Western and Central Pacific Fisheries Commission

COMMISSION
SEVENTEENTH REGULAR SESSION
Electronic Meeting
8 – 15 December 2020

REFERENCE DOCUMENT ON TCC16 RECOMMENDATIONS FOR
AGENDA ITEM 9.3 & 9.4

WCPFC17-2020-23
xx November 2020

Paper by Secretariat

A. Introduction

1. The purpose of this paper is to provide as a quick reference guide to the recommendations of the Technical and Compliance Committee (TCC16) which are not covered by other reference documents. These recommendations will be covered under Agenda Item 9.3 and Agenda 9.4, and the specific recommendations that require the Commissions decision are **highlighted.** A copy of the full TCC16 Summary Report is provided as **WCPFC17-2020-TCC16**.

B. TCC16 Recommendations for WCPFC17 decision [Agenda 9.3]

2. The relevant recommendations of the TCC16 for WCPFC17 decision with appropriate referencing, are listed below. Copies of relevant attachments from the TCC16 Summary Report are contained in **Annex 1**.

Review of North Pacific Albacore CMM

i) TCC16 noted for WCPFC17 that there were recommendations in the Provisional CMR relating to the revision of existing Conservation and Management Measures. TCC16 **recommends** that WCPFC17 consider approaches to address challenges identified for the following obligations, noting that more information related to these recommendations is contained in the Provisional CMR:
a. CMM 2005-03 04: for North Pacific albacore annual catch and effort reporting;
(*TCC16 Summary Report para 89)*

Develop improved mechanisms for the flow of observer information from ROP Providers to CCMs needing such information for their investigations

ii) TCC16 noted the report on progress from the TCC Observer WG (**TCC16-2020-17**). (*TCC16 Summary Report para 176)*

Improvements to the tracking of observer report requests and responses in order to better identify impediments to the flow of observer reports

iii) TCC16 **recommended** that the Secretariat be provided with the budgetary resources to further develop the Compliance Case File System (CCFS) such that it has the capabilities of automatically notifying relevant CCMs and ROP Providers of additions of cases and changes to cases (as outlined in recommendations under Agenda 5.3 (b) (*TCC16 Summary Report paragraph 118(a)*). (*TCC16 Summary Report para 177)*

iv) TCC16 **recommended** that the Commission task the Secretariat to provide a paper for TCC17 that outlines the feasibility and costs of further developing the CCFS such that it has the ability to: (1) serve as a messaging tool through which CCMs can request observer reports and ROP Providers can respond to requests; and (2) keep track of such requests and responses. In particular, it should be developed so that, to the extent possible:
   a. Requests and responses for observer reports are tied to specific cases in the CCFS, but also can include requests and responses related to investigations of possible violations other than those identified in the CCFS.
   b. From the perspective of the Secretariat, the messaging and tracking functions are automated, and do not increase the ongoing workload of Secretariat staff.
   c. It can handle bulk requests for observer reports and responses to bulk requests (i.e., multiple cases), provided that sufficient details are included by the requesting CCM. (*TCC16 Summary Report para 178)*

v) TCC16 **recommended** that the Commission agree that once the CCFS's messaging tool is fully functional and the Secretariat has successfully trialled it with a subset of CCMs for a period of three months, all requests for observer reports, and all responses to such requests, should be sent through the CCFS's messaging tool so they can be tracked. (*TCC16 Summary Report para 179)*

Methods to filter out "false positive" and de minimis violations to reduce the number of observer report requests and the associated workloads for ROP Providers and CCMs

vi) TCC16 **recommended** that the expectations under the ROP Minimum Standards on "Briefing and Debriefing" and "The Pre-Notification Process" be revised as shown in *TCC16 Summary Report Attachment F*), such that any time a "YES" is noted on the Observer Trip Monitoring Summary (e.g., Form Gen-3) with respect to a WCPFC obligation, indicating a possible violation, the ROP Provider is expected to prioritize debriefing of the observer and not transmit the pre-notification to the Secretariat until:
   a. Debriefing of the observer has been completed and the information in the observer report has been finalized accordingly; and
   b. The observer or ROP Provider includes comments on the Observer Trip Monitoring Summary that give sufficient detail as to why the "YES" was noted, references to other parts of the observer report that contain information relevant to the possible violation, and, where relevant, an indication of the magnitude of reporting discrepancies or the number of instances of the possible violation.

   (*TCC16 Summary Report para 180)*

vii) TCC16 **recommended** that ROP Providers be requested to review observer reports associated with cases in the CCFS that are generated by queries by the Secretariat of the ROP database, to help assess whether the possible violation(s) identified through the Secretariat's screening is supported by the information in the observer report, and to provide in the "CCM comments" box for the consideration of the relevant CCM(s) a succinct summary of the relevant information in the observer report. (*TCC16 Summary Report para 181)*

viii) TCC16 **recommended** that the Commission (possibly through work of the ROP IWG) review the minimum data fields associated with the Observer Trip Monitoring Summary and make updates to those data fields to better reflect the Commission's priorities and the types of violations that are amenable to yes/no indications by the observer. Any such recommendations should take into account their implications (e.g., on observers' workloads, in terms of ROP Providers having to revise their forms, etc.). (*TCC16 Summary Report para 182)*

ix) TCC16 requested that the TCC Working Group on the Flow of Observer Reports and Observer Conduct continue to serve-in-a-consultative-role to the Secretariat on the implementation of recommendations and continue to pursue TCC13's initial tasking, as appropriate. (*TCC16 Summary Report para 183)*

HSBI Pennant size

x) TCC16 **recommended** to WCPFC17 that the minimum pennant size for use by the boarding vessel, transiting from the inspection vessel, be 44 centimetres (cm) by 66 cm (height by length). Inspection flag usage and display for the inspection vessel itself would not change from what was agreed at WCPFC4. This recommendation only updates information on pennant dimensions contained in Attachment G, Annex 2 of TCC3 that was adopted at WCPFC4. (*TCC16 Summary Report para 216)*

Treatment of Crew on Fishing Vessels and Observer Safety

xi) TCC16 **recommended** consideration by WCPFC17 regarding the treatment of crew on fishing vessels and to further strengthen the provisions for observer safety. (*TCC16 Summary Report para 236)*

xii) TCC16 acknowledged the importance of placing observers safely back on vessels, and the need for establishing guidelines that could inform ROP providers' decisions on deploying observers on vessels with appropriate protection for observers and crew, and flexibility for national laws. (*TCC16 Summary Report para 168)*

TCC workplan 2019-2021

xiii) TCC16 noted that the TCC Workplan 2019-2021 adopted at WCPFC15 continues until 2021 and **recommended** that the TCC Vice Chair continue progressing intersessional work on the TCC work plan for consideration by TCC17 and WCPFC18 in 2021. (*TCC16 Summary Report para 207)*

Election of Officers - TCC Chair and TCC Vice Chair

xiv) TCC16 took note of this issue and **sought to indicate the importance** that Members placed on this issue to WCPFC17. (*TCC16 Summary Report para 212)*

Next meeting

xv) TCC16 **recommended** that TCC17 be held in Pohnpei, Federated States of Micronesia, from Wednesday 22 September to Tuesday 28 September 2021. (*TCC16 Summary Report para 213*)

C. TCC16 Recommendations for Intersessional Working Groups [Agenda Item 9.4]

3. The relevant recommendations of the TCC16 for WCPFC17 decision with appropriate referencing, are listed below.

E- reporting and E-monitoring (ER and EM WG) [Agenda 9.4.1]

xvi) TCC16 noted the report on progress from the ER and EM WG (**TCC16-2020-18**). (*TCC16 Summary Report para 191)*

xvii)   TCC16 noted that a meeting of the ER and EM Working Group would be held virtually on 14 October 2020 and confirms the importance of progressing this work. (*TCC16 Summary Report para 192)*

xviii)   TCC also acknowledged the role ER and EM can play in the absence of on-board observers and the importance of progressing the intersessional work of the ER/EM WG as a priority. *TCC16 Summary Report para 168)*

VMS Data Gap Review (VMS-SWG) **[Agenda 9.4.3]**

xix) TCC16 also **recommended** that WCPFC17 task the VMS SWG to consider approaches to address challenges identified for the following obligation:
• CMM 2014-02 para 9(a) VMS SSP 2.8: in relation to the interpretation and link between data gaps in year (x) and ALC activation ahead of TCC in year (x + 1). (*TCC16 Summary Report para 91)*

xx) TCC16 noted the report on progress from the VMS-SWG (TCC16-2020-16_rev1). TCC16 **recommends** that WCPFC17 continue the work of the VMS SWG in 2021 and develop recommendations for TCC17's consideration to address VMS data gaps and improve the number of vessels reporting to the Commission. (*TCC16 Summary Report para 172)*

xxi) TCC16 noted **TCC16-2020-15** and **recommended** that discussions amongst interested CCMs, the Secretariat and other technical experts occur through the VMS SWG, and that consideration be given to advancing the issues identified in **TCC16-2020-15** for WCPFC17. (*TCC16 Summary Report para 230)*

Transhipment Review (IWG Transhipment)

xxii)   TCC16 noted the report on progress from the IWG Transhipment (TCC16-2020-19). (*TCC16 Summary Report para 199)*

xxiii)   TCC16 acknowledged the current difficulty in deploying observers and **recommended** that the IWG Transhipment give this priority consideration. (*TCC16 Summary Report para 200)*

xxiv)   TCC16 **recommended** that the Commission seek a nomination for an IWG Transhipment Co-Chair at WCPFC17 and that it reaffirm its tasking of the IWG Transhipment to continue and complete its work. (*TCC16 Summary Report para 201)*

Annex 1

Copies of relevant TCC16 Summary Report Attachments

Attachment F   ROP Minimum Standards with recommended revisions to "Briefing and Debriefing" and "The Pre-Notification Process"

Western and Central Pacific Fisheries Commission

Agreed Minimum Standards and Guidelines of the Regional Observer Programme[1]

The majority of the agreed minimum standards for the ROP were generated and discussed during the IWGROP(1) (2) (3) workshops 2007-2009 since then IWGROP4 2015 has added additional standards, and other standards have been individually discussed at various subsidiary meetings and are also included. The meetings where the standards were discussed recommended and agreed have been included at the end of each standard. Also included at the end of this document are suggested guidelines for ROP's to use as guides; these were agreed to be guidelines rather than agreed minimum standards.

A number of standards were agreed as per the IWG/SC/TCC meetings recommendations with no changes at the annual Commission meetings; Some IWG/SC/TCC recommendations were discussed further and changed at the Commission annual meeting. Therefore the Subsidiary body meeting recommendations may vary slightly in wording from the original recommendation from the Annual Commission meetings. All the agreed standards are required to be maintained by the Commission ROP's. The ROP expectations in these tables are guides unless indicated otherwise on how the minimum standard maybe achieved.

The agreed minimum standards are part of the Commission Audit process of Regional Observer Programmes; questions related to the standards are asked during the audit process to determine if a programme is fulfilling the required standard, or whether the programme may need assistance to help achieve the required standards.

Item	**Standard Required**
Authorization Process Authorisation process is the standards required to obtain interim and full authorisation to be part of the ROP. The process of gaining full authorisation is to be carried out following an audit of the programme to ensure that standards are in place or are being developed	The Secretariat will authorize national observer programmes, rather than individual observers; this is consistent with the Convention text. CMM-2007-01 Para 12(b) also states that the Secretariat will authorize observer providers. *IWGROP2/TCC4/WCPFC5*
	ROP expectation on the authorisation process.
	Before auditing takes place the programme will have been interim authorised by the Secretariat according to the rules and standards as adopted by the Commission. This will necessitate all programmes to: • Supply manuals and guides to the Secretariat • Nominate a National ROP Observer Coordinator • Supply lists of all current observers. • Supply an official letter requesting ROP inclusion. Refer *IWGROP2/TCC4/WCPFC5*

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[1] As updated and revised by the Commission at WCPFC15 (2018)

Item	Standard Required
Briefing and Debriefing Briefing of observers is a specially arranged session with the observer and provider endorsed briefing personnel; Briefing is to ensure that the observer understand clearly the roles and duties the observers are expected to carry out on a vessel before a trip. Debriefing of observers, is a specially arranged session with the observer and the provider endorsed debriefer to ensure that the data and information collected by an observer is checked for discrepancies and can be corrected before the Information is entered into a data base or used for analysis. It is also a period when the observer can report critical incidents for further attention.	The standard for "Briefing and De-briefing of observers" is that there is a system for briefing and de-briefing of observers in place and documentation describing briefing and de-briefing available to the Secretariat *IWGROP2/TCC4/WCPFC5*
	ROP Expectation on the "Briefing and Debriefing" of Observers
	Different stages of briefing may be carried out before an observer departs on their trip 1. Observers to be briefed by the provider 2. Observer and vessel briefed together by authorised briefers or officer. * This may be done separately or combined in the one briefing if time does not permit two briefings. Briefing • Observer providers authorised by the Commission ROP are to ensure briefing of their observers is carried out • Briefings must be facilitated by an experienced facilitator and should be conducted at the beginning of an observer trip. • Briefings procedures should follow a consistent format. • Briefing should provide opportunities to ensure that both the captain and observer fully understand the role of the observer on board the vessel, and reinforce the responsibility of the vessel to accommodate and feed the observer to officer standard. • The utmost effort is made to ensure that a new observer should not be placed unless a proper briefing meeting can be arranged. • Providers may wish to have a briefing form that can be read out and agreed by the captain and observer by signing the form that they understand the conditions, roles, etc. when the observer is on board the vessel; a copy should be given to the captain. Debriefings Debriefing should be carried out at the end of each observer trip by an authorised provider debriefer. • Observer providers authorised by the Commission ROP should ensure rigorous debriefing of returning observers data, reports, health and wellbeing is carried out. • Debriefings should be facilitated by an experienced facilitator and should be conducted at the end of an observer trip after the observer leaves the vessel. • Debriefings procedures should follow a consistent format. • Debriefing of critical incidents should be reported immediately to the relevant authority's as indicated in the provider procedures • Observer providers should prioritize debriefings for trips for which the observer has noted a "YES" in the WCPFC Observer Trip Monitoring Summary or ROP minimum data elements which are included in SPC/FFA General Form 3.

Item	Standard Required
Briefing and Debriefing Training "Briefing Training" should be training carried out by qualified personnel. "Debriefing Training" will be specialised training by qualified personnel of a group of participants selected by a rigorous selection criteria to become fully authorised observer debriefers of all gear types.	The standard for qualification of observer debriefers is that debriefers will be experienced in observer matters and that CCMs will use existing national and sub-regional programme standards for debriefers. CCMs will prepare qualifications for a debriefer, available for review by the Secretariat. *IWGROP3/TCC5/WCPFC6*
	ROP expectation on the briefing and debriefing training of briefers and debriefers.
	Briefing Training Briefers should have undergone training programmes designed to educate them in the techniques of interviewing and they require the knowledge of the roles of an observer and understand the conditions that an observer may experience while at sea on a vessel. Debriefer Training Debriefer trainers should have undergone training programmes designed to educate them in the techniques of interviewing observers, and to debrief observer collected information and material. Debriefer training instructors should have: • an intimate knowledge of observer work, data collections and reporting; • experienced conditions at sea, preferably as an observer, • a good understanding of the fishery and the management of that fishery; • good communication skills that can give clear and understandable messages in a straight forward manner; • good knowledge of the Commission CMM's relevant to Observers; Note Where practical NOP/SOP Programme Coordinators/ Managers should also take part in the training, in order to develop closer relationships with their potential debriefers and observers.

Item	Standard Required
Coordinating Observer Placements and the Deployment of Observers The provider of the observers will be responsible for the deployment of the observer and will ensure the selected observer is provided with all possible assistance to board a vessel.	The standard for "Coordinating Placement" is the WCPFC National Observer Programme Coordinator should be in place, there should be a system for observer placement administration and documentation describing observer placement should be provided to the Secretariat. *IWGROP2/TCC4/WCPFC5* The standard for deploying ROP observers is that CCMs shall use existing deployment procedures in place for their national and sub-regional programmes. CCMs will develop these procedures, and make them available for review by the Secretariat. *IWGROP3/TCC5/WCPFC6*
	ROP expectation on Coordinating Observer Placements and the Deployment of Observers:
	It is the responsibility of the observer provider to administer observer placements, including costs, which may be recovered by various means. Providers should organise the final payment of the ROP observers salary and sea allowances provided all commitments are completed as soon as practical after the observers return to port; The provider is expected to carry out the following functions; 1) Communicate to flag State about intending deployments and arrange date and time of boarding's. 2) Communicate to the ROP observer on the agreed boarding date and time 3) Assist with the procurement of observer visas, entry permits, waivers and any travel documents required to transport the observer to the departure or arrival port of the vessel. 4) Organize all travel arrangements including air, bus or ferry schedules; 5) Brief ROP observer on any prioritized scientific, biological, management and operational data that is required to be collected for each trip; 6) Coordinate a briefing of the ROP observer and the vessel captain or master before departure to advise on the CMM and other obligations regarding the observer and vessel. 7) Check the safety standards of the vessel before the observer departs; 8) Ensure all relevant equipment to the ROP observer for carrying out their duties, including the collection of data and biological sampling is supplied. 9) Supply forms and workbooks in whatever format is used in the national programme, but ensuring that it contain the ROP minimum data standards; 10) Ensure the vessel understands that the observer has to have proper accommodation and bedding; 11) Arrange another vessel for boarding preferably from the same flag State fleet if due to unforeseen circumstances the target vessel becomes unavailable due to mechanical or other problems such as safety, and is not favourable to the placement of an ROP observer; 12) Arrange communication schedules with observers for the time they are on board the vessel; 13) Debrief the ROP observer, using ROP authorised debriefers as soon as possible on their return to port; 14) Collect from the observer all data, images, and reports after their trip; 15) Ensure all data obligations made at WCPFC meetings on ROP data is followed. 16) maintain regular contact with the observer after their return to provide technical support, personal support, and information on new developments, and to assure the ROP observer is in good health after the trip, and to inform the observer of any future boarding's or relevant issues arising from the trip just completed;

Item	Standard Required
Communications Communication means that the observer must be aware of the use of communications devices and equipment on board a vessel for their use when required. *Note that from Jan 1st 2017 a two way texting device or a satellite phone will be communications independent of the vessel communications systems.*	The standard for "Communications" is that observers have access to appropriate communication facilities, including emergency communication facilities while on board a vessel. *IWGROP2/TCC4/WCPFC5*
	ROP Expectation on Communications for Observers
	• Providers should have established regular communication procedure with their observers during a trip; • Providers should ensure that observers understand Safety Communication Codes and protocols before boarding a vessel; • Providers should inform the vessel that they must allow the observer to have access to Communications and should assist when required; • Work related communications may be paid for by the provider unless other arrangements are in place. • Private communications should be available but paid for by the observer.

Item	Commission Requirements
Conservation and Management Measures - CMM's Providers should display the procedures and mechanism in which they keep observers informed on CMM requirements and should have the ability to carry out additional training on a regular basis of the monitoring requirements**.**	The providers are to ensure that all observers fully understand the *content of the CMM's especially in relation to their roles and tasks in monitoring the CMM,s (*Multiple meeting & CMM references*)
	ROP expectation on CMM's for observers
	The observer programme will have in place the following: • A system to ensure all the programme and observers are continually updated on the requirements of the CMM's. • Ability to ensure observers can be trained in the monitoring of new tasks and roles brought about by the monitoring provisions of the CMM/s. *Note* that the WCPFC Secretariat publishes a "Hand book of CMMs for WCPFC ROP observers" these hand books are available in electronic format on the WCPFC Website; or a hard printed copy is sent to all observer providers for distribution to observers. The hand book is updated annually and all providers are to ensure the correct dated copy is given to observers before they depart on a trip.*

Item **Code of Conduct** Code of Conduct should provide a set of guiding principles relating to accepted behaviour and standards of conduct, while working as an ROP Observer.	**Standard Required**
	The agreed standard for "Code of Conduct" is that each observer provider has a Code of Conduct in place that is readily available to each observer and to the operators of fishing vessels on which observers are deployed, as well as to the Commission through the Secretariat, along with a process for reporting and resolving breaches of the code. *WCPFC15*
	ROP expectation on Code of Conduct
	1. The observer provider has a code of conduct for its observers that includes, at a minimum, provisions that address all the following: • Protection of confidential information, and avoidance of personal use of confidential information. • Respect for property, workspaces, and personal spaces, as well as for sanitary practices used on the vessel and practices related to the use of substances such as alcohol, tobacco, and betel nut. • Compliance with the laws and regulations of the CCM that exercises jurisdiction over the vessel. • Respecting the hierarchy and general rules of behavior that apply to all vessel personnel. • Communicating regularly with the vessel captain on relevant observer issues and duties. • Professionalism, such as with respect to maintaining independence and impartiality, and arriving in a timely manner to board the vessel. • Avoiding conflicts of interest, including with respect to the receipt of money, gifts, and other inducements. • Avoiding, and/or the responsible use of, alcohol and other intoxicants. • The period of applicability of each provision, such as in terms of prior to boarding, upon boarding, while on board, upon disembarkation, and while traveling to and from the points of embarkation and disembarkation. 2. The observer provider has processes and procedures through which: • Observers are made aware of the importance of adhering to the code. • The performance of observers with respect to the code is monitored. • Possible breaches of the code can be reported by vessel operators or others. • Possible breaches of the code are investigated and resolved. • The outcomes of possible breaches reported by vessel operators, excepting reported possible breaches that are determined to be *de minimus*, are reported to the flag State of the fishing vessel and to the Secretariat. • There is a time limit, no greater than that set out in any applicable national laws, within which observers may be sanctioned for breaches of the code.

Item	Standard Required
Dispute Settlement Dispute occurs when two or more parties disagree over matters involving the roles and tasks of the observer, operations of the vessel, or any other issue involving the observer and a second party. The programme will have procedures to prevent the escalation of conflict, through mediation, facilitation, conciliation, and training. Disputes resolution may require the appointment of an appropriately-composed expert or technical panel.	The standard for "Dispute Settlement" is a dispute resolution mechanism in place, and if not in place, to be developed, and a description of the dispute resolution mechanism provided to the Secretariat *IWGROP2/TCC4/WCPFC5*
	ROP expectation on Dispute Settlements
	The programme will have in place the following: - procedures to report disputes for both the observer and the vessel; - consultations process allowing all parties to make statements; - process to determine a resolution of the problem through mediation, facilitation and conciliation; - process to appoint an appropriately-composed expert or technical panels if required to resolve the dispute;

Item **Data Fields** Data Fields and Minimum Data Standards are defined as Minimum Data Fields approved by the WCPFC for collection by ROP observers.	**Standard Required**
	The agreed standard for "Data Fields, Management, Distribution and Use" will be that CCMs will use existing data field formats collected by their national or sub regional observer programmes *(SC3/IWGROP2) /TCC4/ WCPFC5 – IWGROP3/TCC5/WCPFC6* and that also they will ensure that the Commission minimum data standard fields for the ROP are included in their data collection formats.
	Flag CCMs and observer providers should cooperate to ensure timely access to ROP data and provision of the ROP data to the Commission**.** *IWGROP4/WCPFC12*
	ROP data should be submitted to the Secretariat or SPC where possible within 100 days of the observer disembarking purse seine vessels and within 120 days of the observer disembarking longline vessels**.** *TCC9/WCPFC10*
	ROP providers which place observers on fish carrier vessels that transship on the high seas should send the completed data forms, workbooks, reports and journals of the observer to the Commission Secretariat where possible within 120 days of the disembarkation of the observer from the carrier. *TCC10/WCPFC11*
	ROP expectation on the collection of ROP Minimum Standard Data fields
	ROP data includes data collected by an observer when they are on the high seas or in zones other than the flag of the vessel they are aboard.
	Programmes may continue to use their own formats; however programmes will need to review the data collected by their observers to include the minimum data fields required by the Commission.
	Data collected by national (NOP) or sub regional observer programmes (SOP) on ROP trips, (original hard copy or unaltered scanned copy) will be sent to the Commission designated data provider (SPC) or to the Commission Secretariat as soon as practical after the return of an observer from their trip. (Within 100 days of the observer disembarking purse seine vessels and within 120 days of the observer disembarking longline vessels and carrier vessels transhipping on the high seas**.)**
	All ROP observer data is confidential and may not be distributed or given to any unauthorized organisation or person without going through the Commission data access procedures and approval of the Executive Director of the WCPFC.

Item	Standard Required
Equipment and Materials Equipment and materials is equipment and materials that an observer will require to safely carry out their roles and tasks on board a vessel.	The standard for "Equipment and Materials" is that observers are provided with appropriate equipment, including safety equipment to carry out their roles and tasks on board a vessel. *IWGROP2/TCC4/WCPFC5*
	ROP expectation on the equipment and Materials of Observers
	• Equipment and Materials should be dependent of gear type. • Equipment should be dependent on climate area the vessel is fishing. • Safety equipment includes items, lifejackets, hard hats, proper deck working boots or shoes, gloves and protective sun glasses. • Observers should not board vessels until they have been fully kitted out • Equipment for work must be in a good working order and safety gear should have regular checks.

Item	Standard Required
Insurance and Liability Providers are to ensure that their observers have health, safety and liability insurance available to them before embarking on an observer trip.	The standard for Insurance of Observers for ROP duties is that CCMs will use existing national standards for health and safety insurance. CCM providers of observers will make sure an observer placed on any vessel for ROP duties, has health and safety insurance. *IWGROP3/TCC5/WCPFC6*
	ROP expectation on Insurance and Liability for observers
	The observer programme will have in place the following: ➢ A national health and safety standard and insurance available for all observers. ➢ A checking system ensuring that Observers are insured at all times during their employment should be in place. Includes insurance onboard a vessel, travel to and from the vessel, and other areas of observer employment i.e "waiting time" etc. ➢ Observers should have regular health checks to ensure they are fit to carry out work on a vessel that could be at sea for long periods.

Item	Standard Required
Manuals & Work Books **Manual** is defined as a publication that serves to direct or indicate to an authorised observer by hard copy or electronic copy with information to assist with the roles and duties they are expected to carry out as an observer, **Workbook** is defined as a book pad or electronic tablet that contains data collection forms, instruction or formats that an observer will be required to complete while carrying out their duties. Manuals and Workbooks may be a series of guides or may be produced as one publication.	The standard agreed by the Commission for ROP "Observer Manual/ Guidelines/Work books will be: CCMs have and use their respective Observer Manual/Guidelines and submit copies of these to the Secretariat. Each CCM National Observer Programme and Sub-Regional Observer Programmes will provide copies of their respective Observer Workbooks to the Secretariat. *IWGROP2/TCC4/WCPFC5 & IWGROP3/TCC5/WCPFC6*

ROP expectation on the content of Manuals & Work books
Observer Manuals and Work books may include a number of publications or formats that an observer will use for guidance when carrying out duties on an observer trip. Manuals will be relevant to, and will contain current requirements and information for the use by the observers of the national programme.   Manuals may be inclusive or may be produced individually and should include, but is not limited to; observer operations guides, species ID guides, gear type & electronic guides, guides on reporting and handling species of special interest. Guidelines on collecting, security and handling of data collected by the observer including, photo, videos, digital images and any other form of data collection. General operational guides and data collection guide lines   At least one manual/workbooks issued to an observer commencing a Regional Observer Programme (ROP) trip should contain annexes or sections on the requirements of the *Conservation Measures of the Commission (CMMs) and the details of the ROP.   Copies of all national Manuals/Work books must be provided to the Secretariat of the WCPFC.   *Note Handbook of CMMs for WCPFC ROP's is available to all observers.*

Item	Standard Required
Measuring Performance of Observers Measuring Performance of an observer" is a means to report on the performance of the observers with the programme.	The standard for "Measuring Performance" is a means to report on the performance of the observer programme and a means to report on the performance of individual observers as part of the annual reporting requirements established by the Commission. *IWGROP2/TCC4/WCPFC5*
	ROP expectation on performance of observers
	Observers shall be: • trained and certified /authorised by their programmes; • trained to acceptable Commission standards; • expected, to collect quality data; • expected to make comprehensive and detailed written reports; • expected to show well-mannered behaviour on trips or when travelling to or from vessels; • clear of any criminal record; • able to travel through or to any country;

Item	Standard Required
Observer Coverage Observer coverage for each gear type is determined by the Commission.	Purse-seine vessels fishing within the area bounded by 20^0 N and 20^0 S exclusively on the high seas, on the high seas and in waters under the jurisdiction of one or more coastal States, or vessels fishing in waters under the jurisdiction of two or more coastal States, shall carry effective1 January 2010, an observer from the Commission's Regional Observer Programme *WCPFC5 (CMM 2008-01)* Observer coverage is 5% annually for long liners determined by Commission to be in place by June 2012. *WCPFC4(CMM 2007-01)* For transhipments on the high seas 100% observer coverage with the observer deployed on the receiving vessel *WCPFC6 (*CMM 2009-06)*
	ROP expectation on observer coverage
	Observer placements information by Commission authorised Regional Observer Programme ROP's are to be conveyed to the Secretariat. Metrics for coverage for long liners includes, coverage; by trip; hook numbers; number of observer sea days; observed fishing days; observed sets. IWG4 **CMM 2009-06 paragraph 13 (a) and (b) have indications on the coverage for different types of vessels, however carrier vessels over 33 metres and transhipping from long liners at sea; 100 % coverage is required on the receiving vessel,*

Item	Standard Required
Observer Trainers "Observer Trainers" are person who have been authorized by the NOP to train observers on their behalf. Trainers may be internal to the programme or may be specialists brought in from other programmes or organisations.	The ROP standard agreed by the Commission for "Observer for observer Trainers will be: "CCMs will use existing national and sub-regional training standards. CCMs will develop trainer qualifications, available for review by the Secretariat*." IWGROP3/TCC5/WCPFC6*
	ROP expectation on the use of trainers

	The best training instructors are those who have
	
	    • an intimate knowledge of observer work, data collections and reporting
	    • experienced conditions at sea as an observer,
	    • a good understanding of the fishery and the management of that fishery,
	    • to be able to communicate training messages in clear and straight forward manner.
	
	Observer Trainers should have undergone a series of training programmes designed to educate persons in the training of observers. NOP/SOP Programme Coordinators should also take part in the training, in order to develop closer relationships with their potential observers.

Item	Standard Required
Observer Training ROP Training should include but not be limited to 1. Fisheries management; 2. Understanding MCS; 3. WCPFC Convention and related CMMs; 4. Importance of observer programmes , understanding authority and responsibilities of observers, 5. Safety at sea – emergencies at sea, survival at sea 6. First Aid 7. Species identification, including target, non-target, protected species, etc. 8. Fishing vessel & Gear types 9. Vessel identification & Markings 10. Techniques of verification of catch logbooks 11. Techniques of estimating catch and species composition 12. Fish sampling, Measuring and Weighing techniques. 13. Preservation of samples for analysis; 14. Data collection codes and data collection formats 15. Use of digital recorders, electronic notebooks. 16. Knowledge of navigation including latitude/longitude; compasses; bearings;; chart work; plotting a position; 17. Electronic equipment & understanding their operation 18. The use of radios & communications devices 19. Verbal debriefing & Report Writing 20. Health at Sea issues	Standard for "Observer Training" is that training programmes should be linked to the Commission's decisions in place, available for review and training programme materials provided to the Secretariat *IWGROP2/TCC4/WCPFC5*
	ROP expectation on the Training of Observers:
	Without specially designed training, an observer programme will suffer from unprofessional behavior, poor data outputs, and lack of respect from the industry and other sections of the fisheries management authorities. Training must therefore be considered as a key element in the development of an observer programme. The qualifications and background of current or potential observers must be analyzed in relation to the objectives of the programme and any proposed programme structure. **Instructors** The best training instructors are those who have an intimate knowledge of observer work, have experienced conditions at sea, have a good understanding of the fishery, and can communicate training messages in clear and straight forward manner. NOP/SOP Programme coordinators should also take part in the training, in order to develop closer relationships with their potential observers. **Venues** Training should be conducted in suitable training facilities with appropriate equipment. Marine colleges are favorable venues for observer training but are not essential. **Education/ Entrance** Qualifications for entry to observer training may vary from programme to programme. Some may require a degree level applicant, others a high school level and others may be required to participate in an entrance exam before being accepted into an observer course. Regardless of the entrance criteria the output of the training is the important result. **Certification** Observers will be authorised by these training programmes and must reach a high level of competency. Observer will be required to be categorized as fully trained in one or all of the gear types below a) Purse seine b) Longline c) Pole and Lined) Other gear types Troll, Trawl, hand line etc

Item **Pre-notification Process** The pre-notification process from observer providers to flag CCMs of possible alleged infringements by their vessels include data being provided to the coastal state when an alleged infringement takes place in a coastal state's waters.	**Standard Required** That all ROP authorized observer programmes provide to the Commission Secretariat in a timely manner the ROP minimum data elements on the WCPFC Observer Trip Monitoring Summary, or which are included in SPC/FFA General Form 3 as a means of supporting a pre- notification process from observer providers to flag of possible alleged infringements by their vessels. *IWG4/TCC11/WCPFC12*

	ROP Expectation on Prenotification
	
	1. To facilitate the pre-notification process it was recommended that only those data elements answered in the affirmative by observers would be provided to the Commission Secretariat for transmittal to the flag CCM and as appropriate the relevant coastal State for alleged infringements in their waters.
	
	2. To support the pre-notification process, there are two additional fields that should be provided by observer providers to the Commission Secretariat to support a flag CCMs investigations of any possible alleged infringements.
	These are:
	   a. "start date of trip and end date of trip"
	   b. "status of the debriefing process"
	      i. e, "debriefed", "pre-debriefed" or "not debriefed
	
	3. The requirement of providing the pre-notification data elements to the Commission Secretariat may not be required where there are domestic requirements enabling access by vessel operators to observer data. *IWG4/TCC11/WCPFC12*

(Attachment 7 to IWGROP4 Summary Report),

The following procedure is provided as a guide for a proposed pre-notification process from observer providers to flag CCMs of possible alleged infringements by their vessels:

a)   Observer, as part of their usual duties will complete the ROP minimum data elements on the WCPFC Observer Trip Monitoring Summary, or which are included in SPC/FFA General Form 3 (see example below), for each trip. Where a "YES" response is given, the observer should provide sufficient additional explanation and information (such as references to other relevant parts of the observer report) to explain why the "YES" was noted, and where relevant, an indication of the magnitude of reporting discrepancies or the number of instances of the possible violation;

b)   Observer keeps this report/form (and all other data) confidential and returns to home port or disembarkation point;

c)   Observer fully disembarks the vessel;*

d)   Observer transmits their data and reports per their standard procedures to an authorized observer provider/person for their national or sub-regional observer programme;

e)   Observer arriving back from the vessel in observer's home port, or if required, has to travel back to home country & awaits debriefing;

f)   Observer is debriefed as soon as is practicable after finishing the trip/trips*;

Pre-Notification Process

g)   In the event that there is a "YES" noted in the WCPFC Observer Trip Monitoring Summary, or ROP minimum data elements which are included in SPC/FFA General Form 3, the observer provider is expected where practicable, to promptly submit the relevant data to the Commission Secretariat (the data may be provided through the Commission data service provider (SPC-OFP) or provided directly to the Secretariat). The data should only be provided after debriefing the observer and finalizing the observer report accordingly.

h)   In considering the timeliness of the submission of the ROP minimum data elements on the WCPFC Observer Trip Monitoring Summary, or which are included in SPC/FFA General Form 3, the observer provider must ensure the observer is safely disembarked from the vessel and has returned to their home port, and where possible the observer

has been fully debriefed.

i)   The observer provider may decide that further investigation of a "YES" noted in the WCPFC Observer Trip Monitoring Summary, or ROP minimum data elements which are included in SPC/FFA General Form 3 (or equivalent) is needed before the relevant data is submitted to the Commission Secretariat.

j)   If there is only "NO" noted in the WCPFC Observer Trip Monitoring Summary, or ROP minimum data elements which are included in SPC/FFA General Form 3 (or debriefing determines there to be only "NO" noted) the ROP data, including WCPFC Observer Trip Monitoring Summary, or ROP minimum data elements which are included in SPC/FFA General Form3 would be submitted through usual processes to the Commission Secretariat.

k)   The Commission Secretariat will facilitate the provision of certain data fields in the relevant WCPFC Observer Trip Monitoring Summary, or ROP minimum data elements which are included in SPC/FFA General Form 3 and the additional supporting fields specified in IWG-ROP4 report para 28*** to the responsible flag CCM. In accordance with the data rules, the information that is provided to flag CCMs will exclude the name of the observer, their nationality and the observer trip ID, but will instead identify the observer provider programme that placed the observer.

l)   The authorised Flag state official contacts can request from the observer provider** further supporting details for their investigations. Vessel captain/owners/point of contact will communicate with flag State official contacts regarding any alleged infringements.

m)   The Commission Secretariat will facilitate the collation of communications related to the outcome of investigations of any "YES" noted in the WCPFC Observer Trip Monitoring Summary, or ROP minimum data elements which are included in SPC/FFA General Form 3, including from the flag CCMs.

*If an observers carries out one or more trips consecutively on the same vessel. That vessel cannot request through their official contacts a copy of the WCPFC Observer Trip Monitoring Summary, or ROP minimum data elements which are included in SPC/FFA General Form 3 compiled by that observer until the observer has completely finished all his trips on the vessel and has fully disembarked the vessel.

** Request could be sent via the Commission Secretariat or other sub regional organizations who would verify the persons making the request are genuine official contacts and could act as intermediators between the flag State and the provider if they so wish.

*** as per the ROP Expectations para 2 above;

Item	Standard Required
Sea Safety Sea Safety involves the training of sea safety procedure observer receive before they are permitted to carry out duties on board a vessel at sea.	The standard for "Sea - Safety" is that all ROP observers must undergo training in sea safety and emergency procedures to an international standard and that such training procedures be made available to the Secretariat. *IWGROP2/TCC4/WCPFC5*
	ROP expectation on Sea Safety All observers are trained to an international standard on Safety at Sea by a certified person, school, college or maritime authority. Sea safety training should include instructions in the use of life rafts, life vests, first aid, fire extinguishers, rescue protocols and communications and other essential elements of safety. Observers should be made aware that they have the right to refuse to board a particular vessel if they consider it to be un-safe. A vessel safety certificate or form should be filled out by the provider/observer or by the person placing the observer to ensure all equipment is in survey, and there is adequate safety equipment to cater for the extra observer on board.

Item	**Commission Requirements**
Observer Safety at Sea and Emergency Action Plan (EAP) As part of responsibility of running and maintaining a ROP authorised national and sub regional observers programme; employers/providers must support observers in their ability to carry out their duties unimpeded and in a safe working environment. **To ensure that independent communications is available to an Observer; a "Two Way Communication Device" must be issued to all ROP observers on all trips.** Observer safety is an issue of the highest and utmost importance and there must be a process in place (Emergency Action Plan (EAP) to handle reports that an observer may make on issue of safety including instances of harassment, intimidation, or assault. **Note that the full implementation of this standard was required by Jan 1st 2017**	**To assist observers with Safety at Sea the following has been made mandatory from Jan 1st 2017.** 1. Each ROP authorised observer programme shall ensure that observers from their programme will be provided before any boarding for a trip, • **An approved independent two way communicationsatellite device*; and** • **a waterproof personal lifesaving beacon**. **Noting that this may consist of a single device such as "Satellite Emergency Notification Device" or it may be a combination of an independent satellite-based system such as a Sat phone plus a portable lifesaving beacon (PLB)."* *2.* Each CCM with an ROP authorised observer programme will ensure that they have an "**Emergency Action Plan" (EAP**) in place to accommodate any reported observer emergency including interference, harassment, intimidation and other personal safety issues. *TCC11/WCPFC12*

ROP expectation for Observer Providers
The Commission relies heavily on the scientific and monitoring data collected by observers in order to meet its objectives and observers must be able to do their jobs unimpeded and in a safe working environment, free from interference, harassment, intimidation, and assault. Each ROP authorised observer programme shall ensure that observers from their programme will be provided before a boarding for all trips, an independent two way communication satellite device and an approved personal lifesaving beacon; noting that both requirements may be combined in one instrument. There shall also be established in each programme a 24 hr emergency contact for the observer. The 24hr service need not be in the "Fisheries Departments" and other services like police, patrol boat bases maybe utilised. A set of procedures for an Emergency Action Plan (EAP) must be explained and fully understood before an observer departs on their trip. The EAP must include communications protocol and appropriate contact information in an emergency and as a minimum will include.   • **When to report**: (Generally, observers should be required to report any instance of interference, harassment, intimidation, or assault as outlined in ROP training.) • **Who to report to**: (Observer programmes must have a "Designated Officer/s" who are responsible for maintaining a device capable of receiving a signal from the approved independent two-way satellite communication device.) • **Follow up responses**: (Observer programme must have an established procedure to initiate contact with the observer, the vessel, and, if necessary, the appropriate enforcement authority of Flag CCM's and relevant Coastal CCM's; this procedure must also include clear procedures that must be taken in the event of various emergencies.) • **Remedial action:** (Observer programme must establish appropriate measures for addressing violations made against observers.) • **Completing the EAP protocols** for observer related incident involving observer reporting of Interference Harassment, Intimidation must be resolved through a legal or nationally recognized procedure. *TCC11/WCPFC12*

Item	Standard Required
Vessel Safety Check list **(VSC) format** VSC format should be designed to evaluate the Safety of the vessel before an observer makes a boarding. The Commission has a guideline format on the ROP section of the WCPFC Website and national formats should be similar or the same.	The minimum standard for a Vessel Safety Checklist (VSC) will be that a CCM should have a VSC in place, and to be used prior to an observer boarding a vessel; and if not in place, CCMs may use, as a *guideline, the VSC developed by the Commission. CCM's should submit copies of their VSC to the WCPFC Secretariat. *IWGROP3/TCC5/WCPFC6*
	ROP expectation on Vessel Safety
	All programmes will have a vessel safety format that can be used to determine if a vessel is safe for an observer to board. If not using the Commission VSC format, observer programmes should submit copies of their VSC to the Secretariat. A VSC will apply before each boarding of an observer on a vessel. Observer has the right to refuse the boarding if the VSC highlights that the vessel does not comply with expected standards ** Copy of the guidelines is attached to the end of this document*

Agreed Guidelines of the Regional Observer Programme

The agreed "Guidelines" for the ROP were mainly generated and discussed during different workshops; Guidelines for some ROP areas were decided, so as programmes still developing in these areas have a guide on the suggested way forward.

These are guidelines and are not binding and are only suggested guidelines for CCM's or ROP's to use as a guide to help when developing their programmes or dealing with issues in their programmes.

Observer Identification Cards Guidelines

The current agreed guidelines for the ROP of the Commission are below, it is agreed that all observers should have proper observer identification; as some programmes already have ID for their observers, and they are not exactly the same; no fixed standard was determined. However it was agreed that the following guidelines should be considered when producing Observer Identification for ROP observer.

Noting that the Secretariat should provide assistance to those national observer programmes authorised to be part of the ROP, which need assistance in developing and obtaining observer ID cards for their observers.

Item **Observer Identification Cards** The currently agreed WCPFC Guidelines for Observer Identification Cards should continue as guidelines in the ROP *IWGROP4/WCPFC12*	**Standard Requirement**
	Observer ID card should be required for participant programmes in the Regional Observer Programme**;**
	WCPFC Guidelines For Observer Identification Cards
	Suggested minimum required information on the front of each card: 1) Name of the observer 2) Name of the observer provider 3) Nationality of the observer 4) Unique identifying number for the observer 5) Passport style photo of the observer Information that could be placed on either the front or back of the card: 6) Issue date and Expiry date 7) WCPFC logo to indicate observer is ROP observer 8) Logo of Programme and or Country Flag Optional information that could be included on the back of the card: 9) Signature of Observer; 10) Status of observer Qualifications.

WESTERN CENTRAL PACIFIC FISHERIES COMMISSION
REGIONAL OBSERVER PROGRAMME
VESSEL SAFETY CHECK

VESSEL INFORMATION					
TYPE OF VESSEL	**PS**	**LL**	**P&L**	**OTHER**	

		Vessel Size (Length
NAME OF VESSEL		
FLAG STATE		< 16 metres
VESSEL WCPFC WIN NUMBER		16-25 metres
REGISTRATION NUMBER		26 -39 metres
CALL SIGN		40-65 metres
OWNER/OPERATOR		> 65 metres
MASTER /CAPTAIN		

VESSEL SAFETY CHECK (VSC)

ITEMS TO BE CHECKED	YES	NO	N/A	COMMENTS
1. VESSEL MARKINGS TO WCPFC STANDARDS CMM 2004-03				
2. REGISTRATION DOCUMENTATION IN ORDER				
3. *VESSEL SURVEY DOCUMENTATION CURRENT				
4. *MARINE RADIO HF SSB OR SUBSTITUTE COMMUNICATIONS				
5. *MOUNTED FIRE EXTINGUISHERS (CURRENT CHECKED)				
6. *FIRE FIGHTING EQUIPMENT (IN GOOD ORDER)				
7. *NAVIGATION LIGHTS / VESSEL LIGHTS (WORKING ORDER)				
8. *SOUND PRODUCING DEVICES OR BELL				
9. *DISTRESS SIGNALS AND FLARES				
10. *CORRECT SIZE PERSONAL FLOATATION DEVICES AVAILABLE				
11. * APPROVED LIFE RAFT OR LIFE BOATS UNDER CURRENT SURVEY AND ADEQUATE FOR NUMBER OF CREW& OBSERVER				
12. OTHER WORK RELATED VESSELS ON BOARD THAT COULD BE UTILISED IN CASE OF EMERGENCY				
13. *EPIRBS (CURRENT SURVEY)				
14 * NAUTICAL CHARTS AND NAVIGATION AIDS (GPS/RADAR)				
15 *FIRST AID EQUIPMENT				
16 *SANITATION				
17. PHONE				
18. EMAIL/FAX				
19. * INSURANCE FOR OBSERVER WHILST ON BOARD				

VESSEL AT THE TIME OF CHECKING IS CONSIDERED TO BE <u>UNSAFE</u> FOR AN OBSERVER BOARDING ☐

VESSEL AT THE TIME OF CHECKING MEETS THE REQUIREMENTS OF SAFETY FOR AN OBSERVER BOARDING ☐

*NAME OF CHECKER*_____*POSITION*_____

*SIGNED*_____*DATE*_____

NOTE The Vessel Safety check (VSC) carried out by the "Checker' does not constitute or should be construed as a warranty or guarantee of the seaworthiness of the vessel, or the serviceability or adequacy of equipment on board. There is no assumption of liability of any kind for advice given and opinions expressed in connection to this VSC examination.

EXPLANATION ON VSC REQUIREMENTS

1. VESSEL MARKINGS TO WCPFC CMM 2004-STANDARDS WCPFC markings are the same as FAO standards except that the WCPFC CMM 2004-03 will allow all letters of the alphabet to be used in the callsign.

2. REGISTRATION DOCUMENTATION IN ORDER Flag State Registration documentation papers must be on board and available to be viewed and must show registration number, boats name, country and port of registration.

3. VESSEL SURVEY DOCUMENTATION CURRENT Fishing Vessels and support vessels operating in the WCPFC must comply with their Flag State regulations and Code of Practice for Safety. Ship surveys including condition, safety and security aspects of hull, machinery and on board safety equipment must be available to be viewed.

4. MARINE RADIO HF SSB(WORKING ORDER) Marine SSB (Single Side Band) is a means of communications for many fishing vessels. The radio must be capable of transmitting and receiving frequencies used for emergency marine communications as agreed by the International Telecommunication Union (ITU) or by the Flag State of the vessel.

5. MOUNTED FIRE EXTINGUISHER, Fire extinguishers must be readily available and be of the correct type. Portable extinguishers require periodic maintenance therefore the last inspection date when last tested or refilled should be available. All must be currently serviceable and if possible should be checked to ensure extinguishes have not been fully or partially discharged.

6. FIRE FIGHTING EQUIPMENT Fire fighting must be readily available and be currently serviceable, a minimum standard of fire fighting equipment as designated by the flag state must be on all on all fishing vessels.

7. NAVIGATION LIGHTS AND VESSEL LIGHTS Vessels must be able to display international standard navigation lights between sunset and sunrise and in conditions of reduced visibility. Internal and external vessel lighting must be fully operational. In the case of power failure, battery operated safety lights must be appropriately placed to ensure a safe exit from the vessel.

8. SOUND PRODUCING SIGNALS OR BELLS Vessels must carry a sound producing device (whistle, horn, siren. or bell) capable of a prolonged blast or ringing for distress signaling purposes

9. DISTRESS SIGNAL AND FLARES. Vessels should have on board appropriate pyrotechnics devices that will suitably operate in both day and night emergency situations.

10. CORRECT SIZE PERSONAL FLOATATION DEVICE AVAILABLE Life Jackets must be approved types and in good serviceable condition, Life Jackets of suitable sizes must be readily accessible for the observer and all crew. Life jackets will not be stored away or locked in cupboards or rooms.

11. SOLAS APPROVED LIFE RAFT In addition to meeting the requirements of the (IMO) International Convention for the Safety of Life at Sea (Solas) life rafts must be currently in survey and be adequate to carry the amount of crew including the observer on board the vessel.

12. OTHER WORK RELATED VESSELS Many vessels have auxiliary vessels that can be used in emergency situations. Note these.

13. EPIRBS International Standard 406 MHz EPIRB. The signal frequency (406 MHz) has been designated internationally for use only for distress. Check to see the frequency number and position of these EPIRBS, a few vessels may have the older relatively common type of 121.5/243 MHz emergency beacons, these will be obsolete in late 2008.

14. NAUTICAL CHARTS AND NAVIGATION AIDS Vessel must have a set of appropriate, up to date nautical charts. Check to ensure that the Radar, GPS and any other navigational equipment is in good order and functioning.

15. FIRST AID EQUIPMENT The vessel must have adequate first aid facilities with current "use by dates" on all apparatus, drugs, dressings and other first aid paraphernalia.

16. SANITATION The vessel must have adequate clean, well maintained sanitation and bathing facilities.

17. PHONE EMAIL/FAX If the vessel has a Phone Fax or Email system note the numbers for future reference or emergencies.

18. INSURANCE All vessels must have insurance for the Observer when the observer is on board, often the observer is covered by adding him/her to the crew list, ask to see what insurance the vessel has and ensure adding the observer to the policy is permitted

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The explanations in the Vessel Safety check are by no means exhaustive. Checkers should ensure that other aspects of the vessel are considered before an observer is placed aboard, e.g. Accommodation, Fishing strategy, Vessel Size, etc. If vessels are unable to supply some items listed e.g. Fax Phone, etc, it does not mean an observer cannot be placed. The ultimate boarding is in the hands of the observer, however items marked with an asterisk on the form must be adequate

Guidelines on suggested mechanisms to prevent Alcohol related misconduct of observers;

Following a small number of complaints by vessels operators, observer providers and others; the following guidelines were compiled from different regional observer programme responses on the misconduct of observers due to alcohol consumption. The compilation of suggested mechanisms with possible results and possible solutions were presented at the IWGROP4 and then were agreed at WCPFC12 to be used as a guide for programmes, there are a number of scenarios that were proposed in the tables and ROP's are encouraged to consider some of the mechanisms that suite their programme.

Item **Preventing And Deterring Misconduct Of Observers** Guidelines on Suggested Mechanisms to Prevent and Deter Alcohol-Related Misconduct of Observers –	**Standard Required** Agreed that it would be a helpful procedure to ensure that an individual vessels policy on alcohol consumption during a trip was clarified at the time of observer placement. Vessel operators that make alcohol directly or indirectly available to observers have a duty to avoid acts or omissions that reasonably may be foreseen as likely to cause harm to the observer or another person on the vessel. Recognise there may be merit in observer programmes considering a form that provides a mechanism for vessels to report back to the observer programme on the behaviour of an observer following the end of a trip *IWGROP4/WCPFC12(para 579 & attachment 4)/WCPFC15*
ROP Expectation - Suggested Mechanisms to Prevent and Deter Alcohol-Related Misconduct of Observers –	

Suggested Mechanism		**Possible result**	**Suggested Standards of the Commission to be applied**
Training			
1	Continually and forcefully emphasize observer Professionalism and pride early and often during training, clearly indicating that an observer is "on the clock" for the entirety of their observer contract and assignment.	This sets the frame for future observer behavior and could help self-select for observers less likely to engage in misconduct.	Observer Training must contain an effective emphasis on the Code of Conduct including a strong emphasis of penalties in relation to drunkenness and other code infringements.
2	Clearly and explicitly explain the rules, regulations, and Code of Conduct for observers related to misconduct, especially the consequences for violations, at several stages in training.	This should help improve the awareness of potential consequences and help deter some observers from engaging in misconduct.	Observer Training must contain an effective emphasis on the Code of Conduct including a strong emphasis of penalties in relation to drunkenness and other infringements.

3	Clearly and explicitly explain the rules and procedures for documenting potential misconduct violations. There should be a requirement of proof of misconduct which should place the burden on the vessel or vessel agent to provide an affidavit documenting the specifics of the observer misconduct, an opportunity for the observer to provide a response, and a written report summarizing the findings as well as an opportunity for both parties to comment in writing on the report.	This would ensure that the observer understands their rights and what steps they would take should they be accused of misconduct. Providing this information offers an additional incentive to behave while also informing the observer of their right to an unbiased investigation of the accusation.	Observer Training must contain a section on the rights and role of an observer in relations to any accusations made against him or her. Collecting of written affidavits plus substantiated evidence is required before any further undertaking can be made against the accused observer, hearsay and verbal complaints are not sufficient for remedial action or dismissal.
4	Clearly and explicitly explain the penalties schedule for violations, e.g. Arrest for alcohol related assault results in termination. The penalties schedule should include all scenarios, such as, if an observer is found guilty of misconduct that does not rise to the level of termination, the observer provider should provide a progressive performance evaluation that allows an observer to improve, with clear expectations in writing, including, where available, options for counseling and alcohol treatment and recovery programs.	This gives observers a clear understanding of what is at stake if they engage in misconduct and provides an additional deterrent effect, while also indicating to the observer their options for seeking treatment for <u>alcohol problems</u>.	An observer charged with a Code of Conduct infringement must be given every opportunity to defend him/herself against the claims that they have alleged to have committed. Drunkenness can be a problem for some who are normally good workers, all avenues of assistance should be made available to the observer.
5	"3 strikes and you're out rule" - Clearly and explicitly explain the penalties schedule for violations. If an observer is found guilty of misconduct that does not rise to the level of termination, then the observer should be informed and warned that they are on a "3 strike and you are out rule". This allows an observer to improve, knowing that if they fail to do so; they will face termination from their observer role.	This gives observers a clear understanding of what is at stake if they engage in continual misconduct and provides an additional deterrent effect.	Observers who have problems with Misconduct /drunkenness that is not considered a major event should be given a chance to redeem themselves. A standard for action for persons that continually offend should be put in place. The "3 strikes and you are out rule" could be applied for minor offences of drunkenness and other infringements.

Assignment			
6	Intervention at the point of assignment where the observer must read aloud the Code of Conduct before the observer provider and initial or otherwise acknowledge provisions specific to alcohol related misconduct.	This will work if the observer commits themselves to not drink alcohol <u>to the point where Code of Conduct infractions occur</u> during his/her stay in the port.	On arriving at a port or on a vessel, observers are given relevant sections to read and note on the Code of Conduct. This is a reminder what lays ahead of them if they infringe with misconduct and or drunkenness.
7	Intervention at the point of disembarking where someone explains the rules and consequences on what will happen if an observer drinks too much.	This will work if the observer commits themselves to not drink alcohol <u>to the point where Code of Conduct infractions occur</u> during his/her stay in the port.	On arriving at a port or on a vessel, observers are given copy of the Code of Conduct and solid verbal explanations' on the relevant sections on the Code of Conduct. With emphasis on the local penalties and consequences if the observer breaches the Code of Conduct.
8	Prohibition on the consumption of alcohol by observers during the term of their trip and return to home country.	Observer will not be permitted to drink any alcohol during their trip and return home subject to sanction. Dismissal as the penalty, regardless of how much is consumed will most likely deter some observers. <u>This is a rigid standard but prone to equitable enforcement.</u>	All Observers are usually considered to be on contract from the start of their trip from their home base until they return to their home base; therefore they should not be permitted to indulge in the consumption of alcohol for the period of their contract.
9	Requirement to remain on board the assigned vessel when in port and only disembark that vessel when the first flight out of the country to the observers homeport after completion of first trip comes available	Cost implications as there would be no second trips, unless observers were not permitted trip and could only leave when departure for home country is organised.to leave the vessel after the first	Observers must stay on board vessels until the point of departure from the port to their home country occurs; also observers must stay on board in the port if they are asked to carry out a second trip on the vessel they are on board.
10	All accommodation etc is organised with meals No alcohol permitted) and paid for by provider if observer lands in foreign port	Observer's accommodation and food (no alcohol permitted) is paid by provider to a set limit, - Small allowance to cover costs if observer has to travel or is going back for 2nd trip.	Observer's accommodation and food is pre-organised and paid by provider. When an observer lands in a foreign port. This includes banning the sale of alcohol to the observer as part of the costs.