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**DRAFT CONSULTATIVE PROPOSAL FOR A CMM FOR A REGIONAL E-MONITORING
PROGRAMME (REMP)**

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Paper prepared by the ERandEMWG Chair

**DRAFT CONSULTATIVE PROPOSAL FOR A CMM FOR A REGIONAL E-MONITORING PROGRAMME
(REMP)**

**CONSERVATION AND MANAGEMENT MEASURE FOR A
REGIONAL ELECTRONIC MONITORING PROGRAMME**

Conservation and Management Measure XXXX-XX

Preamble

The Western and Central Pacific Fisheries Commission (WCPFC):

Acknowledging that effective conservation and management of highly migratory fish stocks is dependent on the provision of accurate, reliable and timely data;

Recalling Article 5 (i) of the Convention which provides that in order to conserve and manage highly migratory fish stocks in the Convention Area, members of the Commission shall collect and share complete and accurate data concerning fishing activities;

Further recalling Article 10 (1)(d) of the Convention that the Commission shall, adopt standards for collection, verification and for the timely exchange and reporting of data for highly migratory fish stocks in the Convention Area;

Recognising that electronic monitoring (EM) technologies are part of a suite of ~~is~~ a valid data collection tools and electronic monitoring systems are able to collect data that supports the Convention objective;

Recalling Article 8 (1) of the Convention which provides that conservation and management measures established for the high seas and those adopted for areas under national jurisdiction shall be compatible in order to ensure conservation and management of highly migratory fish stocks in their entirety~~Recognising the need to ensure compatibility between conservation and management measures established for high seas areas and those established in respect of the same stocks by coastal States;~~

Committed to Article 30 of the Convention which requires the Commission to give full recognition to the special requirements of developing States, in particular SIDS and territories, including the provision of financial, technical and capacity development assistance,

Committed to the implementation of Conservation and Management Measure 2013-07 to give operational effect to the full recognition of the special requirements of SIDS and territories in the Convention Area, in particular such assistance as may be needed to implement their obligations,

Further committed to the implementation of Conservation and Management Measure 2013-06 by applying the criteria to determine the nature and extent of the impact of a proposal on SIDS and territories in the Convention Area, in order to ensure that they can meet their obligations, and to ensure that any measure does not result in transferring, directly or indirectly, a disproportionate burden of conservation action onto SIDS and territories,

Adopts in accordance with Article 10 of the WCPFC Convention:

Establishment of the ~~Commission-WCPFC's~~ Regional E-Monitoring Programme (REMP)

1. There is hereby established the ~~Commission-WCPFC's~~ REMP, which shall be coordinated by the Secretariat of the Commission.
2. ~~National or subregional data collection programmes using electronic monitoring systems that are accredited as meeting the objectives, standards and procedures of the EMP as adopted by the Commission shall be regarded as the WCPFC's EMP.~~
3. The REMP shall be implemented on a phased basis as set out in an implementation plan to be agreed by the Commission no later than [2021] that takes into consideration the priority areas and data gaps as agreed by WCPFC16.
- ~~2.4. The implementation of EM [shall] be prioritised in areas where independent data collection and verification is low. The implementation schedule is attached as Annex B [to be developed].~~
- 4 bis Areas where the implementation of EM is prioritised include where independent data collection and verification is low while consideration shall also be given to substitution of human observers.
- ~~3. The Secretariat of the Commission shall provide an annual report to the Commission with regard to the progress of the Commission WCPFC's REMP and on other matters relevant to the efficient operation of the programme.~~
- ~~4. The REMP is defined as national or subregional data collection programmes using electronic monitoring systems that are authorised/accredited as meeting the standards and procedures as adopted by the Commission.~~

Objectives

5. The objectives of the WCPFC's Electronic Monitoring Programme (EMP) shall be to collect ~~and verified~~ catch data, other scientific data, and additional information related to the fishery from the Convention Area and to monitor the implementation of the conservation and management measures adopted by the Commission.

Definitions

6. For the purpose of the ~~Commission-WCPFC's~~ REMP the following definitions apply:
 - a. ~~Analysis rate - defined as the proportion of effort analysed by an E-Monitoring analyst for vessels fishing within a prescribed area with an operational E-Monitoring system.~~
 - b. ~~Coverage rate - defined as the proportion of total fishing vessels within a prescribed area that have an operational E-Monitoring system installed.~~
 - a-c. **Electronic monitoring system (or E-Monitoring system)**— An E-Monitoring system ~~is includes~~ a combination of closed set of cameras, sensors and recording systems used to electronically record ~~and transmit~~ fishing activity and collect necessary fishery-related data and information in accordance with decisions by the Commission.
 - b-d. **Electronic monitoring record (or E-Monitoring record)** - Imagery and sensor information collected ~~or provided~~ by an E-Monitoring system. The ownership of EM records collected by an EM programme lies with a flag CMM.
 - c. ~~E Monitoring quality control procedures - Processes and procedures to ensure quality of data collected by E-Monitoring system.~~

Commented [Ch1]: CCM suggestion – Regional is redundant if referring to WCPFC. Chair – change made throughout.

Commented [Ch2]: CCM suggestion to move upfront. Also accreditation needs clarification.

Commented [Ch3]: Chair suggestion – to respond to many CCMs request for clarity around implementation.

Commented [Ch4]: CCM suggestion to change to should. Chair response - Commission has agreed that EM be prioritised in areas where independent data collection and verification is low. Specifically WCPFC16 agreed that the conclusions from Project 93 in relation to data gaps be considered in the implementation of REMP standards. Further discussion required.

Commented [Ch5]: CCM suggestion – verification takes place through analysis of footage.

Commented [KS6]: As adopted at WCPFC16

Commented [CH7]: Chair – deleted because not referenced elsewhere in CMM. Included in draft minimum standards.

- ~~d.e.~~ **E-Monitoring analyst** - A person ~~qualified~~ **engaged** by National or Sub-regional E-monitoring programmes and authorised to analyse E-Monitoring records and produce E-Monitoring data.
- ~~e.f.~~ **Data review centre** – ~~Location-Site~~ where E-Monitoring records are received and the data analysed and processed. Analysis includes required quality checks prior to submission to ~~the WCPFC/Scientific Services Provider~~ Commission.
- ~~f.g.~~ **E-Monitoring data** - Data produced through analysis of E-Monitoring records ~~that conforms with the WCPFC data standards.~~
- ~~g.h.~~ **National E-Monitoring programme** - A ~~process-programme~~ administered by a national fisheries authority that includes the use of E-Monitoring systems to independently collect, verify and analyse fisheries data and information to support national objectives. ~~CCMs may consider outsourcing service providers to support use of E-Monitoring systems.~~
- ~~i.~~ **Service provider** – a ~~provider engaged by a CCM that supplies~~ services to support implementation of an EMP. Such services may include *inter alia* provision of technical equipment and software, installation and maintenance of equipment, review of data.
- ~~j.~~ **Storage device** -
- ~~h.k.~~ **Sub-regional E-Monitoring programme** – A ~~process-programme~~ administered by a sub-regional body that delivers monitoring services to CCMs that includes the use of e-monitoring systems to independently collect, verify and analyse fisheries data and information ~~to support sub-regional objectives.~~
- ~~h.l.~~ **WCPFC E-monitoring standards** – ~~minimum~~ standards adopted by WCPFC that a National or Sub-regional E-monitoring programme must meet in order to be accredited as WCPFC's REMP (Annex A).

Scope of the Commission WCPFC's REMP

7. ~~Subject to the implementation schedule (Annex B – to be developed),~~ ~~the Commission WCPFC's REMP provides a framework for E-monitoring to be applied shall apply~~ to the following categories of fishing vessels authorised to fish in the Convention Area
 - a. vessels fishing exclusively on the high seas in the Convention Area; ~~and~~
 - ~~b.~~ vessels fishing on the high seas and in waters under the jurisdiction of one or more coastal States; and
 - ~~b-c.~~ vessels fishing in the waters under the jurisdiction of two or more coastal States.
8. The role of EM in the Commission is to complement other independent monitoring and verification tools, such as the Commission ROP and to collect data in areas where independent data collection and verification is low.
9. CMMs may nominate for accreditation independent institutions, organisations and/or companies, as required, to report and analyse E-monitoring records. Such arrangements may require ~~bilateral or multilateral agreements between parties setting out roles and responsibilities including dispute resolution.~~
10. CCMs shall ensure that the data to be collected by an E-Monitoring programme are documented and if necessary any supplementary programmes are in place to collect mandatory data fields as prescribed by the Commission. It is a CCM's responsibility to meet obligations regarding the provision of reliable data to the Commission.

Commented [CH8]: CCM question – what is the time period for defining a vessel category, on annual basis? Is a vessel may operate in one EEZ this year, but on the high seas next year. Chair – this paragraph is taken from ROP. Further discussion required.

Commented [CH9]: CCM suggestion – such agreements shall be consistent with the principle of data ownership. Chair comment – further discussion on whether this needs to be specifically referenced in the draft CMM.

Commented [Ch10]: Chair suggestion - Moved from standards

Guiding principles for operation of the Commission WCPFC's REMP

11. The Commission REMP shall operate in accordance with the following principles:

Implementation

- a. The WCPFC's EMP shall apply to areas where independent data collection and verification is low.
- b. Decisions regarding implementation shall minimise the transfer of a disproportionate burden onto SIDs and Territories.
- c. CCMs shall ensure that the data that needs to be collected by an E-Monitoring programme are documented and if necessary any supplementary programmes (eg port sampling, crew cooperation) are in place to collect mandatory data fields as prescribed by the Commission. It is a CCMs responsibility to meet obligations regarding the provision of robust and reliable data to the Commission

Data security

- d. The WCPFC's EMP shall operate in accordance with the Commission's data rules, standards, specifications and procedures (SSPs) and policies including the Commission's
 - i. Rules and Procedures for Access to, and Dissemination of, Data Compiled by the Commission;
 - ii. Rules and Procedures for Protection, Access to and Dissemination of High Seas Non-Public Domain Data and Information Compiled by the Commission for the Purpose of MCS Activities and Access to and Dissemination of High Seas VMS data for Scientific Purposes; and
 - iii. Information Security Policy. ensure the security and confidentiality of non-aggregated data and other information which the Commission deems to be of a confidential nature; the release of data and other information collected by the Commission REMP shall be in accordance with guidelines set out in the Commission's Rules and Procedures for Access to, and Dissemination of, Data Compiled by the Commission
- e. CCMs are encouraged to enter into arrangements (either bilaterally or regionally) to ensure data collected via E-monitoring systems are provided in compliance with the requirements established by the Commission.

Compatibility

- f. The WCPFC's EMP shall give effect to Article 8 of the Convention and require CCMs to cooperate to ensure compatibility between E-monitoring programmes (and E-monitoring systems) that are in compliance with the minimum standards adopted by the Commission on vessels operating in the high seas and under areas of national jurisdiction.

Independence and impartiality

- g. The WCPFC's EMP shall require that E-Monitoring programmes maintain independence and impartiality at all times.

Commented [Ch11]: CCM change - Moved from end. CCM suggestion – include subheadings.

Commented [Ch12]: One CCM suggested that this is a principle not a criteria. Chair – moved to principles section.

Commented [Ch13]: CCM suggestion – task Sec to review how EM records and data fall within the existing Commission data rules (are they fit for purpose?). Chair – agree. Future tasking.

Commented [Ch14]: CCM suggestion - to refer specific policies etc. Chair – done.

Commented [Ch15]: CCM suggestion – needs further discussion on what is meant by independence and impartiality in the EM context. Chair – further discussion needed.

Obligations of ~~participating~~ CCMs of the Commission

12. Each ~~participating~~ flag CCM shall ensure ~~that its~~ fishing vessels ~~as defined-referred to~~ in paragraph 7 comply with the requirements established by the Commission for the purposes of the ~~Commission~~ WCPFC's REMP and are equipped with E-Monitoring systems that shall collect such data as determined by the Commission.

~~8-13.~~ The Commission shall adopt an implementation plan with respect to fishing vessels referred to in paragraph 7.

~~CCMs shall be encouraged to enter into arrangements (either bilaterally or regionally) to ensure data collected via E-monitoring systems are provided, in a timely manner compliance with the requirements established, to by the Commission.~~

Role of the Commission and its subsidiary bodies

14. The Commission shall, through its subsidiary bodies within their respective mandates, monitor and supervise the implementation of the REMP, ~~agree and review~~ this CMM including the minimum standards to support implementation of the ~~WCPFC's~~ EMP, ~~develop-confirm~~ the priorities ~~and objectives~~ of the WCPFC's REMP, and assess the results of the WCPFC's REMP. The Commission may provide further direction concerning the operation of the WCPFC's REMP, as necessary.

~~The Commission shall ensure the administration and coordination of the REMP is adequately resourced.~~

15. The Commission shall develop and adopt, after an initial/pilot phase, the arrangements for submission of data collected via EMP.

~~9-16.~~ The Commission may enter into contracts for the provision of services to deliver the REMP to ensure cost effectiveness and to avoid duplication.

17. The Commission recognises the special requirements of developing State CCMs, particularly SIDS and Participating Territories, and shall seek to actively engage and cooperate with these CCMs and facilitate their effective participation in the implementation of the WCPFC's REMP including by providing appropriately targeted assistance to improve implementation of the requirements established by the Commission for the purposes of the ~~Commission-WCPFC's~~ REMP, including through consideration of the options for capacity building and technical assistance.

Role of the Secretariat

~~10-18.~~ The role of the Secretariat wishall be to:

a. accredit national or sub-regional E-monitoring Programmes as meeting the WCPFC E-monitoring minimum standards;

a.b. coordinate WCPFC's REMP activities, including *inter alia*

i) so that existing national programmes and sub-regional programmes participating in the WCPFC's REMP implement E-monitoring are consistent with WCPFC E-monitoring standards as adopted by the Commission;

ii) receiving communications and providing reports on the WCPFC's REMP's operation to the Commission (and its subsidiary bodies);

iii) that the WCPFC's REMP addresses the data and monitoring requirements of the Commission's CMMs;

Commented [CH16]: CCM comment – included “participating” to capture only those CCMs who it applies to.

Commented [Ch17]: CCM comment – prefer to delete as it implies not applicable to all CCMs. Chair – needs further discussion. Chair suggestion that an implementation plan annexed to the CMM will provide clarity regarding who the measure applies to.

Commented [CH18]: CCM – not mandatory. Chair - Moved to principles section.

Commented [CH19]: CCM comment – not appropriate to require the Commission to agree in a CMM. Chair – agree. Change made.

Commented [CH20]: CCM query – is this required? Chair – as EMP is largely responsibility of CCMs, suggest delete.

Commented [CH21]: CCM suggestion. Chair – agree. Suggest this is part of the suite of documents to support EMP.

Commented [Ch22]: CCM suggestion – clarify what sort of contracts. Chair – done.

Commented [CH23]: CCM comment – separate paragraphs to reflect different roles of the Commission. Chair – done.

~~iv) coordinating EM activities with other RFMOs as directed and appropriate and directed by the Commission;~~

~~v) ensuring adequate resourcing support staff necessary to effectively administer the WCPFC's REMP.~~

~~b. authorise/accredit national or sub-regional E-monitoring Programmes as meeting the minimum WCPFC E-monitoring standards of the REMP (as set out in Annex A).~~

19. The Secretariat of the Commission shall provide an annual report to the Commission with regard to the progress of the WCPFC's EMP and on other matters relevant to the efficient operation of the programme.

Role of coastal/flag States

~~11.20. Each CCM participating in the REMP shall nominate a WCPFC National E-monitoring Programme Coordinator, who shall be the contact point on matters related to the WCPFC's REMP.~~

~~12.21. Each CCM participating in the REMP shall ensure its E-monitoring implementation is consistent with REMP standards and procedures adopted by WCPFC's E-monitoring minimum standards.~~

Review

~~13.22. After two-three years of implementation, the Commission shall conduct a review of the implementation of this Conservation and Management Measure and consider further improvement to update the programme if necessary as required.~~

Commented [CH24]: CCM suggestion – to delete as this task may be directed by the Commission. Chair response – Agree, need for a Commission decision is captured by words “as appropriate and directed by the Commission”.

Commented [CH25]: CCM suggestion – to include implementation as there may be a timelag between adoption and implementation. Chair – agree.

Annex

Implementation plan

| <u>Activity</u> | <u>Coverage rate</u> | <u>Analysis rate</u> | <u>Date implemented</u> |
|---|--|----------------------|-------------------------|
| <u>Vessels fishing exclusively on the high seas in the Convention Area</u> | <u>XXX% of vessels authorized to fish by CCMs on the high seas</u> | <u>XX%</u> | <u>XX</u> |
| <u>Vessels fishing on the high seas and within areas of national jurisdiction</u> | <u>XXX% of vessels authorized to fish by CCMs on the high seas and within areas of national jurisdiction</u> | <u>XX%</u> | <u>XX</u> |
| <u>Vessels fishing in one or more areas of national jurisdiction</u> | <u>XXX% of vessels authorized to fish by CCMs in one or more areas of national jurisdiction</u> | <u>XX%</u> | <u>XX</u> |

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