



**The Commission for the Conservation and Management of
Highly Migratory Fish Stocks in the Western and Central Pacific Ocean**

Fourth E-reporting and E-monitoring Working Group Meeting

**Virtual Meeting
14 October, 2020**

SUMMARY REPORT

Issued: 20 November 2020



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

SUMMARY REPORT

AGENDA ITEM 1. WELCOME AND OPENING

1. Ms. Kerry Smith (Australia), the E-reporting and E-monitoring Working Group (ERandEMWG) Chair, called the meeting to order and asked Mr Poasi Ngualuafe of Tonga to open the meeting with a prayer. The meeting, which was convened remotely via Zoom in response to the coronavirus disease (COVID-19) pandemic, began at 10:00 am Pohnpei time on 14 October, 2020.
2. The Chair welcomed participants to the fourth meeting of the ERandEMWG and provided some opening remarks, acknowledging the progress that continues to be made through engagement with members and the work of the drafting group despite current challenges due to COVID-19. She acknowledged that the work of the ERandEMWG over prior years had focused on development of E-reporting standards, and that it was pleasing that this year's TCC Annual Report on E-reporting standards (TCC16-2020-RP08) confirmed there had been good uptake of the three sets of WCPFC E-reporting standards (operational level catch and effort data, observer data and high seas transshipment pre-notification and declarations) by CCMs. In 2018, the ERandEMWG had shifted its focus to E-monitoring (EM), and this has culminated with support through a drafting group of the draft EM CMM proposal to be further considered by participants during this fourth meeting.
3. The following members, cooperating non-members and participating territories (CCMs) attended ERandEMWG4: Australia, Canada, China, Cook Islands, Federated States of Micronesia (FSM), Fiji, French Polynesia, Indonesia, Japan, Kiribati, Republic of Korea, Republic of Marshall Islands, Nauru, New Caledonia, New Zealand, Niue, Palau, Papua New Guinea, Philippines, Solomon Islands, Chinese Taipei, Tonga, United States of America, Vanuatu.
4. Representatives from the following regional organisations attended ERandEMWG4: the Pacific Islands Forum Fisheries Agency (FFA), the Parties to the Nauru Agreement (PNA), the Secretariat of the Pacific Community (SPC) the Secretariat of the Pacific Regional Environment Programme (SPREP) and the World Bank.
5. Observers representing BirdLife International, International Seafood Sustainability Foundation (ISSF), Ocean Outcomes (O2), Pew Charitable Trusts (Pew), Sustainable Fisheries Partnerships (SFP) Foundation, The Nature Conservancy (TNC), and World Wide Fund for Nature (WWF) also attended ERandEMWG4.
6. A full list of participants is provided in **Attachment A**.

Adoption of Agenda

7. The Chair introduced the Provisional Agenda (**ERandEMWG4-2020-01**), and the supplement developed by the Chair to provide guidance to participants on the provisional agenda (**ERandEMWG4-2020-01_supplement**).
8. The agenda was adopted (**Attachment B**).

AGENDA ITEM 2. INTRODUCTION

9. The Chair provided a report on the background of the ERandEMWG and progress made against the Terms of Reference. She recalled that the establishment of the ERandEMWG had come about as a response to the outcomes from the 2014 WCPFC workshop that had identified a key risk for the Commission is the lack of documented policies and standards for these technologies, resulting in poor data coordination, increased data storage and transmission complexities, higher data security risk and increased long-term costs. She noted progress on E-reporting and EM may be informed by updates from CCMs or regional bodies on steps taken. She referred the meeting to a number of information papers from SC16 and TCC16 that had been posted for the meeting:
 - **SC16-ST-IP-07** Report of the DCC Meeting for the Review of Longline Electronic Monitoring (EM) Data Fields
 - **SC16-ST-IP-08** Electronic Reporting and Electronic Monitoring Implementation Status – July 2020
 - **SC16-ST-IP-09** Comparing Electronic Monitoring and human observer collected fishery data in the tropical tuna purse seine operating in the Western and Central Pacific Ocean
 - **TCC16-2020-IP03** Status of Observer Data Management
 - **TCC16-2020-RP10** Annual Report on the Performance of the E-reporting Standards
10. The Chair acknowledged that E-Monitoring is a new technology with different levels of uptake across the region. The Chair also acknowledged the efforts of the various CCMs and partners who have supported trials of E-technologies to date, noting that the experience gained of how to apply E-technologies at a national level does usefully assist the ERandEMWG in its focus of how to support implementation the regional level. The Chair noted that success at a regional level will rely on CCMs working collaboratively to share outcomes and lessons learnt from domestic implementation of E-technologies. The Chair also acknowledged that part of the discussions must also recognize that capacity building and cost-benefit analyses would need to be considered as part of discussions related to regional implementation.
11. The intent of the meeting was to gather high level comments on the third version of the Draft Consultative Proposal for a CMM for a Regional E-Monitoring Programme (WCPFC-ERandEMWG4-2020-02) as well as the Draft Consultative Proposal for Minimum Standards for WCPFC's E-monitoring Programme (EMP) (WCPFC-ERandEMWG4-2020-03) which, based on intersessional feedback, is now separate from the draft CMM.

12. Participants acknowledged the hard work and leadership of the Chair, with support from the drafting group, in the development of the draft CMM to date. However, they saw difficulties in conducting negotiations of the draft CMM in a virtual setting, and confirmed that it was unlikely that the negotiations could be concluded by the end of 2020.
13. FSM, on behalf of FFA members, informed the meeting that FFA Ministers had endorsed a Regional Longline Fisheries EM Policy in June 2020, that requires, amongst other things, setting of various minimum standards for EM and define minimum standards of data fields to be collected using EM. Referring to **SC16-ST-IP07**, FFA members advised that they intend to undertake future work to define a concise list of compliance data fields to be collected by EM. They noted that, as highlighted within **SC16-ST-IP08**, CCMs are at different stages in their implementation of E-technologies.
14. Some participants wanted more time to review the draft proposals and considered an approach that expressed the outcomes from EM and the minimum standards to be met would better recognise the different stages members were at in developing national EM programmes and provided necessary flexibility to future proof the measure given rapidly changing technology.
15. Whilst some CCMs felt the focus for the draft proposal and implementation of EM should take account of the SC Project 93 outcomes and focus on areas where the levels of independent verification of fisheries activities is low, such as high seas fishing and transshipment-related activities. Other CCMs noted that high seas transshipments had 100% observer coverage under CMM 2009-06 and thus independent data collection and verification were high.
16. The Chair acknowledged the challenges associated with conducting negotiations on complex topics via virtual platforms. The Chair clarified that she would provide a report on progress to the Commission during WCPFC17, and would seek the Commission's endorsement to continue the work tasked through the TOR. Participants were invited to provide additional comments on recommendations under Agenda item 6 towards the end of the meeting.

AGENDA ITEM 3. DRAFT CONSERVATION AND MANAGEMENT MEASURE

17. The Chair overviewed the background to the development of the consultative proposal for a draft Conservation and Management measure for a regional E-monitoring programme (**ERandEMWG4-2020-02**) and the draft minimum standards for a regional E-monitoring programme (**ERandEMWG4-2020-03**). She noted in particular that at WCPFC15 *“The Commission supported the continuation of intersessional work, led by the ERandEMWG chair Kerry Smith (Australia) to further develop a draft conservation and management measure on E-monitoring for consideration by the Commission in 2020. The ERandEMWG Chair was tasked to provide a report on progress to WCPFC16 in 2019.”* (WCPFC15 Summary Report para. 410) and at WCPFC16 *“The Commission noted the intersessional progress by the Electronic Reporting and Electronic Monitoring Working Group on the development of draft Minimum standards for Electronic Monitoring Programmes”*(WCPFC16 Summary Report para. 554).

18. The draft CMM was initially introduced as a concept paper to ERandEMWG3 and is intended to provide the WCPFC policy framework and set out obligations. The draft CMM captures objectives, principles, roles and responsibilities and sets up an accreditation process, as first raised at ERandEMWG3.
19. The Chair noted that in early 2020 (refer Commission Circular 2020/44) a drafting group was established to progress work on the draft CMM and the group has considered two versions of the draft CMM. There has been good engagement and comments have included clarifying various elements as well as more substantial questions. The Chair explained that she would introduce the draft CMM at a high level, section by section, and seek input to help resolve specific issues based on comments received through the drafting group. In addition, and noting that some CCMs had indicated that they needed more time, the Chair confirmed that she would also take comments on the draft CMM and minimum standards at the conclusion of this meeting.

Status of comments and text of the draft CMM as of 30 September 2020

Preamble

20. The Chair noted that this section includes minor changes - One change that notes that E-Monitoring are part of a suite of data collection and validation tools. One change that includes reference to the Convention text on compatibility.
21. Points raised in the discussion included:
 - There was discussion on whether the role of EM would be to supplement human observers or as a substitute for human observers which affects the design of the measure.
 - Some CCMs pointed out that if EM is supplementary to human observers, the system could be much simplified.
 - CCMs are currently using human observers to capture a range of fisheries data, with some use of E-reporting and EM, and the expectation of some CCMs that human observers would continue to be required to monitor their fisheries.
 - There was possibly a different short-term focus on EM as a substitute at this time with COVID-19 affecting the deployment of observers.
 - In response to questions about their EM approach, Australia agreed to provide further information on their experience to assist in considering the role of human observers and EM.

Establishment of the WCPFC's E-Monitoring Programme (EMP)

22. The Chair noted that two major changes were made: One CCM suggested that the use of the term “regional” was redundant, and this change was made throughout the document. There was a desire to recognise the need for prioritisation in terms of implementation.
23. Points raised in the discussion included:
 - A preference for reasons of clarity to retain “regional” in the description, and to align to language in the Regional Observer Programme CMM as closely as possible.
 - There were differing views expressed on paragraph 4 and 4 bis.

- Views on whether the role of EM would be to supplement human observers or as a substitute for human observers were also reiterated, noting that this would affect the and interpretation of the measure.
- A request for greater clarity of language where possible, to avoid subjective interpretation. Terms related to implementation should be clearly defined and measurable.
- The aim is to ensure flexibility as to where EM could be targeted to meet needs over time and an understanding of how this technology would work alongside the ROP under the WCPFC framework.
- Implementation timeframes and phasing would be difficult to achieve from 2021 and will depend on the pace of discussions.

Objectives

24. The Chair noted that a minor change was made - The objectives were agreed at WCPFC16 however one change was made to clarify what was meant by “verified catch data”. The Chair changed this to “verify catch data”, noting that data is only verified once the footage has been reviewed.

Definitions

25. The Chair noted that there have been some additions to the definitions in response to questions from CCMs. She also acknowledged that lots of changes had been made by the drafting group and this was a part of the draft CMM that CCMs may need more time to consider.

26. Points raised in the discussion included:

- Some participants iterated their comments on the need to not be overly prescriptive and to accommodate flexibility given the potential impact of evolving technology impacting the many components that make up an EM programme for example, definitions that limited where analysis was carried out would be impacted by Artificial Intelligence (AI) developments that allowed some on-board summary analysis. A minimum standard approach and framework would accommodate future developments.
- Discussion on paragraphs 6 a. and b. considered the analysis rate (a.) and coverage rate (b.) and their differences and the drafting group was asked to consider this further.
- Discussion on paragraph 6 d. included concerns about defining ownership, noting that there would be considerations related to where vessels are operating as well as conditions of fishing licenses, application of national laws, charter arrangements and how to ensure that flag States can effectively monitor their vessels. Some participants suggested that the issue might be better phrased around ensuring appropriate access to relevant CCMs.

Scope of the WCPFC’s EMP

27. The Chair noted that additional language has been included to recognise that EM forms part of the suite of independent monitoring and verification tools.
28. The Chair also noted that further discussion is required in relation to the scope, particularly around vessels that fish on the high seas as well as in waters under the jurisdiction of one or more coastal States. Discussions previously have noted that an implementation plan must consider prioritisation and phasing.

29. Points raised in the discussion included:

- CCMs identified unnecessary duplication of the objective of EM and discussed the relevance of the three categories of vessels (paragraph 7) given the principle direction was set out in the objective. Some CCMs raised concerns with such categorization of vessels since operational patterns are changeable from year to year and the ROP does not have such categories. These categories could be more relevant to consider as part of implementation.
- There was a concern there was some contradiction in this section as to whether EM was an independent data source or complementary.
- CCMs sought more clarity on the types of arrangements referred to in paragraph 9 which the Chair noted may be a provision more relevant to the minimum standards. A suggestion was provided that the second sentence could be rephrased, so it is more a key principle.
- Some CCMs reiterated their view that the focus of EM should be on data gaps, and on areas where the levels of independent verification of fisheries activities is low. The Chair noted that the implementation plan is intended to provide some clarity on the phased approach that focuses on data gaps.

Guiding principles for operation of the WCPFC's EMP

30. The Chair noted that a major change had been made. There have been a number of additions to this section including the addition of subheadings. Further discussion is needed on this section.

31. Points raised in the discussion included:

- There was discussion on the references to supplementary programmes (paragraph 11 c.) particularly crew cooperation which introduced a new concept.
- Participants discussed the need to assess how EM data and language can align, as much as possible, with the Convention text and relevant existing procedures and protocols e.g. the ROP and WCPFC data rules in a way that recognises the evolving nature of EM systems.
- It was suggested that would be helpful to clarify the role of stakeholders and engagement to facilitate the process to develop and implement the measure.
- In relation to paragraph 11 b. there was support for the intent, and a request that the language align closely with the Convention text.

Obligations of CCMs of the Commission

32. The Chair noted that major changes had been made – there was a reference to ‘participating CCMs’. The reference to participating has been removed as one CCM noted that it implied the measure was not applicable to all CCMs. The Chair suggested an implementation plan with a timeline may be added as an annex to the draft CMM which may provide clarity as to which sectors the CMM applies to.

33. The Chair noted that a number of changes were made to this section, mainly moving text to other areas.

34. Points raised in the discussion included:

- It was noted paragraph 12 could be clearer as it implies EM would be mandatory for all vessels rather than this relating to the ‘coverage rate’. The Chair noted that the phased approach would need to be reflected here.

Role of the Commission and its subsidiary bodies

35. The Chair noted minor comments were received in relation to the role of the Commission.

36. Points raised in the discussion included:

- Some participants requested greater clarity over the types of contracts for services that might be envisaged (paragraph 16). The Chair noted that the text provided discretion around using contracts for the delivery of E-monitoring services.

Role of the Secretariat

37. The Chair noted that this section involved a major change – Additional text was added around the role of the Secretariat (to accredit E-monitoring programmes as having met the WCPFC’s E-monitoring standards).

38. Points raised in the discussion included:

- Some participants requested greater clarity over what accreditation would be required and how this would operate with national programmes that are likely to differ in terms of scope and needs. It was noted this was also dependent on whether the EM was a substitute for, or complementary with, observers.

Review

39. The Chair noted that some language clarifying the role of the Commission was included (specifically ensuring the Commission could make decisions regarding any changes rather than requiring them to make changes).

AGENDA ITEM 4. ACCREDITATION PROCESS

40. The Chair explained that an accreditation process was first introduced as part of the concept paper at ERandEMWG3. The accreditation process seeks to follow a similar format for the ROP whereby CCMs may seek to have their national programmes accredited as meeting the Commission’s minimum standards. The draft minimum EM standards were presented to ERandEMWG3 and cover four areas - programme, technical, logistical and data analysis. At the meeting in 2018, they were the subject of focused breakout groups which noted a range of issues, not limited to – camera placement and maintenance, evidentiary needs, trips that involve fishing in both high seas and EEZs, training needs.

41. Some participants requested clarity on the nature and scope of an accreditation process to allow them to comment.

Annex A - Minimum Standards for WCPFC’s Electronic Monitoring Programmes

42. The Chair noted that comments on the draft minimum standards have been expansive and valuable. One major change is in relation to de-linking the draft standards from the draft CMM. The draft minimum standards were initially included as part of the draft CMM but comments from members of the drafting group have indicated that it is more appropriate that the standards stand alone as part of the suite of documents that inform an accreditation process. It is the Chair’s recommendation that the draft minimum standards would be better suited as a stand-alone document. This approach is similar to decisions around the Commission ROP which includes the ROP CMM (2018-05) as well as a range of documents as set out on the WCPFC website that inform accreditation, training and data standards.

43. The Chair sought endorsement of the group to take comments and feed them back through the drafting group and asked CCMs to consider any recommendations that may be required to take work forward to the Commission.
44. There was general support for the separation of the minimum standards from the measure. Some CCMs expressed difficulty in considering standards at this time given the stage they were at in developing national programmes.
45. There was discussion on the extent of the standards required if obligations and priorities are clearly stated particularly noting the different ways CCMs implement these, including through domestic regulation and policy. However, the role standards play in creating regional harmony while allowing flexibility for national programmes to meet national as well as regional interests was also identified with the ROP as an example of this.
46. It was suggested that the standards could be simplified and less prescriptive. Removing references to specific technology and reframing the standards as outcomes would move the focus to the primary purpose of addressing data needs and allow for future flexibility. At this stage the standards need to guide initial development of systems and may be reviewed in the future. Some CCMs suggested that the paper **SC16-ST-IP-07** was a useful starting reference for an outcome-based approach.
47. It was suggested minimum data fields for collection should be identified and that the standards and obligations should be tested across a range of different fishing operations to make sure they are practical. An example of this is where the EM records of a fishing vessel are transferred to the flag State by a third party such as carrier operator.
48. The Chair acknowledged that CCMs needed more time to consider the standards both in terms of their application nationally, as well as regionally. She requested that if CCMs have national and regional standards that are yet to be shared with the ERandEMWG, if they could be provided to her so as to inform the drafting groups continued consideration of the minimum standards. The Chair welcomed additional comments on the draft standards post ERandEMWG4 to inform a report to WCPFC17.

AGENDA ITEM 5. IMPLEMENTATION

49. The Chair overviewed the background related to implementation for the regional E-monitoring programme for the Commission. In 2014, the Commission noted that progress had been made by some members with respect to electronic technologies, specifically electronic reporting and electronic monitoring and tasked a working group with considering steps to progress implementation. At ERandEMWG2 it was noted that *“The extent of trials and implementation of e-technologies across the WCPFC membership, is increasing the urgency for standards and specifications to be agreed at the WCPFC level, which take into account the developments amongst WCPFC members.”* (ERandEMWG2, paragraph 27).
50. Previous discussions that relate to implementation have noted the need to consider cost-benefit analyses, training needs, importance of not transferring a conservation burden to SIDs and Territories, periodic reviews. There has also been recognition by the Commission of a need to prioritise implementation in some fisheries, for example WCPFC12 Summary Report paragraph 543 *“The Commission encouraged the development of Electronic Monitoring by CCMs in areas where data gaps*

exist such as longline observer coverage and high seas transshipment.” The Commission in adopting the ERandEMWG3 report, accepted a recommendation “the Commission agree to prioritising E-monitoring in areas where independent data collection and verification is currently low and asked SC14 and TCC14 for advice on priority areas.” WCPFC16 Summary Report paragraph 556 – “The Commission agreed that the conclusions from Project 93 in relation to data gaps be considered in the implementation of regional EM standards.”

51. The Chair referred participants to **ERandEMWG4-2020-04** Outcomes of the review of the Commission's data needs and collection programmes (SC Project 93) and to the Annex in **ERandEMWG4-2020-02** the Consultative proposal for a draft Conservation and Management measure for a regional E-monitoring programme.
52. CCMs commented on the need to focus implementation on the areas of risk where data gaps and the need for verification are required, consider the use of coverage rate and analysis rate, and to not be too ambitious. Some CCMs were unsure about the suitability of describing implementation as both an analysis rate and coverage rate and indicated a preference for reasons of simplicity to have a single rate. Other CCMs noted that for reasons of cost and practicality it was preferred to express the implementation in terms of analysis and coverage rate. The Chair confirmed that the aspect of analysis vs coverage rate needed further reflection.
53. CCMs supported the Chair’s suggestion that work on an implementation plan occur concurrently with work on the draft CMM. The linkage with other IWGs was noted and the Chair would continue discussion with other relevant chairs.
54. The Chair thanked CCMs for their candor and confirmed that whilst a conversation had started on implementation, there was more discussion still to be had. Further work for EM was expected to center around three elements: the draft CMM, draft minimum standards for EM programmes and plans for implementation. The Chair noted the need for implementation to be at the front of ERandEMWG participants minds.

AGENDA ITEM 6. OUTCOMES AND RECOMMENDATIONS

55. The Chair summarised the points for action based on CCMs input including specific comments made suggesting changes to text, the need for further time for consideration of the minimum standards (Agenda item 4). CCMs were asked to provide further comments on the documents provided and their thoughts on recommendations to the Commission. A final report will be drafted and circulated after the meeting. A Chair’s report will be submitted to the Commission in December.
56. Chair expressed her thanks to the Secretariat for their support and guidance and to CCMs for their input, guidance, experience and work throughout this meeting and prior meetings to date.
57. The meeting closed at 1.44pm.



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

ADOPTED AGENDA

**WEDNESDAY 14 OCTOBER from 10.00am Pohnpei time
(Tuesday 13 October from 23h00 UTC)**

| TIME | AGENDA |
|------------------------|--|
| 10-10.15am | AGENDA ITEM 1. WELCOME AND OPENING |
| | 1.1 Adoption of agenda |
| | 1.2 Meeting arrangements |
| 10.15-10.45am | AGENDA ITEM 2. INTRODUCTION |
| | 2.1 Background and progress against ERandEMWG TOR |
| 10.45-11.45 | AGENDA ITEM 3. Draft CONSERVATION AND MANAGEMENT MEASURE |
| | 3.1 Chair introduction on work by drafting group – Discussion section by section with particular focus on areas where further clarification is needed to assist the drafting group with progressing the draft CMM |
| 11.45-12.15pm | Break |
| 12.15 – 12.45pm | AGENDA ITEM 4. ACCREDITATION PROCESS |
| | 4.1 draft Minimum Electronic Monitoring Standards – Discussion on draft EM standards (noting ROP Standards) – consider a similar approach - Discussion on what other documents are needed as part of accreditation process? |
| | 4.2 Next steps - How to progress draft standards and accreditation process? |
| 12.45-1.30pm | AGENDA ITEM 5. IMPLEMENTATION PLAN – |
| | 5.1 Revisit conclusions and Commission decisions regarding implementation – Discussion as to how do we give effect to the Project 93 outcomes? Are we in a position to progress work on an implementation plan? Are we in a position to agree to a timeline for agreeing an implementation plan? |
| 1.30-2.00pm | AGENDA ITEM 6. OUTCOMES AND RECOMMENDATIONS |

