



**FOURTH E-REPORTING AND E-MONITORING WORKING GROUP MEETING
(ERandEMWG4)
Virtual Meeting
14 October 2020**

**DRAFT CONSULTATIVE PROPOSAL FOR MINIMUM STANDARDS FOR WCPFC'S E-
MONITORING PROGRAMME (REMP)**

**WCPFC-ERandEMWG4-2020-03
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Paper prepared by the ERandEMWG Chair

Minimum Standards for WCPFC's Electronic Monitoring Programme

PLACEHOLDER FOR TEXT AROUND ACCREDITATION PROCESS

A.1 Programme standards – minimum standards relating to management of a national or sub-regional EM programme

A.1.1 ~~CCMs wishing to have their EM programmes recognised as part of the WCPFC's EMP (where CCMs can choose from accredited EM programmes to meet the Commission's data requirements), shall apply to the WCPFC Secretariat for accreditation. Use E-Monitoring as a data collection or validation tool shall apply to the WCPFC Secretariat to have their programme accredited. The WCPFC Secretariat shall audit the national or sub-regional programme against these minimum standards and, if the programme meets the standard, then the programme shall be considered accredited by WCPFC. Any national or sub-regional programme that has been accredited shall be subject to regular and periodic audits. The Secretariat will report annually to the Commission on the status of national or sub-regional EM programmes.~~

~~A.1.2~~ ~~CCMs shall may establish feedback mechanisms to ensure stakeholder engagement throughout EM program design and implementation~~

A.1.1

~~A.1.4~~ ~~CCMs shall adopt protocols that ensure personal data (including E-Monitoring records) is handled in a manner that maintains an individual's privacy and confidentiality.~~

A.1.2 ~~CCMs shall document set out and implement procedures to manage the failure of E-Monitoring systems. Such procedures will may include but are not limited to, predeparture checks to ensure E-Monitoring systems are working prior to leaving port, monitoring E-Monitoring systems during trips, liaison with vessel crew operator in relation to malfunctioning systems and the imposition of sanctions for malicious or deliberate tampering of equipment.~~

~~A.1.5A.1.3~~ ~~CCMs shall ensure that there are laws and regulations consider their domestic legal and policy frameworks to support national implementation of an EM programme.~~

A.1.4 ~~CCMs shall ensure that there are appropriate data rules policies, procedures and systems in place at the national level that give regard to data security, ownership and confidentiality.~~

A.1.5 ~~CCMs shall may share E-Monitoring records and data on vessels flying its flag with flag States other parties, subject to national laws, and data exchange arrangements.~~

A.1.6 ~~To manage conflicts of interest, CCMs shall ensure E-Monitoring analysts are not an employee of a fishing company involved in the fishery.~~

Commented [Ch1]: CCM suggestion – clarifying language.

Commented [CH2]: Observer suggestion to include a specific period.

Commented [CH3]: Observer suggestion - to stimulate productive conversations based on direct experience with EM and help generate industry buy in and NGOs the opportunity to ensure a robust transparent process. CCM comment – clarification needed. Chair – deleted as not a standard.

Commented [CH4]: CCM suggestion – need for protocols that cover personal information held by the Commission. Chair – outside scope of ERandEMWG. Future task to review Commissions policies to determine if they are fit for purpose.

Commented [CH5]: Chair – One CCM preferred will. Chair suggests that the list is not exhaustive but CCMs shall document their own procedures. This approach recognises the different stages of implementation across the WCPO.

Commented [CH6]: CCM comment – Not all CCMs will require legislative change, in some cases policies may be sufficient. Chair – agreed. Changes made.

Commented [CH7]: CCM suggestion – remove because different CCM have different management. Chair response – agree that different CCMs have different management. This language requires CCMs to have rules in place that cover security, ownership and confidentiality.

Commented [CH8]: CCM suggested delete because covered by A.1.2. Chair – have modified and deleted A.1.2.

Commented [Ch9]: Majority preferred binding language. However it was noted that more discussion was required, including ownership of EM records.

Commented [CH10]: Chair – this point generated a lot of discussion. One CCM suggested processes similar to the handling of observer records. One CCM suggested that records “shall” be shared if they are evidence of infringements. To be considered further.

A.1.7 Under the guidance of the Commission, CCMs shall ensure that E-Monitoring programmes are independent, impartial, transparent and accountable.

Commented [CH11]: Chair – needs further clarification. More discussion needed on best way to handle as a minimum standard. Majority of CCMs agreed with the principle of independent and impartiality.

A.1.8 CCMs shall collaborate to ensure national and subregional programmes are compatible and harmonised where necessary.

A.2 Technical standards – minimum standards relating to the E-Monitoring system (including cameras, sensors, any storage devices and software)

Commented [CH12]: Chair – to be considered further in relation to the data to be collected. Future task.

A.2.1 CCMs shall require any national E-Monitoring system to:

- a. include a sufficient number of cameras to view fishing activity collect necessary fishery-related data and information (e.g. set, haul, line cut-offs, interactions with species of special interest, processing and transshipment),
- b. include sensors indicators that monitor gear usage to show when fishing activity occurs that record when fishing equipment is deployed,
- c. have enough sufficient storage for all recorded imagery and sensor information E-monitoring records for a trip or ensure backup arrangements are in place,
- d. be of sufficient camera (image) resolution to enable species-fish identification,
- e. includes a VMS or Global Positioning System (GPS) receiver-antennae to monitor vessel position, route and speed as well as provide information on fishing times and location, provide GIS data on fishing location
- f. be capable of sending issuing real time automated alerts when the system is malfunctioning or storage is reaching capacity,
- g. prevent any manual data input or external data manipulation,
- h. be tamper evident,
- i. be capable of securely sending storing E-monitoring records with data encrypted information,
- j. be capable of providing port to port monitoring of a trip,
- k. be installed by an installer approved by the CCM (or other? Accredited REMP services provider?),
- l. be robust and withstand rough conditions at-sea with minimum human intervention
- m. be capable of integrating with other MCS tools.

Commented [CH13]: Chair – deleted as examples only. Future task - Need to consider in light of data to be collected.

Commented [CH14]: One CCM noted that sensors weren't necessary. Chair – Agree - there is a need to acknowledge developments in technologies.

Commented [CH15]: CCM suggestion – technology development. Chair – agree.

Commented [CH16]: Chair – port to port not defined. Chair – amended.

Commented [CH17]: One CCM suggested that this was impracticable for far seas LL as the duration of a trip was very long. Chair response – as noted above, technological developments are looking at this issue. Also crew cooperation can resolve (changing harddrives). Further discussion needed.

Commented [CH18]: One CCM suggested delete. Some CCMs have indicated that they have approved installers that are not government employees. Chair – for further discussion.

Commented [CH19]: CCM suggestion – need clarification from Commission on the roles and responsibilities. Chair – in the draft CMM. Goes to issue of impartiality and independence. For further discussion.

Commented [CH20]: CCM suggestion- cost attribution not always needed to be prescribed at the national level. Chair - deleted

Commented [Ch21]: One CCM suggested that this language was not binding and didn't set a standard as drafted so could be deleted. Chair – deleted.

Commented [Ch22]: Some CCMs suggested not necessary as part of standards. Chair – further discussion needed on whether a type approval process is needed. Future work.

A.2.2 CCMs shall document the roles and responsibilities of fisheries-government authorities and vessel crew with respect to *inter alia* installing and maintaining equipment, routine cleaning of cameras, sending storage devices, access to E-Monitoring records and data, responses to mechanical or technical failure of E-Monitoring system.

CCMs shall consider the need to prescribe how costs for purchase, installation and maintenance, replacement of equipment shall be attributed, including any cost recovery mechanisms.

A.2.3 CCMs shall work with service providers to ensure that there are regular updates of hardware/software.

A.2.3 CCMs shall ~~implement~~ have in place predeparture protocols to ensure that E-Monitoring systems are operational before a vessel departs port or any other event, such as if the vessel or E-Monitoring system has undergone maintenance.

A.2.4 CCMs shall have in place protocols that outline steps to be taken if ~~or the E-monitoring system stops working once a trip has started.~~

A.2.6 CMMs shall ensure customised E-Monitoring system installation to vessel level. There is no standard configuration that will cover all vessels in a fleet.

A.3 Logistical standards – minimum standards relating to the transfer of data records from a fishing vessel to a data reviewing centre

A.3.1 CCMs shall prescribe the method and frequency of transmission of E-Monitoring records to data review centres (e.g. electronic exchange via cellular/satellite/internet or via storage device exchange). Consideration shall be given to the volume of data to be transferred and location of fishing activity (eg high seas vs in zone vs in port).

A.2.5A.3.2 If using storage device exchange, CCMs shall have in place operational procedures for the secure collection and distribution of storage devices and other associated equipment, taking into consideration any necessary evidentiary or chain of custody arrangements. Such procedures may require bilateral or multilateral agreements between CCMs setting out roles and responsibilities including dispute resolution.

A.3.3 If using electronic exchange, CCMs shall have in place operational procedures for the receipt and back up of E-Monitoring records, taking into consideration any necessary evidentiary or chain of custody arrangements. Such procedures may require bilateral or multilateral agreements between CCMs setting out roles and responsibilities, including dispute resolution.

A.3.4 CCMs [shall] document handling and storage procedures for E-Monitoring records including data confidentiality, retention, disposal or clearing of storage devices.

A.2.6 CCMs shall retain all video footage for at least five (5) years before disposal.

CCMs shall may prescribe how costs for such logistical arrangements shall be attributed, including any cost recovery mechanisms.

A.2.7 CCMs shall collaborate to ensure national programmes are compatible and harmonised to the extent possible.

Data handling shall be in accordance with WCPFC data rules as well as national laws relating to the protection of personal data

A.4 Data analysis standards – minimum standards relating to converting E-Monitoring record into data to be submitted to WCPFC

Commented [Ch23]: Chair - Separated into two paragraphs because the risk of failure at sea cannot always be avoided via predeparture protocols.

Commented [CH24]: One CCM has suggested delete because these are discretionary. Chair's response – these elements were discussed as part of break out group in Busan in 2018. Suggest this is resolved by keeping Min Standards separate to the draft CMM.

Commented [CH25]: CCMs noted that customisation at the vessel level was necessary but this is a decision at the national level. Chair considers resolved by A.2.1 a) which recognises the outputs relating to camera placement.

Commented [CH26]: CCM suggestion – need to consider the frequency of submission of E-monitoring records. Is fishing trip sufficient? Chair – for further discussion.

Commented [CH27]: One CCM suggested delete as unnecessary. Chair response - Retained as Min Standards have been removed from the draft CMM and kept as a separate document.

Commented [CH28]: CCM suggestion – such agreements shall be consistent with the principle of data ownership.

Commented [CH29]: CCM suggestion – such agreements shall be consistent with the principle of data ownership

Commented [CH30]: CCM suggestion – change to “are encouraged to”. Chair question – how to assess that the programme meets the standard?

Commented [CH31]: Some CCMs saw the cost of storage as prohibitive and noted that the E-monitoring data would be handled in a manner similar to other data. Some CCMs noted this was a national decision. Chair – agree. deleted.

Commented [CH32]: One CCM suggested delete. Other CCMs noted that the Convention outlined the need for CMMs to be compatible. Chair – captured in draft CMM.

Commented [CH33]: Chair - Moved to programme standard

Commented [Ch34]: One CCM suggested deletion as it is a principle not necessarily criteria. Chair proposes a future task to review WCPFC data rules to determine if they are fit for purposes.

~~A.2.8 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.~~

Commented [Ch35]: One CCM suggested that this is a principle not a criteria. Chair – moved to draft CMM.

~~A.2.9A.4.1 CCMs shall ensure E-Monitoring analysts have the ability to observe and record data accurately, are trained/undergo training programme (including induction and refresher training) on WCPFC CMMs, are not an employee of a fishing vessel company involved in the fishery or have similar potential conflicts of interest and are familiar with fishing activity and are adept at identifying, at a minimum:~~
~~a. fish species and species of special interest,~~
~~b. fishing methods used in the Western and Central Pacific Ocean,~~
~~c. events that may indicate non compliance with WCPFC's Conservation and Management Measures (CMMs),~~
~~d. start and finish of fishing activity, and~~
~~e. mitigation devices or methods.~~

Commented [CH36]: CCM suggestion – to manage perceived or real conflicts of interest

Commented [Ch37R36]: One CCM suggests that this is covering two aspects and the conflict issue would be better covered elsewhere. Chair response – moved to programme standard. For further discussion.

~~A.4.2 CCMs shall ensure that XX% of fishing activity recorded is reviewed to ensure there is sufficient data to accurately extrapolate data to fishery-level estimates.~~

Commented [Ch38]: One CCM agreed with the need for a minimum standard and suggested transitional arrangements. Technical developments may resolve. Chair – noted and proposes a phased implementation plan. For further discussion.

~~A.4.3 CCMs shall implement mechanism/stake measures to ensure that analysis of E-Monitoring records is quality controlled (including data entry checks and debriefing as required) and includes appropriate feedback mechanisms for both industry and E-Monitoring analysts.~~

Commented [CH39]: Chair – to be considered further. Does analysis rate belong here or in the relevant CCM (TT measure or TS measure)?

~~A.2.10A.4.4 CCMs shall have in place steps to initially respond to any serious matters of non-compliance identified during data analysis/suspected incidents of misreporting or other potential non-compliant activity (including but not limited to education programmes, workshops, legislated penalties directing a vessel to cease fishing, to return to port). In such situations, CCMs may seek to collect additional information to support investigations.~~

Commented [CH40]: CCM suggestion – needs a time frame for responding. Chair – for further discussion as does not apply to just EM data but any data that identifies a serious matter of non compliance. May be resolved by changes to the Case File System.

~~A.2.11A.4.5 CCMs shall require that data is submitted to WCPFC Secretariat in a timely manner consistent with the WCPFC data rules and in the appropriate format as prescribed in the ER data standards.~~

Commented [CH41]: CCM comment. – WCPFC data rules have a report deadline of 30 April and 12 July each year. Chair – agree. Part of future work.

~~CCMs shall also give consideration to ensuring that analysis of E-Monitoring records for audit purposes are representative, random and risk based.~~

Commented [CH42]: One CCM sought clarification. One suggested delete. Chair response – further discussion on how members saw the accreditation process working.

~~A.4.6 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.~~

Commented [CH43]: CCM suggestion – such agreements shall be consistent with the principle of data ownership. Chair – further discussion needed.