.6
Total	1062	3	1	534	359	165	128	50.2

Table 8. Ocean Whitetip Sharks (2013- 2018) based on data entered by August 5th 2019

2013-2016 Total Observed	Number Caught	Discarded Body, Fins Retained	Retained Whole Incl, Fins	Condition when Cut off or Discarded			Cut off before landing	Total % Released Alive
				Alive	Dead	Unknown		
2013	707	69	95	114	433	160	106	16.1
2014	782	27	69	116	410	256	205	14.8
2015	877	10	29	295	337	245	226	33.6
2016	994	2	0	519	334	139	269	52.2
2017	809	1	4	434	283	87	122	53.6
2018	1062	3	1	534	359	165	128	50.2

29. ROP observer data and the associated reports continue to be a source of information for potential alleged infringements that are presently notified by the Secretariat for investigation by flag CCMs in the WCPFC online compliance case file system. Annex A Table III provides a summary of the outcomes of investigations by flag CCMs of ROP observer reported alleged incidents related to retention of oceanic white tip sharks, retention of silky sharks and shark finning activity by vessels, based on ROP observer data that were notified for flag CCM investigation pursuant to Article 25 of the Convention, for the period 1 January 2015 – 1 July 2019.

Cetacean interactions in purse seine fisheries as reported by ROP Observers

30. Many varied species of whales, dolphins and a species of seal were observed by ROP observers. The SPC produced ‘On Deck ID Guides’ allowed for a more accurate identification of each animal. Furs seals and false killer whales were the predominate species interacting or being caught by long liners, whereas purse seine observers recorded 21 different species with the predominance being Brydes Whales, False Killer Whales, Short Finned Pilot Whales, Rough Toothed and Bottle Nose Dolphins.

31. Table 9 shows Cetacean interaction data from 1126 Purse seine trips and 668 long line trips. There were 30 interactions or landings with long liners; most were all released alive, however 7 were deceased when discarded. There were 634 interactions or landings with purse seiners reported by observers, with the main species reported caught being False Killer Whales ((251 caught (29 deceased)) and Short Finned Pilot Whales ((84 caught (27 deceased)); along with discards of these two species, Rough Tooth Dolphins, 82 were reported caught, and a high proportion (28) of these were also deceased.

Table 9, Whale, Dolphins, Seals reported by observers, based on data entered by August 5th, 2019

Species	PS	LL	Cut off or Assisted Escape before Landing		Interacted or landed (discarded Alive)		Interacted or landed Dead		Unknown Condition when discarded	
			PS	LL	PS	LL	PS	LL	PS	LL
Antarctic Fur Seals		10						4		6
Baleen Whale	3		3							
Blue Whale	1						1			
Bottle Nose Dolphin	38		3		18		15		2	
Brydes Whale	33	2	22		7	3			4	
Crab Eater Seal	1								1	
Cuvier Beaked Whale	1				1					
Dolphins unidentified	4		4							
Fin whale	6		2				2		2	
False Killer Whale	251	9	65		72	9	29		85	
Ind/Pac Bottle Nose Dolphin	5	1	4			1	1			
Killer Whale		1								1
Long-Beaked Common	9				7		2			
Melon Headed Whale		1				1				
Minke Whale	4		4							
Pan Tropical Spotted Dolphin	30		2		7		21			
Pilot Whales										
Pygmy Sperm Whale	4		2		1				1	

Species	PS	LL	Cut off or Assisted Escape before Landing		Interacted or landed (discarded Alive)		Interacted or landed Dead		Unknown Condition when discarded	
			PS	LL	PS	LL	PS	LL	PS	LL
Rough Tooth Dolphin	82	1	16		33		28	1	5	
Risso's Dolphin		1				1				
Sei Whale	30		19		7				4	
Short Finned Pilot Whale	84	2	13		44	1	27			1
Spinner Dolphin	30		22		5		3			
Sperm Whale	2				1		1			
Striped Dolphin	12						12			
Toothed Whales	7	2	3		3		1	2		
Unidentified Whales		2				2				
Totals	634	32	181		206	17	143	7	104	8

32. Observers reported several of the animals were entangled in the net and that on most vessels, crew made efforts to release them. In several instances, the crew assisted in getting animals from the purse seine net before brailing began, and a few escaped by breaking through or jumping over the net. As reported previously there were reports of some false killer whales and dolphins that seem to come into the net to feed on the catch and then they would go to the cork line and push it down to swim out of the net.

33. The observer reports indicate a small number of interactions with cetaceans by vessels that may not be following CMM requirements. ROP observer data and the associated reports is a source of information for alleged infringements that are presently notified by the Secretariat in the WCPFC online compliance case file system. Annex A Table II provides a summary of the outcomes of investigations by flag CCMs of ROP observer reported interactions with cetaceans based on ROP observer data that were notified for flag CCM investigation pursuant to Article 25 of the Convention, for the period reported for 2018

Authorised observer providers to the ROP and update on ROP audits

34. A list of ROP authorised observer programmes and their National Observer Coordinator contacts are available on the WCPFC website (<http://www.wcpfc.int/regional-observer-programme>); National Observer programmes are reminded of the requirement (CMM 2018-05 paragraph 13) to keep the Secretariat informed of any changes to contact information for coordinators. The list has also been made more member friendly so that members can update their own information through their national CCM portal on the WCPFC website.

35. The Secretariat continues to audit required minimum standards in ROP observer programmes and has completed the 2nd phase of audits (Australia, New Caledonia) and started the 3rd phase in Solomon Islands, FFA, and Vanuatu; it is also intended to audit Palau and USA before the year is finished, therefore five programmes have been audited before the compilation of this report; Observer audits for 2020 are intended to include Fiji, Kiribati, Tonga and the Republic of Korea. A small budget each year to accommodate these reviews is required and has been near to fully utilized in recent years.

36. The Pacific Island ROPs managed to supply most observers on purse seiners in 2018, however with 5% coverage rate of long liners and 100% coverage of carriers transshipping in the high seas, as well as the usual attrition rate that occurs in observer programmes, training continues to be necessary for most observer programmes on a continual basis. Non-Pacific Island countries of the Commission also have available observers that are being used in ROP trips to collect data as required by the Commission, for example China, Korea, Japan, Chinese Taipei, and European Union - Portugal made ROP observer placements. Philippines places observers on their vessels in the High Seas Pocket One. (HSP1) special management area. There have been many observers trained over the years and many have remained with the programmes, but a substantial number have left for several reasons, and the availability in all countries continually needs to be updated. Funding for training is an issue in some countries and allowances in local observer budgets need to be made to fund observer training courses.

ROP Compliance related matters

Observer Trip Monitoring Summary

37. The “Observer Trip Monitoring Summary” is part of the minimum data standards of the Commission; the Pacific Island observer programmes use work books that contain a general form “GEN -3” that is used as a “Trip Monitoring Summary”. The form is not a written report but is an indicator of activities allegedly carried out by vessels and witnessed by the observer. The observer indicates by circling ‘YES or NO’ to the questions on the form. A response of ‘YES’ is an indicator only and does not indicate that there has been any infringement by a vessel. The observers will include in their written report the reasons “Yes” were circled. Table 10 below represents data as available by August 5th, 2019 and is data from 1126 Purse seine trips and 668 from long line trips across all fishing fleets for 2018. The data shows the number of reports made by observers when “Yes” was indicated. Of concern are trips where observers reported obstruction, intimidation and interference of the observer in allowing him or her to carry out their normal duties, with a report of 27 (RS-a) incidents reported.

38. At WCPFC14, the Commission noted that TCC13 did not consider the information contained in the ROP Pre-notification List for assessing any obligations for which it was relevant, except for those cases related to observer interference or obstruction. WCPFC14 approved that this process be followed in future years.

39. The Secretariat was tasked at WCPFC12 to work with SPC-OFP in developing an online solution for providing advance notification to flag States of alleged infringements reported on observer trip monitoring summary. As advised to TCC13, this continues to be delivered through the Observer Obstruction Alleged Infringement list and the Pre-notification list both of which are maintained in the WCPFC online compliance case file system. Annex A Table IV provides a summary of the outcomes of investigations by flag CCMs of ROP observer reported alleged observer obstruction incidents notified in ROP observer data for the period 1 January 2015 – July 30 2019. Table V provides a summary of the outcomes of investigations by flag CCMs of ROP observer reported pre-notification incidents (other than alleged observer obstruction incidents) for the period 1 January 2016 – 2019.

Table 10. - 2018 Observer Trip Monitoring Summary Indications as at 5th August 2019

Observer Trip Monitoring Summary					
GEN-3 Code	Item	PS Trips	LL Trips	% of Trips PS LL	
Observer Rights					
RS -a	<i>Did the operator or any crew assault, obstruct, resist, delay, refuse boarding to, intimidate or interfere with observers in the performance of their duties</i>	22	5	2.0	0.7
RS -b	<i>Request that an event not be reported by the observer</i>	25	1	2.2	0.1
RS -d	<i>Did the operator fail to provide the observer, while on board the vessel, at no expense to the observer or the observer's government, with food, accommodation and medical facilities of a reasonable standard equivalent to those normally available and medical facilities of a reasonable standard equivalent to those normally available to an officer on board the vessel -</i>	15	4	1.3	0.6
National Regulations					
NR-a	<i>Fish in areas where it is not permitted to fish</i>	17	2	1.5	0.3
NR-c	<i>Use a fishing method other than the method the vessel was designed or licensed</i>	12	4	1.1	0.6
NR-e	<i>Transfer or transship fish from or to another vessel</i>	55	16	4.9	2.4
NR-g	<i>fail to stow fishing gear when entering areas where they were not authorized to fish;</i>	44	2	3.9	0.3
WCPFC CMMs					
WC-a	<i>Fail to comply with any Commission Conservation and Management Measures</i>	179	2	15.9	0.3
WC-b	<i>High-grade the catch</i>	22	4	2.0	0.6
Log Sheet Recording Position & Catch					
LP-a	<i>Inaccurately record vessel position on vessel log sheets for sets, hauling and catch</i>	11	1	1.0	0.1
LP-b	<i>Fail to report vessel positions to countries, where required when entering and leaving an EEZ (crossing to or from an EEZ into or out of the High Seas)</i>	16	2	1.4	0.3
LC-a	<i>Inaccurately record retained "Target Species" in the Vessel logs</i>	323	41	28.7	6.1
LC-b	<i>Inaccurately record "Target Species" Discards</i>	537	63	47.7	9.4
LC-c	<i>Record species inaccurately</i>	532	4	47.2	0.6

Observer Trip Monitoring Summary					
GEN-3 Code	Item	PS Trips	LL Trips	% of Trips PS LL	
LC-d	<i>inaccurately record By catch species discards;</i>	436	87	38.7	13.0
LC-e	<i>Inaccurately record retained bycatch Species.</i>	152	49	13.5	7.3
Species of Special Interest - Marine mammals turtles seabirds or whale sharks)					
SI-b	Interact with non-target species	450	123	40.0	18.4
Pollution and Safety					
PN-a	<i>Dispose of any metals, plastics, chemicals or old fishing gear</i>	209	25	18.6	3.7
PN-b	<i>Discharge any oil</i>	58	6	5.2	0.9
PN-c	<i>Lose any fishing gear</i>	3	6	0.3	0.9
PN-d	<i>Abandon any fishing gear</i>	42	8	3.7	1.2
PN-e	<i>Fail to report any abandoned gear</i>	8	0	0.7	0.0
SS-a	<i>Fail to monitor international safety frequencies</i>	2	0	0.2	0.0

Summary of alleged infringements notified in the 'WCPFC Online Compliance Case File System' based on ROP observer data

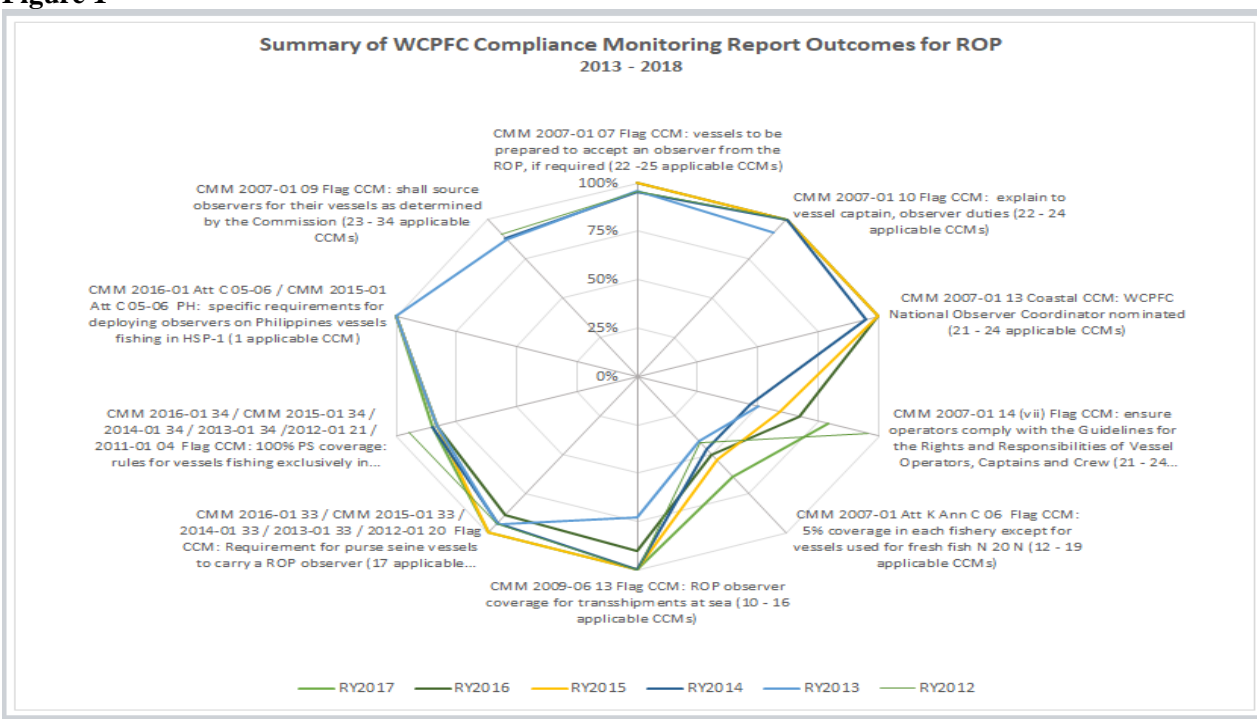
40. As has been noted previously Annex A provides a summary of the alleged infringements notified based on ROP observer data that were notified for flag CCM investigation pursuant to Article 25 of the Convention, for the period 1 January 2015 – 1 July 2019. There are five ROP-observer data based WCPFC online Compliance case file system lists: FAD Sets Alleged Infringements; Observer Obstruction Alleged Infringements; Shark Catch Alleged Infringements; ROP Pre-notification Issues; and Cetacean and Whale Shark Interactions. Updates to the ROP observer data related compliance case lists are made periodically, and through procedures that have been developed in joint-efforts of the Secretariat and SPC-OFP staff. The creation of cases is in part through scripted queries that the Secretariat runs over the ROP observer data. The frequency of updates depends on the frequency with which updates from SPC-OFP can be provided to the Secretariat (currently the frequency for updates is one to three months).

41. Annex A Table I provides the annual counts of all Alleged Infringement cases based on ROP observer data and notified for flag CCM investigation for the period 1 January 2015 – 1 July 2019. This summary confirms that some CCMs appear to have issues with obtaining the ROP observer report necessary to complete their flag CCM investigations of alleged infringements.

Review of ROP implementation by applicable CCMs under the Compliance Monitoring Scheme (CMS) 2014 - 2018

42. Figure 1 below provides an overview of the outcome of the evaluation of ROP-related obligations under the CMS over recent years. Previously CMM 2007-01 now replaced by CMM 2018-05 indicates the implementation of observer coverage requirements that has been evaluated annually by the Compliance Monitoring Scheme since 2013 for the Reporting Year 2012 (RY2012) to 2018 (RY2017). For example, CMM 2018-05 paragraph 13 shows that consistently most ROP observer programs have provided some advice of their points of contact for their programmes. In recent years there has been small improvements in the implementation by applicable flag CCMs of ROP observer coverage requirements, just over half of applicable flag CCMs are fully implementing the longline ROP coverage rate of 5% and/or associated reporting requirements. There is improvement in recent years for CMM 2018-05 paragraph 14(vii) since the notification of “observer obstruction alleged infringements” through the WCPFC online compliance case file system.

Figure 1



Observer Safety Matters

43. At WCPFC14, the Commission adopted an updated version of CMM 2016-03 the new CMM 2017-03 is for the ‘Protection of WCPFC Regional Observer Programme Observers’ and indicate the requirements that observer providers, flag States and vessels are to follow if an observer dies, is missing or presumed fallen overboard, suffers from a serious illness or injury that threatens his or her health or safety, or if an observer has been assaulted, intimidated, threatened, or harassed such that their health or safety is endangered.

44. To date there have been two incidents reported to the Secretariat in reference to CMM 2016-03 and related to 2017 calendar year; for one of the two incidents the Secretariat is still awaiting the final report on the outcome of the investigation. At the time of preparing this paper no incidents had been reported during 2018. A summary of reported incidents and the flag CCM investigation response is provided in Table 11 below.

Table 11: Summary of outcome of flag CCM investigations of alleged infringements related to observer safety and CMM 2016-03/2017-03

Row Labels	⊕ Flag CCM Notified	⊖ Flag CCM Investigation Completed	Grand Total
	No infraction		
⊖ CMM 2016-03 03-06	1	1	2
2017	1	1	2
Grand Total	1	1	2

45. To support the implementation of CMM 2016-03/17-03; WCPFC13, also agreed on new minimum standards adopted for ‘Regional Observer Programmes’ to support safety of observer which commenced in February 2017. The Secretariat has been checking during ROP audits and other opportune national visits that Observer Programmes are duly ensuring that the safety measures for observers are in place. It has been found that the standard agreed upon for the use of two-way devices was well supported and introduced in many of the ROP’s by the date of required implementation.

46. CMM 2017-03 Para 14 states “The Technical and Compliance Committee and the Commission will review this Conservation and Management Measure no later than 2019, and periodically thereafter. Notwithstanding this provision CCMs may submit a proposal to amend this CMM at any time.”

Support from the Secretariat to National and Regional Observer programmes and regional meetings

47. The Secretariat (ROPC and DQO) attended the Regional Observers Coordinators Workshop (ROCW) hosted by the National Fisheries Authority in Port Moresby Papua New Guinea. This workshop was well attended by many observer programme coordinators and discussed many issues regarding observer operations. An emphasis at the workshop was discussing methods on how to improve observer safety and the importance of programmes to ensure all their observers are trained properly in safety at sea matters, other areas discussed was the registration as a trademark of Pacific Island Regional Fisheries Observer (PIRFO) Certification and the formation of a committee to oversee the delivery of training courses to PIRFO requirements in accredited institutions.

48. The ROPC was asked to take part in a programme to review the training of observers in both Indonesia and Vietnam through the West Pacific Asia Project / Improved Tuna Monitoring (WPEA / ITM). Strategy meetings attended by consultants, WCPFC and SPC, and officials of both countries were held in both Vietnam and Indonesia. The meeting in Vietnam discussed the strategy, planning, and some difficulties in establishing a tuna observer programme, noting that Vietnam has different several different gear types fishing for tuna and many different ports that observers would be required to cover. A three-year plan was discussed commencing in 2019 with a training of observers late in 2019 as part of that plan.

49. Indonesia already has established observer programmes and a review of the existing Indonesian national observer programmes in relation to WCPFC standard, observer programme operations, ROP data fields and other improvements were discussed by the consultants, WCPFC and SPC, along with the fisheries departments at meetings held in Jakarta. The meeting discussed a strategy plan commencing in 2019 to 2024, the Indonesian programme wish to train observer debriefers, and specialised observer trainers in that period, as well as retraining many of the current observers on ROP standards & data collections. In 2019 they wish to have trained observer debriefers.

50. Initially as part of the first WPEA project Philippines commenced the training of their observers in 2009, since that time they have regularly held training sessions every year and have trained over 570 observers and 28 debriefers to WCPFC standards using SPC data collections, forms and formats. The Secretariat has continually assisted with this training programme as part of the project. Philippine observers are used domestically and on the high seas. The programme is well established and is an important section of the Philippines Bureau of Fisheries and Aquatic Resources (BFAR)

Cross Endorsement of ROP Observers to collect data on behalf of other tuna RFMOs

51. There are many observers from Pacific Island countries with IATTC/WCPFC cross endorsement qualifications. These observers can carry out work in both 'Convention Areas' on the same trip, on vessels approved to fish in both convention areas. 'Cross Endorsed' (CE) trained observers are currently in high demand with vessels wishing to cross over to the IATTC area on a regular basis. Observers on these trips operate under the PIRFO formats designed by SPC/FFA and continue to use this format for the complete trip, however when in IATTC waters they may be required to fill out an extra form for IATTC if there is any dolphin catches by a vessel. Observers also need to follow other IATTC weekly reporting requirements, when in the EPO.

52. The Commission at WCPFC15 reduced the budget for cross endorsement training, however in 2019 the USA and Nauru assisted by helping top up the funds, so a sub-regional CE course could be held. Nauru must also be thanked for providing the use of their facilities for the CE course. Cross endorsement training will be carried out in Nauru late August 2019, and 14 new cross endorsed observers trained from Cook Islands, Tonga, Fiji, Tuvalu, Vanuatu and Nauru will be added to the list of available CE observers.

53. Table 12 (below) provides information on the numbers of requests that were received for CE trained ROP observers by year. The figures in Table 12 have shown in the last 2 years an increase in USA vessels requesting CE-trained ROP observers to fish both in the EPO and the WCPO on the same trip, over

the period there have been occasional requests from other Flags. All requests for a CE-trained ROP observer since 2012 did successfully result in a ROP CE-trained observer placement on the relevant vessel.

Table 12. Breakdown of requests for placements of CE trained ROP observers on Purse Seine trips by Flag and by ROP provider by year (2012 – 2019)

Flag CCM	ROP Providers of CE trained observers									Total	Placements of CE trained ROP observers 2012-2019*							
	KI	FJ	FM	SB	PG	TV	VU	NR	MH		12	13	14	15	16	17	18	19*
Ecuador	13	0	0	0	0	0	0	0	0	13	1	9	3	0	0	0	0	0
El Salvador	15	0	0	0	0	0	0	0	0	15	4	4	3	3	0	0	1	0
EU (Spain)	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0	1	0	0
USA	35	8	4	33	28	5	16	1	2	132	1	0	3	7	18	25	48	30
Total	63	8	4	33	28	5	16	2	2	161	6	13	9	10	18	26	49	30

*Based on placement information up to August 5th, 2019

54. Table 13 (below) provides a summary of information from IATTC Secretariat on the number of observed trips by ROP observers with CE-training that included some fishing activities in the waters of the Eastern Pacific Ocean. Table 13 shows the number of trips that were observed by ROP observers with CE-training has been relatively consistent from 2013 – 2018. In 2019 to date, there was a higher number of requests for placement of CE-trained ROP observers and in the number of trips that were observed by ROP observers to date in 2019.

Table 13. ROP Trips that included some fishing activities in the waters of the Eastern Pacific Ocean by year and by flag and by ROP observer programme

Flag CCM	ROP Provider	2012	2013	2014	2015	2016	2017	2018	2019*	Total
Ecuador	KI	1	9	3						13
El Salvador	KI		4	3	3			1		11
USA	FFA	1	0	3	7	12	14	14	20	71
	Total	2	13	9	10	12	14	15	20	95

*Based on cross over information supplied by IATTC Secretariat to August 5th, 2019

54. A Transshipment Memorandum of Cooperation (MoC) was agreed between WCPFC and the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) in 2016 and was subsequently signed in April-June 2017. This MoC provides for High Seas transshipments involving southern bluefin tuna (SBT) to be carried out within the High Seas of the WCPFC Convention Area if observed by CCSBT-endorsed WCPFC Regional Observer Program (ROP) transshipment observers. At the time of writing, the options available to for WCPFC and CCSBT to try to facilitate implementation of the Transshipment MoC were still being progressed.

Secretariat observations

55. The ROP's continues to develop and promote "Electronic Reporting" (ER) as a tool to assist managers and make data more quickly available and for better and more accurate reporting in the future. There have been some teething problems reported by some providers in establishing electronic reporting, however these technologies and the accuracy of the data collected will improve over time and will be of great assistance to ensure a better data base collection as well as supplying better information to the end user.

56. There seems to be some improvement reported by ROP observers in the handling of Species of Special Interest (SSI) including the shark species covered by CMM's, however as can be seen by all tables there are instances being investigated by flag CCMs as part of the WCPFC online compliance case file system.

57. The Secretariat continues to receive requests for additional IATTC/WCPFC cross endorsement training, and IATTC has confirmed their willingness to continue to support these trainings. Although the

WCPFC budget was reduced in 2019, the course held in Nauru this year was assisted greatly by contribution by the USA and Nauru.

58. Overall the 23 observer programmes that are part of the Commission ROP are operating routinely within the standards required by the Commission. The second phase of auditing programmes was completed with Australia and New Caledonia being audited this year. The third phase of audits commenced with Solomon's, FFA, Vanuatu observer programmes being audited.

Administrative notes

- For several years the Secretariat has compiled an updated booklet of the current Conservation and Management Measures and Resolutions that are relevant to ROP observers. It was decided at the WCPFC15 that the booklet no longer be published as a paper printed booklet. However, the booklet will still be compiled each year and is to be placed on the WCPFC Website, where it can be downloaded for electronic use, or if required for a printed copy. (<https://www.wcpfc.int/regional-observer-programme>)
- General information on the WCPFC ROP, including ROP Minimum Standards for Observer Programmes, the list of ROP Observer Programmes and the ROP Minimum Data fields, are publicly available at this link: <https://www.wcpfc.int/regional-observer-programme> This includes an updated set of guideline on WCPFC ROP requirements as at the May 2019 (as requested by TCC13)
- It was recommended to WCPFC12 that the IWG-ROP not be activated, unless there is any urgent matter raised by members during a SC or TCC requiring the IWG-ROP to be reformed. In 2019, the "WCPFC TCC working group on the flow of observer reports and observer conducted work electronically as tasked by the Commission and will report to TCC15.

Recommendation

59. TCC15 is invited to consider and note the information contained in the 11th Annual Report of the WCPFC Regional Observer Programme.

Annex A:

Summary of outcome of flag CCM investigations of alleged infringements that were notified to WCPFC as based on ROP data (based on ROP data available for the period 1 January 2015 – 1 July 2019, and updates from CCMs received as at 30 July 2019)

Table I: Counts of all Alleged Infringement cases based on ROP observer data by year showing count of cases by Investigation Status and counts of cases where ROP Observer Report was received

FAI: FAD Sets Alleged infringements

OAI: Observer Obstructions Alleged Infringements

SHK: Shark Catch Alleged Infringements

CWS: Cetacean and Whale Shark Interaction Alleged infringements

PAI: ROP Pre-Notification Issues, other than alleged observer obstruction

	Flag CCM Notified	Flag CCM Investigation in Progress	Flag CCM Investigation Completed	Total Compliance Case Count	Total Sum of ROP_Rpt_Received_ Count
2015	6	211	380	597	163
FAI	6	12	237	255	20
OAI		65	86	151	86
SHK		134	57	191	57
2016	370	671	489	1530	234
CWS	102	193	163	458	168
FAI	5	5	219	229	10
OAI	8	27	29	64	29
PAI	255	409	71	735	17
SHK		37	7	44	10
2017	886	256	487	1629	139
CWS	120	180	88	388	96
FAI	78	39	377	494	18
OAI	4	14	10	28	12
PAI	681	11	7	699	7
SHK	3	12	5	20	6
2018	1111	82	53	1246	63
CWS	254	66	44	364	52
FAI	32	3		35	0
OAI	29	11	8	48	10
PAI	773			773	0
SHK	23	2	1	26	1

Table II: Summary of purse seine Whale Shark and Cetacean alleged Infringement cases by year showing count of cases by Investigation Status

Includes cases where a ROP observer has reported one or more interaction/s occurred between a purse seine vessel and cetaceans or whale sharks during a trip. Relevant WCPFC requirements include: prohibiting purse seine vessels from setting if a whale shark or cetacean is sighted prior to the commencement of the set; required reporting of any incidents of unintentional encircling; and guidelines for safe release.

Source data: ROP observer data

Period: 2016 – 2018

Row Labels	☒ Flag CCM Notified	☒ Flag CCM Investigation in Progress	☒ Flag CCM Investigation Completed				Grand Total
			Infraction - no sanction	Infraction - sanction	Infraction - warning	No infraction	
☒ CMM 2011-03	310	281		14	2	171	778
2016	77	122		10	2	100	311
2017	90	117		3		51	261
2018	143	42		1		20	206
☒ CMM 2012-04	166	158	1	4		103	432
2016	25	71		4		47	147
2017	30	63				34	127
2018	111	24	1			22	158
Grand Total	476	439	1	18	2	274	1210

Notes: The relevant WCPFC decisions that should be referred to, in investigating these cases to determine whether they are alleged infringements are:

- Conservation and Management Measure for protection of whale sharks from purse seine fishing operations – CMM 2012-04.
- Conservation and Management Measure for protection of cetaceans from purse seine fishing operations - CMM 2011-03

Table III: Summary of Shark Catch alleged Infringement cases by year showing count of cases by Investigation Status

Includes cases where a ROP observer has reported retention in part or whole of catches by vessels of shark species that are prohibited, or a fate code that may indicate shark finning activities.

Source data: ROP observer data

Period: 2015 – 2018

Row Labels	Flag CCM Investigation Completed			Grand Total		
	Flag CCM Notified	Flag CCM Investigation in Progress	Infraction - sanction			
CMM 2010-07	1	17	14	4	36	
2015		14	14	2	30	
2016		3		2	5	
2017	1				1	
CMM 2011-04	2	11	2	1	16	
2015		9	2	1	12	
2016		1			1	
2017	1				1	
2018	1	1			2	
CMM 2013-08	23	157	27	1	21	229
2015		111	26	12	149	
2016		33	1	4	38	
2017	1	12		1	4	18
2018	22	1		1	24	
Grand Total	26	185	43	1	26	281

Notes: the relevant CMM paragraphs that should be referred to, in investigating these cases to determine whether they are alleged infringements are:

CMM 2010-07: paragraph 9. CCMs shall take measures necessary to prohibit their fishing vessels from retaining on board, transshipping, landing, or trading any fins harvested in contravention of this Conservation and Management Measure (CMM).

CMM 2011-04: paragraph 1&2. Members, Cooperating Non-Members and Participating Territories (CCMs) shall prohibit vessels flying their flag and vessels under charter arrangements to the CCM from retaining on board, transshipping, storing on a fishing vessel, or landing any oceanic whitetip shark, in whole or in part, in the fisheries covered by the Convention.

2. CCMs shall require all vessels flying their flag and vessels under charter arrangements to the CCM to release any oceanic whitetip shark that is caught as soon as possible after the shark is brought alongside the vessel, and to do so in a manner that results in as little harm to the shark as possible.

CMM 2013-08: paragraph 1 and 2:

1. Commission Members, Cooperating Non-Members and Participating Territories (CCMs) shall prohibit vessels flying their flag and vessels under charter arrangements to the CCM from retaining on board, transshipping, storing on a fishing vessel, or landing any silky shark caught in the Convention Area, in whole or in part, in the fisheries covered by the Convention.

2. CCMs shall require all vessels flying their flag and vessels under charter arrangements to the CCM to release any silky shark that is caught in the Convention Area as soon as possible after the shark is brought alongside the vessel, and to do so in a manner that results in as little harm to the shark as possible.

Table IV: Summary of Observer Obstruction Alleged Infringement cases by year showing count of cases by Investigation Status

Includes cases notified in WCPFC online compliance Case File System, related to observer obstruction, identified in ROP observer data. (CMM 2007-01 14(vii))

Source data: WCPFC Observer Trip Monitoring Summary as submitted in ROP observer data

Period: 2015 – 2018

Row Labels	Flag CCM Notified	Flag CCM Investigation in Progress	Flag CCM Investigation Completed				Grand Total
			Infraction - no sanction	Infraction - sanction	Infraction - warning	No infraction	
RS-A	15	46	2	3	3	43	112
2015		19	2		3	27	51
2016	4	14		3		8	29
2017	2	9				4	15
2018	9	4				4	17
RS-B	16	45	2	13	5	27	108
2015		29	2	5	4	20	60
2016	3	9		6		3	21
2017	1	3		2	1	3	10
2018	12	4				1	17
RS-D	10	26	9	1	2	23	71
2015		17	9		1	13	40
2016	1	4		1	1	7	14
2017	1	2					3
2018	8	3				3	14
Grand Total	41	117	13	17	10	93	291

Notes: The relevant ROP pre-notification codes reported are:

RS-A: Did the operator or any crew member assault, obstruct, resist, delay, refuse boarding to, intimidate or interfere with observer in the performance of their duties

RS-B: Request that an event not be reported by the observer

RS-D: Did the operator fail to provide the observer, while on board the vessel, at no expense to the observer or the observer’s government, with food, accommodation and medical facilities of a reasonable standard equivalent to those normally available and medical facilities of a reasonable standard equivalent to those normally available to an officer on board the vessel

Table V:ROP Pre-Notification Issues (other than alleged observer obstruction incidents)
Summary Table of Flag CCM responses to ROP Pre-Notification Issues, other than alleged observer obstruction, presently notified in WCPFC online Compliance Case File System

ROP Pre-Notification Issues: Provides notification to flag CCMs of those data elements (other than alleged observer obstruction incidents) that were answered in the affirmative by a ROP observer on the WCPFC Observer Trip Monitoring Summary, or which are included in SPC/FFA General Form 3.

***WCPFC14 accepted the TCC13 recommendation that the process of not considering the information contained in the ROP Pre-notification List, for the purpose of assessing any obligations for which it was relevant, with the exception of those cases related to observer interference or obstruction be followed in future years (WCPFC14 final CMR).*

Source data: WCPFC Observer Trip Monitoring Summary as submitted in ROP observer data

Period: 2016 – 2018

WCPFC ROP Pre-notification codes

LC-a	inaccurately record retained “target species” in the vessel log
LC-b	inaccurately record “target species” discards
LC-c:	record species inaccurately
LC-e	inaccurately record bycatch species discards
LC-f	inaccurately record retained bycatch species
LP-a	inaccurately record vessel positions on vessel log sheet for sets, hauling and catch
LP-b	Fail to report vessel positions to countries, where required when entering and leaving an EEZ (crossing to or from an EEZ into or out of the High Seas)
WC-b	high-grade the catch
SI-b	Interact (not land with SSIs)
WC-a	Fail to comply with any Commission Conservation and Management Measures
NR-a	Fish in any areas where the vessel is not permitted to fish
NR-c	Use a fishing method other than the method the vessel was designed or licensed
NR-e	Transfer or transship fish from or to another vessel
NR-g	Fail to stow fishing gear when entering areas where vessel is not authorised to fish
PN-a	Dispose of any metals, plastics, chemicals or old fishing gear
PN-b	Discharge any oil
PN-c	Lose any fishing gear
PN-d	Abandon any fishing gear
PN-e	Fail to report any abandoned gear
SS-a	Fail to monitor international safety frequencies

Row Labels	Flag CCM Notified	Flag CCM Investigation in Progress	Flag CCM Investigation Completed				Grand Total
			Infraction - no sanction	Infraction - sanction	Infraction - warning	No infraction	
LC-A	553	142	1	2	2	17	717
2016	97	137	1		2	17	254
2017	201	5		2			208
2018	255						255
LC-B	933	227	1	7	6	30	1204
2016	140	220	1	4	4	30	399
2017	361	7		3	2		373
2018	432						432
LC-C	868	215		5		42	1130
2016	115	204		3		42	364
2017	325	11		2			338
2018	428						428
LC-E	258	63	2	2	6	7	338
2016	39	60	2	2	4	7	114
2017	95	3			2		100
2018	124						124
LC-F	316	109	2	2	1	17	447
2016	50	106	2	2	1	17	178
2017	128	3					131
2018	138						138
LP-A	15	5	1				21
2016	1	5	1				7
2017	5						5
2018	9						9
LP-B	22	6				2	30
2016	4	6				2	12
2017	6						6
2018	12						12
NR-A	26	8			1	2	37
2016	7	8			1	2	18
2017	7						7
2018	12						12
NR-C	25	3				2	30
2016	2	3				2	7
2017	20						20
2018	3						3
NR-E	141	24	1			3	169
2016	19	23	1			3	46
2017	69	1					70
2018	53						53
NR-G	79	21					100
2016	19	20					39
2017	26	1					27
2018	34						34
PN-A	374	146		4	6	12	542
2016	79	144		2	4	12	241
2017	136	2		2	2		142
2018	159						159
PN-B	96	37			1	2	136
2016	18	36			1	2	57
2017	33	1					34
2018	45						45
PN-C	7	4				1	12
2016	2	4				1	7
2017	2						2
2018	3						3
PN-D	80	31	1	1	2	3	118
2016	16	31	1	1	2	3	54
2017	32						32
2018	32						32
PN-E	11	3		1			15
2016	1	3		1			5
2017	4						4
2018	6						6
SI-B	691	147	1	1	3	22	865
2016	90	145	1	1	2	22	261
2017	237	2			1		240
2018	364						364
SS-A	7	2					9
2016	4	2					6
2017	2						2
2018	1						1
WC-A	288	54		1		10	353
2016	44	52		1		10	107
2017	102	2					104
2018	142						142
WC-B	39	12		1			52
2016	9	12		1			22
2017	14						14
2018	16						16
Grand Total	4829	1259	10	27	28	172	6325

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Table VI: Summary of FAD Sets Alleged infringements cases by year showing count of cases by Investigation Status

Includes cases where a ROP observer has reported setting on FADs during a specified time period and/or in specific waters in the Convention when the prohibition on setting on FADs was in effect.

Source data: ROP observer data

Period: 2015 – 2018

Row Labels	⊕ Flag CCM Notified	⊕ Flag CCM Investigation in Progress	⊖ Flag CCM Investigation Completed		Grand Total
			Infraction - sanction	No infraction	
2015	6	12	2	235	255
CMM 2014-01 14	6	12	2	230	250
CMM 2014-01 16				5	5
2016	5	5	3	216	229
CMM 2015-01 14	5	5	3	215	228
CMM 2015-01 16				1	1
2017	78	39		377	494
CMM 2016-01 14	64	22		305	391
CMM 2016-01 16	7			70	77
CMM 2016-01 18	7	17		2	26
2018	32	3			35
CMM 2017-01 16	28	3			31
CMM 2017-01 17	4				4
Grand Total	121	59	5	828	1013

Notes: The relevant CMM paragraphs that should be referred to, in investigating these cases to determine whether they are alleged infringements are:

*** 3-month FAD closure Tropical Tunas (1 July - 30 Sept FAD closure)**

Year 2015 = CMM 2014-01 14 Year 2016 = CMM 2015-01 14 Year 2017 = CMM 2016-01 14

Year 2018 = CMM 2017-01 16

*** 4th Month FAD Closure (1 - 31 Oct FAD closure) FAD Sets Alleged infringements**

Year 2015 = CMM 2014-01 16 Year 2016 = CMM 2015-01 16 Year 2017 = CMM 2016-01 16

*** High Seas FAD closure**

Year 2017 = CMM 2016-01 18 Year 2018 = CMM 2017-01 17