



TECHNICAL AND COMPLIANCE COMMITTEE

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4th ANNUAL REPORT FOR THE REGIONAL OBSERVER PROGRAMME

WCPFC- TCC8-2012-15

13th September 2012

Paper prepared by the WCPFC Secretariat

1. Introduction

- a) Paragraph of Article 28 of the WCPFC Convention states: “The observer programme shall be coordinated by the Secretariat of the Commission, and shall be organized in a flexible manner which takes into account the nature of the fishery and other relevant factors.”
- b) Paragraph 3 of CMM 2007-01 states: “The Secretariat of the Commission shall provide an annual report to the Commission with regard to the Commission ROP and on other matters relevant to the efficient operation of the programme.”
- c) This paper reports on the different aspects of the ROP as required by the Convention, CMM 2007-01 and the outcomes of the TCC7 and WCPFC8.

2. ROP Audits of member observer programmes.

- a) The ROP Secretariat commenced its audits of Regional Observer Programme (ROP) interim authorised national and subregional observer programmes in late 2010 and has now completed audits on 23 observer providers that are now fully authorised to be part of the ROP. The purposes of the audits was to ensure that Commission standards are being applied and/or are being developed and maintained by programmes full authorisation of programmes were completed by June 2012.
- b) The following 23 programmes are all qualified to be authorised to be part of the ROP (Table 1). These programmes have all been fully authorised. The programmes where recommended in the audit summaries should be audited in a couple of years to ensure minimum standards agreed by the Commission on debriefing are being applied. In accordance with the WCPFC7 decision, the Final ROP Audit Report was provided to the CCM involved. The summary and report on the ROP Audits is attached as “*Attachment I*” to this ROP report.
- c) The major funding source for the Secretariat to conduct the audit process was through funds made available by the United States. All countries with observer programmes that wished to be part of the ROP participated and assisted Secretariat staff with the audit process. It should be noted that there are still a couple of member countries who have observer programmes that have for whatever reason chosen not to be part of the ROP. Observers from these countries observer programmes cannot be used for any ROP trips nor can their trips be counted towards any ROP annual coverage.

Table 1 .WCPFC Provider Contacts and Programme status

Observer Programme	Date Audited	Observer Programme Coordinators and Assistant Contact details*
Philippines	May 2010	Alma C. Dickson alma_dickson@yahoo.com
USA	November 2010	John Kelly John.d.kelly@noaa.gov
Marshall Islands	March 2011	Dike Poznanski dikep@mimra.com
Korea	March 2011	Dr. Zang Geun Kim zgkim@nfrdi.go.kr
Fiji	March 2011	Netani Tavaga stone_domain@hotmail.com
Tonga	March 2011	Viliami Mo'ale moale@tongafish.gov.to Ana Taholo anataholo@tongafish.gov.to
Vanuatu	April 2011	Tony Taleo ttaleo@gmail.com
Kiribati	May 2011	Tekirua Riinga tekiruar@mfmrd.gov.ki
Solomon Islands	June 2011	Derrick Suimae dsuimae@fisheries.gov.sb
US Treaty (FFA)	June 2011	FFA Secretariat timothy.park@ffa.int ambrose.orianihaa@ffa.int Pohnpei Staff tim.costeloe@ffa.int
FSM Arrangement (FFA)	June 2011	FFA Secretariat timothy.park@ffa.int ambrose.orianihaa@ffa.int Pohnpei Staff tim.costeloe@ffa.int
PNG	June 2011	Philip Lens plens@fisheries.gov.pg
Nauru	June 2011	Ace Capelle nrvms@ccnpac.net.nr
FSM	July 2011	Steve Peters steve.peter@norma.fm Bradley Phillips bradley.phillips@norma.fm
Chinese Taipei	Oct 2011	Mr Lang long You Langlong@msl.f.a.gov.tw
China	Oct 2011	Chen Xuejian admin@tuna.org.cn
Cook Islands	Sept 2011	Andrew Jones A.Jones@mmr.gov.ck
Palau	Nov 2011	Meisai Chin meisai68@gmail.com
Australia	Jan 2012	Mike Yates Mike.Yates@afma.gov.au
Japan	May 2012	Shinobu Nakai shinobu_nakai@nm.maff.go.jp Wataru Tanoue Wataru_tanoue@nm.maff.go.jp
New Zealand	May 2012	Andrew Francis Francea@fish.govt.nz
New Caledonia	May 2012	Hugues Gossuin hugues.gossuin@gouv.nc HuguesG@spc.int
Tuvalu	May 2012	Falasese Tupau falasese@yahoo.com
WCPFC ROP		Karl Staisch karl.staisch@wcpfc.int Donald David donald.david@wcpfc.int

* Contact details as per September 1st¹ 2012

2. Observer Data available for 2011.

- a) Information on the current coverage of ROP observer data is provided in TCC8 paper “Status of ROP Data Management (*WCPFC-TCC8-2012-16*). This paper reports that only 79% of data collected in 2010 and 56% of data collected for 2011 has been provided by observer providers to WCPFC. CMM 2007-01 Attachment K, paragraph 4 states that “No later than 31 December 2008: Existing sub-regional programmes and national programmes shall be regarded as a part of the ROP, and shall continue unless otherwise determined by the Commission.” In addition paragraph states that “Data obtained through these observer programmes shall be submitted to the Commission and shall be considered Commission data.” Further, the current understanding is that data should be sent in a timely matter, as there is not a specified deadline for the submission of data other than to say it must be submitted in a “Timely Manner” there are potentially many interpretations on what a timely manner actually means, which complicates the ability of WCPFC and SPC-OFP to monitor and report on the implementation of ROP data submission requirements. It would be beneficial if the TCC were to specify an actual time frame and clearly state who should be responsible for submitting the data to the WCPFC; therefore allowing for follow up ensuring data is being sent on time etc. E.g. data must be submitted within 30 days of the disembarkation of the observer from the vessel by the observer provider.etc.

- b) Observations on data and monitoring requirements of CMMs, and the role of the ROP
- The ROP data collected by ROP observers has and is currently being utilized for a number of WCPFC scientific and compliance reports, including evaluations of the effectiveness of CMM 2008-01. However as pointed out in WCPFC-TCC8-2012-16, it is apparent that there have been issues that have resulted in delayed submission to SPC/WCPFC and some holdings are incomplete.
 - Delays in WCPFC/SPC receiving observer data appeared to be due to technological problems in a few countries who are ROP observer providers, experiencing problems because of their limitations in transmitting data to SPC or the Secretariat in an electronic format. WCPFC and SPC have been able to respond to assist these countries limitations in transmitting data electronically to SPC or WCPFC, by all countries being supplied with multiple page electronic scanners.
 - During the period, countries were reported by SPC as not having supplied any ROP PS data collected by observers on multiple ROP trips. Reasons given for this were due to infrastructural mismanagement in the area of data collection resulting in the retention of data in hard copy and with no local data entry and transmission of the data; this data was not being made available to anyone. These problems were detected during the audit procedure as well as being reported to the Secretariat by SPC. Assistance has been given to these programmes and data is now being sent to SPC or the Commission Secretariat.
 - The back log of data entry reported in 2011 is diminishing as the ROP data entry had been sufficiently funded in 2012. Technology problems have been rectified in most areas with the assistance from SPC and WCPFC in supplying hi-speed multiple page scanners to many fisheries divisions.
 - Longline data collected by observers on long line ROP trips should be sent to the Commission Secretariat or SPC, so as the coverage of 5% can be verified.

3. Data Entry Staff for Pohnpei

- a) Currently all ROP data entry is concentrated at SPC, with one country entering the data at their home office. SPC had placed two WCPFC ROP Data Entry Staff at their regional office in Pohnpei. The paper (WCPFC-TCC8-2012-16) reports on the current status of ROP data management, and notes a proposal for the relocation of two SPC data entry staff from the Pohnpei SPC Office to the WCPFC Secretariat Offices in Pohnpei.

4. ROP Data Fields

- a) To assist in the monitoring of Seabirds, additional data fields to be added to the Set of Minimum Standard Observer Data fields to be collected were discussed and recommended at SC8

SC8 recommends that the TCC give consideration to the inclusion of data fields on:

- *the mass of added weight attached to branch lines:*
 - *distance between weight and hook (in meters):*
 - *the fate (dead, alive or injured) and number of seabirds for each species in each of these categories:*
 - *whether the seabirds were released alive or discarded dead:*
- b) This matter could be considered during TCC8 Agenda 5.6 Seabirds (Review of CMM 2007-04). As a comment, the WCPFC Secretariat sees no reason that these fields cannot be added to WCPFC Minimum Standard Data fields to be collected by observers on long line fleets, however given that data workbooks for most programmes are only reviewed every couple of years, it is suggested that the inclusion of these fields will need some time to be added to current observer workbooks /formats, therefore if the addition of these new data fields is agreed, CCMs should include this information in their data collection formats as soon as practical, however given it takes time for some programmes to

make changes to their data collection formats a reasonable time frame should be given. The WCPFC Secretariat suggests that these additions are made as soon as practical but no later than Jan 1st 2015.

4. Observer Coverage for 2011

4.1 Purse Seine Coverage

- a) The 100% observer coverage for Purse seiners for period July 1st 2011 to June 30th 2012 includes the FAD closure period in 2011. Observer coverage on purse seine vessels continues to be monitored by the Secretariat with available information supplied by observer providers and flag States for purse seine vessels when fishing in the Convention area 20N – 20S. Some providers and flag states do not provide information on observer placements, so that a record of placements could be maintained. The current system is not ideal, because it relies on observer providers voluntary sending in the information, and often they do not send the information which means the Secretariat does not have up to date information on observer placements. This is currently complicating the ability of the Secretariat to fulfill its role as set out in CMM 2007-01 para 12 (iii) receiving communications and providing reports on the ROP's operation to the Commission (and its subsidiary bodies); including target and achieved coverage levels;"
- b) Noting that it is a CCMs responsibility to meet the level of observer coverage as set by the Commission (paragraph 8 of CMM 2007-01), it is suggested that a different system be put in place and that providers be asked to send in monthly information on a mandatory basis of all ROP boarding's; otherwise it will be extremely difficult to ensure that there is independent monitoring of 100% observer coverage.
- c) Table 2 shows coverage from July 1st 2011 to June 30th 2012. Discrepancies in information supplied by providers and flag States were crossed checked and in most instances the vessels were found to be not fishing with the main reason being vessels visiting shipyards.

Table 2 Purse Seine Observer Coverage July 2011 – Jun 2012

Vessel Flag State	Total Vessels	Jul 2011	Aug 2011	Sep 2011	Oct 2011	Nov 2011	Dec 2011	Jan 2012	Feb 2012	Mar 2012	Apr 2012	May 2012	Jun 2012
China	12	12	12	12	12	12	12	12	12	12	12	12	12
Chinese Taipei	34	33	32	31	33	33	33	33	33	33	32	31	31
Ecuador	9	9	9	9	9	9	9	9	9	9	9	9	9
El Salvador	2	2	2	2	2	2	2	2	2	2	2	2	2
FSM	8	7	7	7	7	7	7	7	7	7	7	8	8
Japan	36	35	32	33	33	35	36	36	36	36	36	36	36
Kiribati*	9	5	5	6	6	6	7	7	7	8	9	9	9
Korea*	29	28	28	27	27	27	26	26	26	25	24	24	24
RMI	10	9	9	9	9	9	9	9	9	9	9	9	9
New Zealand	4	4	4	4	4	4	4	4	4	4	3	3	3
PNG**	14	4	4	4	4	4	4	4	4	4	4	4	4
Philippines**	129	0	0	0	0	0	0	0	0	0	0	0	0
Solomon Isle**	2	0	0	0	0	0	0	0	0	0	0	0	0
Spain	4	4	4	4	4	4	4	4	4	4	4	4	4
Tuvalu	1	1	1	1	1	1	1	1	1	1	1	1	1
United States	33	32	33	30	33	33	33	33	33	33	33	32	32
Vanuatu	16	15	15	16	16	16	16	16	16	16	16	16	16
Total	352	200	197	195	200	202	203	203	203	202	200	197	197

* Vessels changed flag from Korea, to Kiribati during period

** Vessels not accounted for observer coverage, assumed to have fished exclusively inside their EEZ for the reporting period.

4.2 Long Line Coverage

- a) Coverage rates for longliners has been set at 5% and this was to be achieved by 30 June 2012, (CMM 2007-01 Annex C Para 6 “No later than 30 June 2012, CCMs shall achieve 5% coverage of the effort in each fishery under the jurisdiction of the Commission”) there was very little longline data being received by the WCPFC data provider (SPC) and so consequently the estimated coverage levels for all fleets in 2012 is not currently known.

4.3 Transshipment Coverage (July 1st – June 30th 2012)

- a) 100% monitoring of transshipment at sea by longliners commenced in 2011 and is being monitored by the Commission Secretariat. The carriers that the Commission ROP is aware of carrying out transshipment at sea are vessels that are informed to us by CCMs when they are placing an observer on a carrier as well as carriers notifying the Commission Secretariat of their intentions to transship.
- b) There continues to be a problem in knowing what carriers coming into the Convention area are intending to do, it is not known if all carrier vessels transshipping at sea are carrying an observer, as it is impossible for the Commission Secretariat to know how many carriers intend to transship at sea. VMS checks on carriers show that many do not have observers when they are viewed on the high seas however it is not known if these carriers are transiting to ports to tranship therefore not requiring an observer, or whether they intend to tranship at sea either in a EEZ or on the high seas.
- c) The limitations of the WCPFC VMS to the high seas make it impossible for the Commission to track carriers throughout the Convention Area (because carriers are not able to be tracked by the Secretariat when they enter most EEZ areas in the Convention Area). Table 3 indicates that there have been 37 different carriers transshipping on the high sea and these have been covered by 36 different observers for the period July 1st 2011 – June 30th 2012.

Table 3. Transshipment Monitoring

Carrier Flag	Number of Carrier	Observer used
Japan	1	3
Kiribati	2	2
Korea	1	1
Panama	7	6
Singapore	2	2
Vanuatu	24	22
Total	37	36

- d) **Letters of Indemnity** - It was brought to the Secretariats attention that some carrier vessels were asking observers to sign letters of indemnity. Observers have reported to have been put under pressure to sign these letters before being permitted to board a carrier vessel. The legal advice is that an observer does not have to sign these letters, and therefore should not sign these letters, observers should report if they are harassed or pressured to sign these indemnities. A vessel cannot ask observers to sign away their responsibilities and duties which they have been trained to monitor under CMMs and also cannot prevent the observer from making a claim against a negligent vessel if he/she is injured during his/her duties. A circular to members regarding this issue was sent out on 20th July 2012. (*Refer WCPFC Circular 2012-49*)

5. Coverage in the overlap area on the high seas

- a) This remains an area where management between IATTC and WCPFC needs to be agreed, currently vessels authorised by IATTC generally do not carry WCPFC observers when fishing in this area, despite many of those same vessels being from countries which as part of their membership of the WCPFC have agreed to the terms and conditions of our Convention and CMM's. etc.

6. Cross endorsement of observers

- a) Training of observers by IATTC and WCPFC for the cross endorsement was held in Tarawa in August 2012, there is now a small pool of observers that are able to carry out work in both Convention areas on the same trip. The participants at the course were experienced FFA/SPC trained Pacific Island Regional Fisheries Observers. Based on the results of a meeting between the FFA, WCPFC and IATTC staff to compare data fields collected by observers in both oceanic areas in 2008, the training was concentrated on the forms and formats to be used when they are in the IATTC Convention area. These forms are required to be filled out by observers in order to provide semi-real time information for the functioning and monitoring of procedures of the IATTC's Agreement for the International Dolphin Conservation and the monitoring of compliance with IATTC's resolution.
- b) Further training of observers for cross endorsement is intended in the future and a small budget for this will included in this year's ROP budget. A procedure for vessels to follow and a manual for observers and providers have been produced. *Refer to Attachment 2* for a report on the "Cross Endorsement Training" and a copy of the "Vessel Procedures" and the "Manual on Procedures for the observers participating in the Cross Endorsement program onboard Tuna Purse Seine vessels operating in the Eastern Pacific Ocean."

7. Observer availability

- a) The introduction of CMM 2008-01 - Conservation and Management Measure on Bigeye and Yellowfin Tuna in the Western and Central Pacific Ocean led to a significant expansion in the number of trained observers in the WCPO. A survey carried out in March 2012 indicated there were approximately 650 available observers for the ROP.
- b) To ensure there is an appropriate number of PI observers available to ensure coverage of vessels, FFA and SPC are developing and training new trainers in each major centre to allow the PI national programmes to eventually be able to carry out their own training.
- c) The Pacific Island observer programmes manages to supply sufficient observers for the 100% observer coverage of purse seiners, however with 5% coverage of long liners, and 100% coverage of carriers transshipping at sea and the usual attrition rate that occurs in observer programmes, observer training will be required for most large programmes on a continual basis.

8. Observer and debriefer training

- a) During the period since the "3rd ROP Annual Report" to TCC and the Commission, the ROP Coordinator has assisted in a number of observer and debriefer training sessions at the WCPFC head quarters in FSM, Kiribati and at the observer training centre in Manila Philippines. The ROP Coordinator and the Data Quality Officer continue to offer advice to many observer providers on different aspects of observer training and the requirements of the WCPFC. Some countries detected during the audit process as being deficient in debriefing staff have successfully improved the numbers since the audits were carried out. However, overall there still remain insufficient debriefers available for quality debriefing of observers in some parts of the fishery.

9. Observers for special situations and other projects supported by the ROP Division of the Secretariat

- a) To date there has been a regular funding allocation for special projects and research activities included in the ROP-related budget. To date, these funds have been utilized in assisting with the special 'Spill Sampling Project' being conducted by SPC. Related to this work, SC8 recommended the "Plan for Improvement of the Availability and Use of Purse-Seine Catch Composition Data"(WCPFC-TCC8-2012-IP17) be referred to TCC8 for consideration. SC8 also asked TCC8 to consider the broader application of spill sampling across the ROP. The indicative budgets for this project are shown in the table 4.

- b) In 2012, funds were provided to support IATTC/WCPFC cross endorsement training. Additional funds will be required in 2013 if support to train cross endorsed observers is to be extended. Additional funding should also be considered to ensure that the WCPFC can gather information on coverage standards by observers being used by CCMs in longline and transshipment fishing operations, which is required for providing reports on the ROP's operation including target and achieved coverage levels (CMM 2007-01 para 12 a iii)

Table 4. ROP-related approved 2012 budget, and indicative budget for 2013 and 2014.

	<i>Approved 2012</i>	<i>Indicative 2013</i>	<i>Indicative 2014</i>
ROP - special projects and research activities	30,000	30,000	30,000
ROP - Training, assistance & development	30,000	30,000	30,000
<i>Workshops – IATTC/WCPFC cross endorsement</i>	25,000	-	-

10. ROP Data Quality Officer

- a) The ROP Data Quality Officer has been extremely busy, and has been heavily involved in developing and maintaining WCPFC data bases for ROP information on Coverage, Catch Retention, Transshipment Notifications, and the IMS, etc. He has also been involved in helping with the audit procedures and has been involved in the audit of some of the WCPFC ROP programmes.

11. Travel/Meetings

- a) The ROP Coordinator and the Data Quality Officer were involved in TCC7, (Pohnpei), WCPFC8 (Guam USA), SC7 (Pohnpei) as well as the PI Regional Observer Coordinators Workshop, Cross endorsement meeting with IATTC (Hawaii.) The ROP Coordinator made contribution to each of these meetings on ROP matters and issues, as well as assisting with the general administration and organisation of these meetings.
- b) Other travel since TCC7 has been involved in auditing programmes in FSM, Chinese Taipei, Australia, New Zealand, New Caledonia Tuvalu, Japan, China, Palau as well as the observer training in Philippines, Kiribati and FSM.

12. Electronic Data Collection

- a) The WCPFC ROP presented a report as an attachment to the ROP report at TCC6, there has been no further work carried out in this area since the completion of these trials. The trials were very encouraging and almost everything expected was able to be delivered, however there was one important technical problem that was not able to be overcome and that was the inability for the Osprey unit to store positions when an activity occurred. Unless the observer sent a message every time an activity occurred, the position of this activity would be lost. Sending a message every time an activity occurred would make the communication costs of the units expensive, where as if the activities were stored with the positions when they occurred and sent as a package once or twice a day the costs would have been minimal.
- b) The unit was reported by observers to be easy to use and were excellent tracking devices for a programme to follow their observers, as well as having important safety messaging aspects that an observer could use if they were in danger or trouble on a vessel.

13. Catch Retention

- a) Purse seine vessels are required to retain all tuna species on board unless they are “unfit for human consumption” If the vessel wishes to discard tunas on the high seas because they are unfit for human consumption the vessel is required to submit to the Executive Director, a report on the discards within forty-eight (48) hours. During the period July 1st 2011 -30th June 2012 there were 50 vessels that reported discards to the Secretariat, reasons given are listed in Table 5.

Table 5 Reasons that vessel's reported discards

Reason for Discard	BET	SKJ	YFT	Other	Total
Discard: Gear damage		115.866	1.311		117.177
Discard: Insufficient well space	11	1759.9	123	20*	1913.9
Discard: Meshed or crushed in net	1.1	538.85	6.95	0.1	547
Retained from same sets as discards	272.8	10474.5	1048.85	50*	11846.15

**The amount reported in other is mixed catch of small yellowfin and skipjack.*

- b) Insufficient well space on a final set was the major reason given for discards; this usually comes about when the vessel catches too many tunas on its final set and can only store a proportion of the tunas caught due to lack of sufficient well space. Sometimes if it is convenient they may set share with another vessel that maybe close by, however in many cases these tunas are discarded. Table 6 indicates the flag State vessel that reported discards to the Secretariat. For the period 1st July 2011 – 31st July 2012; a total of 50 vessels submitted 135 reports of discards of fish unfit for human consumption or due to lack of well space.

Table 6. Flag of Vessels reporting discards to WCPFC

Vessel flag State	No. Reports	No. of different vessels reporting	No. of discards reported because of no space on final set?
China	1	1	1
EU	1	1	1
Spain	11	3	0
FSM	1	1	0
Japan	42	19	36
Kiribati	10	4	6
Korea	10	5	6
Chinese Taipei	57	14	20
Vanuatu	2	2	0
Total	135	50	70

14. Observer/Vessel problems

- a) There continues to be some problems, with observers, and vessels reported to the Secretariat. The providers of the observers are responsible for the selection of their observers to board vessels and known trouble makers should be culled from programmes rather than being given continual placements. In most cases observer who have previously caused problems continue to re offend when given further placement duties by their providers. Some of the countries where these observers end up for placements or disembarkation are annoyed in having to continually intervene with police departments and other bodies to assist these observers when they get into self inflicted problems. Providers are encouraged to ensure that all observers are explained their Code of Conduct before they leave for any trip and if an observer causes any trouble, it should be investigated and if found to be observer caused, they should be removed from their programme.
- b) Bribery of observers especially in FAD closure periods continues to be of a concern and whilst it is not believed to a major problem, some evidence and general talk amongst observers and vessel captains indicates that it is occurring. Some Captains are claiming they are being approached by observers asking for money to look the other way if they want to set on FADs. Given the generally low salaries

for the work that is being asked of the observer in some programmes, the lure of easy extra money may be inviting to some observers.

- c) Observer complaints about treatment when they are on board a vessel still continues, but given that most vessels have become used to having observers on board and they better understand through experience what is required, therefore complaints from observers about their treatment on board has decreased. However there continues to be problems with a few vessels which have captains who continue to not welcome observers on board their vessels.
- d) As pointed out at TCC7, Observers if they misbehave or cause problems can be dismissed and often are terminated from their position as an observer; however there does not seem to be any similar imposition by companies or from some flag State for vessel captains causing problems or mistreating observers.

15. Observer trip monitoring summary

- a) Table 7 is taken from information collected by observer on the SPC/FFA General Form-3 (GEN -3), this form has the WCPFC minimum standard data fields for observer trip monitoring summary as required by the Commission. The forms are usually handed to the provider or a debriefer when the observer disembarks the vessel. The forms are not written reports but do indicate activities carried out by vessels and witnessed by the observer. The observer indicates by circling YES or NO to the Questions (a) to (t) on the form. If answered YES, the observer usually indicates in the comments section on the form where they have written the details to why they answered YES, this description is normally placed in the observers written report or daily journals.

Table 7 Observer Trip Monitoring Summary

Question	Number of times “YES” reported	Estimated % of trip reports checked
a) Record inaccurate positions on the vessel logsheet	7	3.1%
b) Fish in areas that were not covered by any license or access agreement	12	5.3%
c) Mis-report catch in the vessel logs or weekly reports	45	19.7%
d) Not report catch of commercial species (including discards)	64	28.1%
e) Not record bycatch and discards	95	41.7%
f) Record bycatch and discards inaccurately	61	26.8%
g) Target species other than those they are licensed to target	4	1.8%
h) Use a fishing method other than the method they are licensed to use	10	4.4%
i) Record one species as a different species	70	30.7%
j) Catch species of special interest	47	20.6%
k) Breach MARPOL regulations	99	43.4%
l) Bunker or not report bunkering to national authorities	81	35.5%
m) Transfer fish from or to another vessel at sea	9	3.9%
n) Request that an event not be reported	11	4.8%
o) Mistreat other crew	11	4.8%
p) Hinder the observer in the carrying out of their duties	13	5.7%
q) Not supply reasonable accommodation, food and facilities to the observer onboard the vessel	7	3.1%
r) High grade or cull the catch	7	3.1%
s) Not report position to countries when crossing from one zone to another	9	3.9%
t) Not display or present a valid (and current) license document onboard	8	3.5%
Number of forms from sample with all fields indicating there were no problems.	26	11.4%

Note This table does not represent the total number of trips in the period July 1st to June 30th and only represents 218 observed trips from all fishing fleets, there are reports still to be received from providers, and many still need to be data entered.

- b) The information supplied for Table 7 indicates that there remains a high proportion of discards information (d), (e), (f), that is not correctly reported; much of the discards are non tuna species and

vessels have always had a tendency to not report many species in their vessel logs when discarded. There may also be implications regarding discards of tunas in the reporting rules of catch retention.

- c) The mis-identification and mis-reporting of catch (c) & (i) usually occur when a vessel reports juvenile big eye as yellowfin, or small yellowfin and big eye tunas as part of the skipjack catch. Mis-reporting of catches also occurred when a set did not catch much i.e. couple of tons, these small sets were often not recorded in vessel logs.
- d) Catches of species of special interest (j) included marine reptiles and marine mammals. Most were reported by observers as accidental catch when setting around FAD's particularly early in the morning, although in some cases, vessels were reported to have deliberately set on Whales and Whale Sharks.
- e) Whilst not a direct fisheries reporting problem MARPOL continues to be a concern, and many vessels continue to discard plastics, empty fuel drums, old fishing gear including pieces of net and other rubbish at sea. It is suspected that this figure is a lot higher than indicated as a couple of observers reported that vessels try to avoid discarding rubbish when the observer is active, and instead discard their rubbish late at night/early morning when the observer is sleeping. There were many reports of vessels accepting fuel at sea and also transferring fuel from one vessel to another.
- f) Some vessels still request that an event not be reported, this was occurred when setting on someone else's FAD or when a Marine Mammal was caught. A couple of reports of vessel flag State crew mistreating other crew from nationalities other than the flag of the vessel. In one instance a knife was used to threaten crew. There were a couple of reports that observers were refused entry to the 'Bridge Area' when they needed to collect required position information. Observers complained a little about food problems and also in a couple of instances being given really poor quality accommodation, one observer complained about his accommodation to the captain, as the generator nearby was so noisy the observer couldn't sleep, he was told that's all he would get.

16. Technical Advisory Group (TAG)

- a) The Technical Advisory Group (TAG) Chair has sent two circulars out for comment since the delayed meeting of WCPFC8. The TAG has not had much time to develop many recommendations due to the short time available however a separate paper on some issues is discussed at this meeting in a report from the TAG refer *TCC8-2012-14*
- b) The general response to the TAG circulars has not been good with many programme coordinators not participating in any online email debate, therefore it can only be deduced that programmes that do not comment are happy with what is being suggested.

17. ROP Issues

- a) ROP Issues that require guidance are in a separate paper, WCPFC -TCC8-2012-08; they include
 - Vessels wishing to transit without an Observer
 - Vessel Captains wishing to have access to observer data, so they can make a comment if they wish on the information collected by the observer.
 - Definition as directed by the Commission to be supplied after the Audit of programmes

18. Summary

- a) It has been a busy year for the ROP at the Secretariat with the major emphasis in carrying out Audits of observer programmes for the ROP. This has taken up a fair proportion of the time available however all programme audits were completed and authorised by the 30th June 2012. Many thanks should go to the programmes for assisting with this process.
- b) The training of a small number of WCPFC ROP observers to carry out duties in the IATTC area will assist vessels intending to fish in both Convention areas, vessels will no longer be required to

carry an observer from both IATTC and WCPFC. The training was a success and providing funds can be made available further training could be held to expand the availability of cross endorsed observers.

- c) The Technical Advisory Group (TAG) commenced this year after the delayed annual meeting and the Chair has sent out two circulars with issues for comment, whilst this year the TAG has had little time to develop recommendations for TCC8, it will be able to report on a number of issues at TCC9. Hopefully TCC is able to find time or a mechanism to address the issues raised by the TAG.
- d) The ROP staff looks forward to the coming year and thanks all Coordinators, Staff and observers for their participation and assistance during the last 2011/2012 period.

End

ROP Report Attachment 1



TECHNICAL AND COMPLIANCE COMMITTEE

8th Regular Session

27 September - 3 October 2012

Pohnpei, Federated States of Micronesia

Summary of Regional Observer Programme Audits

SECRETARIAT

1. The Convention of the Commission “*Article 28 Para 1*” directed that a Regional Observer Programme be developed; The Convention says in Article 28 Para 3 “*The regional observer programme shall consist of independent and impartial observers authorized by the Secretariat of the Commission*” It was realized that it would be difficult to authorize each individual observer, and therefore the Commission decided in *CMM 2007-01 Para 12 (b)* that observer providers would be authorized, and therefore Observers that they nominate as being trained to Commission standards are authorized to carry out Regional Observer Programme duties.
2. Observer programmes that wished to be part of the Regional Observer Programme (ROP) were asked to nominate an Observer Coordinators and provide materials on their programme to the Secretariat. The programmes were initially “Interim Authorised and to gain full authorisation were subject to an audit against a set of standards developed by the Commissions ROP Intersessional Working Group and later approved by TCC and the Commission. The Secretariat was tasked to complete the audits of all programmes before June 30th 2012.
3. The ROP section of the Commission Secretariat commenced its audits of Regional Observer Programme (ROP) interim authorised observer programmes in late 2010 and has completed audits of the 23 national and sub regional programmes that are part of the ROP by the due date June 30th 2012 - Programmes audited are in listed in Table 2
4. The purpose of the audits was to ensure that Commission standards are being applied and/or is being developed and maintained by the interim authorised programmes.
5. In most cases the programmes audited were well developed and were following the agreed Commission standards to the best of their ability. However there were standards that needed improvement in some programmes and before full authorisation occurred the Secretariat and the programme worked on issues that needed to be resolved. The observations in this paper are for each standard, and the problems that some programmes were having with these standards.
6. TCC6 recommended that the “Final ROP Audit Report” be provided to the CCM involved, with notification only relayed to the TCC and Commission when a programme fully complied with

Commission standards. This report is a summary of the audits carried out on the 23 observer programmes that have nominated to be part of the Regional Observer programme. To obtain a copy of an audit for a members observer programme; members would need to communicate directly with the programme they are interested in to get the final audit summary of that programme.

Audit of Standards adopted by the Commission

Minimum Data Fields

Standard

7. *The 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 and that also they will ensure that the Commission minimum data standard fields for the ROP are included in their data collection formats.*

Observation

8. The FFA/SPC formats which are used by most Pacific Island programmes were changed to include all the WCPFC approved data fields. The new format introduced contains all the WCPFC approved data fields. Formats used by other programmes not affiliated with FFA/SPC are either using the approved data fields in their formats or have undertaken to include all the approved data fields in their formats, some of these programmes have used a set of forms and formats that the Secretariat had developed as a guideline.

Observer Training

Standard

9. *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*

Observation

10. During the audit process it was found that many programmes had their own standards for training and there was a great variation on what was thought to be an adequate standard. The Commission standard for observer training as shown above is reasonably broad and allows programmes to develop observer training formats to suit their situation. The programmes were checked against a list of parameters preferred as training subjects developed by the Secretariat Table 1. Programmes were not required to have all these parameters as part of their training; however the audit has shown that most of the programmes had included training in most of these areas. Following the audit, some of the programmes undertook to include a couple of the subjects from the list that they are currently not using in their training program.

Table 1.

Guideline for Training Parameters.
<p>Training should include but not be limited to</p> <ol style="list-style-type: none">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 types9. 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;16. Basic knowledge of navigation including latitude/longitude; compasses; bearings; chart work; plotting a position;17. Electronic equipment & understanding their operations ;18. The use of radios & communications;19. Verbal debriefing & Report Writing;20. Health at Sea issues;

11. The Pacific Island (PI) programmes are all using approved Pacific Island Regional Fisheries Observer (PIRFO) standards developed for observer training by FFA/SPC. The PIRFO standard has been developed over a number of years and is updated regularly.
12. Across all programmes there was no conformity on educational qualification for entrance to courses with some requiring passes in certain subjects at high school, while others required degree certification preferably in marine studies or science?
13. Courses also had variable pass criteria, with observer trainees in some courses requiring a pass of at least 75% in each subject, to other courses requiring a general overall pass of 50%.
14. The training venues varied, with some world class facilities being used for all aspects of observer training. Training sessions in some countries were limited to a single class room, with training in some areas such as sea safety being conducted elsewhere.
15. Training materials for the FFA/SPC training is standard across all FFA/SPC observer programmes; all other observer programmes had relevant training materials, some in their own language. Species ID guides were variable and because a couple of programmes were carrying out observation work on non-tuna vessels such as trawlers, etc. Species guides often included many species not caught in tuna fishing operations. The species ID guide produced by SPC was used by all PI programmes and was also popular with a couple of non FFA/SPC programmes who were also using this guide.

16. Some of the concerns detected during audits included the quality of observer trainees chosen for observer courses. In a couple of countries selection of trainees had initially been rushed to accommodate the need to have observers ready for the 100% purse seine coverage. It was noted that some participants struggled to pass the basic requirements of the training course and were given supplementary tests to get them qualified. Unfortunately this may be the partial cause to why an amount of poor quality data was collected by some observers. The education standards and variations in passing grades also may have contributed to some poor quality data being collected.

Observer Trainers

Standard

17. *The ROP standard for the Commission for “Observer Trainers is: “CCMs will use existing national and or sub-regional training standards. CCMs will develop trainer qualifications, available for review by the Secretariat.”*

Observation

18. During the audit the Secretariat checked for observer trainers that have been authorized by their sub regional and national observer programme to train observers on their behalf. It was found that observer trainers may be internal to the programme, or in some cases may be specialists brought in from other programmes or organisations.
19. Senior expert observers from PI and other programmes are generally selected to be taught the techniques used in observer training. Training for the PI observer programmes is carried out by FFA/SPC with the intention that PI programmes will eventually be able to use their own personnel to train their own observers. The PI programmes also use external experts in some of the subjects taught when available to enhance the training. Non FFA/SPC programmes use the coordinator to organise the training and have many different persons/experts to train observers on observer subject matters. In some programmes trainees are paired with an expert trainer for a few courses and then tested before they become a fully approved trainer. Other programmes have no experienced trainers and rely totally on outside assistance and experts to train their observers.

Code of Conduct

Standard

20. *The agreed standard for “Code of Conduct” is that each CCM should have a Code of Conduct in place, available to each observer, available for review and if not in place, to be developed.*

Observation

21. Code of Conduct should provide a set of guiding principles relating to accepted behaviour and standards of conduct while serving as an ROP Observer.
22. All programmes except one had a “Code of Conduct” in place; with assistance from the Secretariat this programme has since developed and adopted a Code of Conduct. It was found that in all cases the “Code of Conduct” is explained during training sessions for observers, and often includes protocols to

investigate complaints or breaches. In a couple of programmes observers were only given the code at the beginning of their observer careers, these programmes were advised that the code should be more accessible and that reminding observers of its contents often was desirable. A numbers of programmes re-issue the code whenever contracts are signed, and some programmes gave a copy of the code to each observer as a standard issue for every trip. During the audit the Secretariat suggested to all programmes that there would be no harm if each programme issued the code as part of the materials given to the observers prior to each trip.

Sea Safety

Standard

23. *The standard for “Sea - Safety” is that all ROP observers must undergo training in sea safety and emergency procedures to international recognized standards, and that such training procedures be made available to the Secretariat*

Observation

24. Sea Safety involves the training of sea safety to international standards and procedures that observer receive before they are permitted to carry out duties on board a vessel at sea.
25. Most programmes used Maritime Colleges to assist in the training of their observer participants for “Sea Safety”. Many programmes had experts and world class facilities to train the observer in sea safety techniques, whereas some programmes only used a qualified lecturer in international “Sea Safety” standards in the class room, and then were taken to an external water sight for practical training. A couple of programmes did not have a college to issue certificates and relied on qualified navy patrol boat personnel to carry out this training.
26. In most Sea Safety training courses participants that passed the courses were given “Certificates of Sea Safety” indicating they have completed and passed the course to international standards. Many programmes require observer to be continually refreshed in sea safety techniques after a designated time period; normally this was every 3-5 years.

Placement /Deployment

Standard

27. *The standard for “Coordinating Placement” is that the*
- *WCPFC National Observer Programme Coordinator should be in place,*
 - *There should be a system for observer placement administration and that documentation describing observer placement administration should be provided to the Secretariat.*
 - *Audit measures to check on deployment procedures will be developed by the Secretariat*

Observation

28. 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.

29. There was a WCPFC ROP Coordinator in place for all programmes audited. Procedures in some programmes are documented and copies of the procedures were made available to the ROP section of the Secretariat; some programmes did not have direct documentation of placement procedures, but procedures were spread through general administration manuals. The procedures in the documents that were presented were acceptable. It was suggested to a couple of programmes to update documentation given 100% observer coverage of purse seiners, carriers and the 5 % coverage of long liners.
30. Problems of payment of observers and the collection of funds for observer programmes were detected during the audit and whilst outside the scope of the audit, there is a need to have a standard in place for collection of funds and payment of observers.
31. Behaviour of observers with observer placements and disembarkations are also not covered by the Commission ROP standards and it is suggested that additional standards should be developed by the Commission. Currently observer behaviour on placement or disembarkation is dealt with by Code of Conducts and is monitored by the sub regional and/or national observer programmes.

Debriefing & Briefing

Standard

32. *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 ROP section of the Commission Secretariat*

Observation

33. For the purposes of the Audit we accepted the observer to debriefer ratio to be satisfactory at approximately 10 observers to 1 debriefer.
34. The process of training debriefers has been developed and is in place for many countries. A debriefing format has been developed in most countries and is being used during the debriefing of all observers; unfortunately for some countries there are only a very small number of debriefers trained and qualified; these countries have the task of certifying more debriefers to what is accepted as a satisfactory ratio. The audit found that there is a current deficiency of the number of dedicated certified debriefers with proper facilities to operate in most PI countries; it will take time to get these programmes up to a satisfactory ratio level for debriefing.
35. The Observer Coordinators of all countries visited were aware of the needs to have a satisfactory ratio of debriefers to observers, however it was noted that in a couple of countries the administration had not assisted by allocating space or funds to allow for more debriefers to be trained and did not facilitate office space so debriefing could take place in a suitable environment.
36. There is continuous training of experienced observers to be debriefers to build up capacity and quality in PI countries, but it may take a couple of years to be able to get the required numbers for comprehensive and accurate debriefing of all observer trips.

37. Because of the unavailability of debriefers in some programmes it was reported that in a couple of programmes unqualified debriefers such as senior observers, the fisheries observer coordinator and others not connected to the programmes were assisting to debrief some of the trips.
38. Since starting the Audit process in 2010 many programmes were reported earlier has having insufficient debriefers, however these programmes have since been able to train more debriefers and have bolstered their numbers, the debriefing while still not a satisfactory ratio for some programmes, continues to improve. There are still further requirements for trained debriefers and in most cases it has been recommended that programmes be further audited in a couple of years 2014/2015 to ensure the debriefer ratio to observers is acceptable.
39. There are ramifications on the unavailability of debriefers, as it is proposed elsewhere that vessels have access to information of the observer's trip aboard their vessel after an observer has been debriefed. This will be difficult to comply with if the observer data and information hasn't been debriefed and checked for correctness and completeness, due to the lack of available debriefers.

Debriefing Training

Standard

40. *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.*

Observation

41. Each programme uses their own standards for debriefer trainers; the PI programmes use the FFA/SPC debriefing standards developed as part of the FFA/SPC regional harmonization process. Other programmes have developed their standards using experienced observers. It was also noted that some programmes use persons for debriefing that are not directly observer experienced. In some programmes debriefing is carried out by more than one person usually the coordinator/ administrator, scientist and/or a compliance officer. The ultimate goal of each programme is to have sufficient trained persons to be able to carry out full and comprehensive debriefings of all their observers.

Equipment and Materials

Standard

42. *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.*

Observation

43. All programmes provided basic equipment for observers to carry out their tasks; however safety equipment is not distributed by a small number of programmes. These programmes rely on agreement with vessels to provide observers with safety equipment when they are on board carrying out observer duties, therefore observers may not have serviced or checked safety equipment made available when carrying out their duties on these vessels.

44. Budgets in some observer programmes did not include funding for materials including safety equipment; in a couple of programmes there was a reliance of assistance for these items from other organisations (e.g. FFA/SPC) to supply basic equipment including safety equipment. Equipment in a couple of programmes was found to be in poor order and was not properly monitored and maintained by observer programme staff before distribution. Observers should also take responsibility of the items issued to them and a system of reporting defects was not in place in a couple of programmes.
45. A number of programmes distributed an excellent range of basic and safety equipment for the observer and in some programmes observers were not permitted to board a vessel without all this equipment being checked and in order.

Communications

Standard

46. *The standard for “Communications “ is that observers have access to appropriate communication facilities, including emergency communication facilities while on board a vessel.”*

Observation

47. Radio communication protocols were included in nearly all of the observer training programmes audited. Regular communications are useful for many purposes, including regular observer reports and the safety and wellbeing of observers. Generally observers had no regular direct voice communications with their headquarters. Sometimes a “Satellite Phone” was used if supplied or available on vessels; however the majority of observers send regular weekly reports by Email or fax to their providers.
48. A few coordinators reported that depending on the individual vessel and the attitude of the captain some observers were denied access to communications and were unable to report regularly.
49. It was noted that many small long liners do not have any communication facilities other than HF/VHF radio and observers asked to carry out duties on these longliners will need to be refreshed with Radio Communication protocols from time to time.

Performance of Observers

Standard

50. *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.*

Observation

51. Determining the performance of individual observers was different in just about every programme audited, this ranged from using data collected as the sole method of judging performance to some quiet complex procedures. Many government employed observers go through the same procedures as developed for all staff working for the government.

52. Most programmes intended to use the reports and the data collected from the debriefing of observers as a means to help determine performance of their observers; these are made available for each trip that is debriefed. Long term appraisal will rely on the programmes being able to debrief the observer properly and using opinions by data quality officers on the quality of the data collected by the observer. It was noted that a few observer coordinators interviewed indicated in some programmes, that they have dismissed and suspended observers for not attaining standards that they believe have not met their programme requirements for data collections.
53. Other areas of assessment such as behaviour and attitude are also used when making performance assessments and even if an observer collects excellent data but fails in the areas of behaviour and attitude they still may be dismissed or given heavy warnings.
54. Training or retraining of observers is important to ensure quality data is collected at all times. Ensuring that proper debriefing occurs from qualified debriefers for each observer returning from a trip is also extremely important for observer's development and for the overall quality of information collected by the programme.

Dispute mechanism

Standard

55. *The standard for "Dispute Settlement" is a dispute resolution mechanism should be in place, and if not in place, to be developed, and a description of the dispute resolution mechanism provided to the Secretariat*

Observation

56. Most programmes audited had as part of their 'Code of Conduct' protocols on how to handle disputes and most also had a consultation process and some had suggested penalties for observer infringements. It was unclear in many programmes, other than a formal letter to the programme Director, whether there is a procedure or mechanism in place for vessels to complain about observer conduct and work ethic. Many programmes where observers were employed by the government also had access to the normal government dispute procedures.

Authorisation process

Standard

57. *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.*

Observation

58. All requirements were found to be adequate for the "Interim Authorisation" of all observer programmes who applied for ROP Interim Authorisation, and therefore all were eligible to apply for full authorisation.

Coverage

Standard

59. *Commission determined observer coverage's are:*
- *purse seiners 20N to 20S -100% coverage (start Jan 2010)*
 - *outside this area 20% purse seine coverage*
 - *long liners coverage is 5% by June 2012*
 - *Carriers transshipping at Sea 100% (LL& P&L) (start Jan 2011) – Note that PS must still go to approved areas in Zones or ports to transship and long liners may need exemptions from certain countries to transship on the high seas.*

Observation

60. Because of the nature of the purse seine fishery being in the EEZ's of many PI countries, the majority of observers were sourced from PI countries. Many PI observer programmes audited were struggling to service the demand for observers when the 100% observer coverage of purse seiners commenced. Some programmes were required to use observers from other PI programmes to assist with a supply of observers that were essential to service the numerous vessels in their ports; with extra training since the commencement of the audits in 2010, observer numbers for purse seine coverage in 2012 are near adequate in most programmes audited. However a number of programmes interviewed stated they will still need extra observers for coverage of long liners, and the carriers, as well as replacements for the attrition of observers.
61. Most PI programmes cited different problems they were having with getting extra observers, including scheduling extra training because of lack of funds, the heavy commitments by FFA/SPC who have limited resources when it comes to supplying trainers. This is being resolved by additional trainers being trained to assist in the training sessions, however there still needs to be additional number of qualified trainers become available for each programme. Most non PI programmes audited believe they have adequate observers and carry out training when required.

Vessel Safety Certificate (VSC)

Standard

62. *The interim 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.*

Observation

63. A few of the programmes audited, currently did not use a Vessel Safety Certificate (VSC) when placing an observer. Nor did they check a vessel for safety when an observer is placed on board. However all the PI programmes use the FFA/SPC pre boarding check list which does contain some aspects of vessel safety. A small number of non PI programmes audited had comprehensive vessel safety check lists in place.

64. Following discussion with the PI Coordinators at the SPC/FFA Regional Observer Coordinators Workshop held in 2011, it was agreed that the FFA/SPC pre boarding check will be redesigned at the next FFA/SPC Data Consultative Committee to include all aspects of Vessel Safety Checks. It was also agreed that a copy of the pre boarding report should be attached to the observer data and reports along with any briefing or debriefing reports. All programmes audited had a VSC in place and/or under took to develop a VSC; some programmes adopted the VSC guidelines developed by the IWG – ROP.

Insurance

Standard

65. *The Interim 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 a vessel for ROP duties has health and safety insurance.*

Observation

66. Many programmes audited had limited insurance coverage for their observers; it was found that most observers are covered by national health and insurance schemes when on shore in their home countries, however when on board a vessel, observers are generally limited to the coverage given to them by the vessels insurance. The practise on purse seiners involves the observer being added to the crew list for insurance purposes. However with long line coverage many vessels do not insure their crews and therefore alternate insurance must be found for the observers. A couple of PI countries had comprehensive insurance coverage for their observers, however most did not have anything extra insurance other than what was available nationally. The programmes with the comprehensive insurance complained about the overall costs involved.
67. During the audit it was found that not all observers were covered for insurance, especially when on long line vessels or when travelling to or from a vessel. Some PI providers were not sure how to insure their observers or were put off by the costs involved.
68. It was suggested by a couple of providers that the Commission probably could get an overall insurance package cheaper for the all the ROP observers.

CMM adherence

Standard

69. *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*

Observation

70. Many programmes interviewed for the audits said they had problems with CMM adherence. The problem - coordinators said they were having, was on learning what has been changed, or what is a new, not only for CMM's but also for other observer requirements and issues. Many said this was

caused by the lack of feedback from their senior staff on some of the issues after they attended relevant meetings; also they noted that circulars sent to official contacts on these issues were hardly ever forwarded to them for their information. They not only said this was a problem with WCPFC but was also a problem from other regional organisations as well.

71. Realizing that this an ongoing problem with many programmes, the WCPFC ROP section of the Commission Secretariat undertook to ensure all CMM's resolutions or directives that were relevant to observer operations or coverage would be compiled each year, as soon as practical after the WCPFC annual meeting, and would be sent directly to all ROP coordinators, observer trainers and other senior observers. This is currently being developed.

Summary

72. Since the introduction of the 100% observer coverage for purse seiners, most observer programmes have coped well in supplying observer numbers, but all programmes have said that they require continual training to upgrade the observers, and to ensure they have enough for all the demands put on them by the WCPFC different gear type coverage requirements.
73. It was noted, that many programmes (not all) have totally inadequate numbers of debriefers for their debriefing programmes, and this is a priority to be rectified. The process does not allow an overnight solution and time will be required to get a reasonable debriefer/observer ratio for programmes currently short on debriefers.
74. There is a need to increase the number of available observers for many programmes, as this will allow for some attrition of the "not so good" observers, as well as being able to satisfy long line and carrier observer coverage requirements.
75. The quality of the observers needs to be monitored carefully, as it has been reported that the data collections held by SPC indicated that a percentage of observer data is not useable, because it is collected incorrectly, or is not collected at all. This is clearly a waste of valuable resources, and shows the requirement for better trained and qualified observers, it also highlights that a suitable debriefing programme needs to be in place for all programmes.
76. The quality of observers is extremely important and an entrance criteria for training needs to be rigidly applied as does the initial selection process. It was found in a few programmes that some observer trainees were not well selected and that local politics were involved in the selection of some observers for training.
77. The sending of data to the SPC or WCPFC after each observer trip is extremely important and unfortunately many observer providers are not sending data in a timely manner. SPC and WCPFC ROP have been working hard to rectify this problem by supplying equipment, personnel and other means in transferring the data in a quick and timely manner. A couple of coordinators indicated they were too embarrassed to send some of the data collected by a few of their observers as they considered it was poorly collected.

78. There is a need to assure that observers are covered by insurance when travelling, on board vessels, and when working as an observer on shore. Many programmes had some insurance for observers but most observers were not covered for all the periods they worked as observers.
79. Health checks (Medicals) by programmes on their observers varied from being comprehensive to none at all. The Commission does not have a standard for health checks, however it is recommended given the issues that some programmes have had with observers being unfit to carry out trips on vessels because of health constraints, that all programmes adopt a standard that requires observers to have a full health check (medical) when first trained and then a regular check after this, suggested to be every 18 months to two years.
80. All programmes are authorised as some of the standards required through no fault of the programme are just not available in a timely basis, for example, debriefing and debriefer training –for PI and some other countries, this is under development with the help of FFA, SPC, WCPFC and NMFS and given another couple of years this problem should be rectified. The development of the debriefing should not hinder full authorisation, however a follow up check in a couple of years’ time to ensure the standard has been reached is recommended.
81. The WCPFC ROP audited 23 programmes before June 2012, Table 2 indicates programmes dates that audits occurred. All programmes are fully authorised, however some of the observations in this summary indicates there needs to be a follow up with another audit in a couple of year’s time. This will ensure that all programmes that have committed to improve their standards during this audit process have done so, and are fully compliant with the Commission requirements for the ROP.

Table 2. WCPFC member programmes audited by the ROP section of the Commission Secretariat.

Programme	Audited
Philippines	May 2010
USA	November 2010
Marshall Islands	March 2011
Korea	March 2011
Fiji	March 2011
Tonga	March 2011
Vanuatu	April 2011
Kiribati	May 2011
Solomon Islands	June 2011
US Treaty (FFA)	June 2011
FSM Arrangement (FFA)	June 2011
PNG	June 2011
Nauru	June 2011
FSM	July 2011
Chinese Taipei	Oct 2011
China	Oct 2011
Cook Islands	Sept 2011
Palau	Nov 2011
Australia	Jan 2012
New Zealand	May 2012
New Caledonia	May 2012
Tuvalu	May 2012
Japan	May 2012

ROP Report Attachment 2



TECHNICAL AND COMPLIANCE COMMITTEE

8th Regular Session

27 September - 3 October 2012

Pohnpei, Federated States of Micronesia

IATTC & WCPFC Observer Cross Endorsement

During August 2012 the IATTC Trainer Ernesto Altamirano and WCPFC ROP Coordinator Karl Staisch trained 16 persons in Tarawa, Kiribati for Cross Endorsement Certification. The participants at the course were experienced FFA/SPC trained Pacific Island Regional Fisheries Observers. Based on the results of a meeting between the FFA, WCPFC and IATTC staff to compare data fields collected by observers in both oceanic areas in 2008, the training concentrated on the forms and formats to be used when they are in the IATTC Convention area which are needed in order to provide semi-real time information for the functioning and monitoring of procedures of the IATTC's Agreement for the International Dolphin Conservation and the monitoring of compliance with IATTC's resolution..

The trained observer's are part of a national observer pool, therefore they will also be used in carrying out normal duties as an observer and all may not be available when required. Therefore as much advance notification asking for a cross endorsed observer will help ensure an observer and all the required extra elements, mainly forms, are available.

Vessel wishing to fish in both area's first must get approval to do so from its flag's national authority. The national authority would need to contact both the WCPFC ROP programme and the IATTC Director and request a certified cross endorsed observer. The vessel will be directed to the provider that has the available observers. Information collected in the IATTC area must be sent to IATTC and WCPFC immediately after debriefing on return from the trip.

The following basics will apply when the observers are to be used as cross endorsed observers. A "Cross Endorsement procedure for vessels and a Manual" with more detail on the requirements is attached.

Cross endorsed observers will:

- continue to fill out their WCPFC approved data forms for the entire trip regardless of the Convention area;
- continue to carry out their WCPFC observer duties including measuring for length frequency as if in the WCPFC Convention area;
- fill out the extra IATTC forms as required when in IATTC Convention Area;
- ensure that after entering the IATTC Convention area the observer will send the required IATTC weekly report every Monday for the remainder of the trip; (regardless of where the trip finishes)
- not be permitted to do more than two trips in a row on the same vessel

End:



TECHNICAL AND COMPLIANCE COMMITTEE

8th Regular Session

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Pohnpei, Federated States of Micronesia

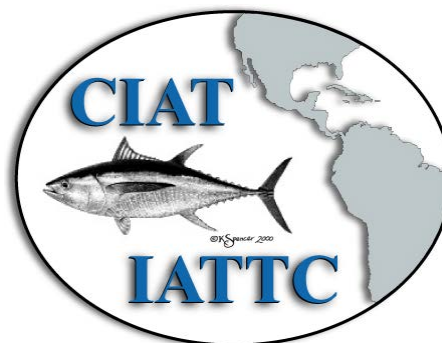
**Vessel Procedures for tuna purse seine vessels operating in the Western Pacific,
wanting to fish in the Eastern Pacific Ocean;**

The IATTC have outlined the following procedures they require when a vessels wishes to use a cross endorsed observer

The following procedures apply to:

1. Tuna purse seine vessels included in the vessel registry of both the WCPFC and the IATTC that do not possess a DML and that have fulfil their assessments under the International Agreement for the Dolphin Conservation Program;
2. US-flagged tuna purse seine vessels attempting to fish in the EPO under paragraph 12 of the IATTC's resolution [C-02-03](#).
3. The National Authority of vessels requesting a CE observer must contact the executive directors of both Commissions with a written request with at least five working days of anticipation. The request must include the name of the vessel and the estimated date and port of departure.
4. Both Secretariats will coordinate with the appropriate Regional Observer Program Provider (ROP), the deployment of the observer and will communicate to the managing office of the vessel, indicating the name and nationality of the observer, as well as any other necessary information required for the observer's deployment.
5. The ROP staff will be responsible, in coordination with the staff of both Commissions, to provide the necessary gear and forms to the observer and to provide all necessary data to both Commissions after the end of the trip.
6. To ensure that both Commissions receive the required information in timely manner, CE observers will not be allowed to make more than two consecutive trips on the same vessel.
7. Only vessels that are clear and free of any obligations under their respective Commissions would be allowed to have a CE observer.

**WESTERN AND CENTRAL PACIFIC FISHERIES COMMISSION
INTERAMERICAN TROPICAL TUNA COMMISSION**



**Procedures for the observers
participating in the Cross Endorsement
program onboard Tuna Purse Seine
vessels operating in the Eastern Pacific Ocean**

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1. Introduction

In 2011, the IATTC and WCPFC member nations agreed on a memorandum of cooperation on the cross-endorsement of observers aboard vessels operating in the convention areas of both organizations (the MOC). As part of the implementation of the MOC, the Secretariats of both regional bodies have put together a series of procedures for the observers of the Regional Observer Program (ROP) to follow when under the umbrella of the WCPFC for tuna purse-seiners, **while observing fishing activity in the IATTC convention area.**

Relevant conditions apply for the application of the cross endorsement, which includes the following:

- a) A cross-endorsed (CE) observer will be approved only when the IATTC and WCPFC Secretariats agree that the observer has met the necessary training requirements for operating on vessels that fish on the high seas in both Convention Areas and such requirements will be of the same standard.
- b) It is understood that the relevant data and information requirements of each Commission will be met by the CE observers when the vessel in question is in the high seas in the respective Convention Areas.
- c) All data and information collected by observers operating on trips that extend into the high seas of the Convention Area of the other organization will be provided to both the IATTC and WCPFC Secretariats, in accordance with procedures for the respective Commission, and will be held by the respective Commission.
- d) **Data and information collected by a CE observer may be used for compliance purposes and in legal proceedings.**
- e) A CE observer remains under the control of the respective national or subregional observer programme and will be made available to fulfill duties in both Convention Areas subject to approval of such programmes.

2. Procedures for the Regional Observer Program (ROP) Staff

2.1. Before the beginning of the fishing operations of the vessel in the EPO

Vessels that fish in the area of application of the IATTC convention, described in Annex 1 (EPO), **must be included** in the [IATTC's Regional Vessel Registry](#) (RVR). Any vessel fishing in the EPO while not included in the RVR is considered to be fishing in contravention to the IATTC's 2002 [Resolution on fleet capacity](#) and should be reported to the IATTC staff immediately. A list of staff members and their contact information is included in Annex 2. The only exceptions to the above stated requirement are US-flagged vessels, as described in paragraph 2.1.1.

The ROP is required to advise the IATTC staff of any vessel that intends to fish in the IATTC-regulated area. Notice to the Director of the IATTC or the head of the AIDCP-Bycatch Program must be given five working days prior to departure. The IATTC staff, in consultation with the WCPFC staff, will determine if permission is granted for a CE observer from the WCPFC's ROP to accompany the vessel during its fishing operations in the EPO. After this permission is granted in writing (email is an accepted method of communication), the Regional Program coordinator is responsible for contacting the IATTC staff and providing the name and flag of the vessel and the name of the observer.

Note: As there are special requirements for vessels that are allowed to fish for tunas associated with dolphins (DML Vessels) in the EPO, no CE observer will be assigned to such vessels.

After the above stated notification, the IATTC staff will provide the ROP provider with a unique identifier for the trip (trip number), which will be used by the observer in all forms described later in these procedures, as well as a numeric observer code to be used at the end of the trip.

2.1.1. Vessels exempted from the requirement to be in the RVR to fish in the EPO.

IATTC's Resolution [C-02-03](#) exempts a limited number of US tuna purse seine vessels, normally operating in the WCPO, from the requirement to be included in the RVR for one trip per year, not to exceed 90 days, provided that the Director of the IATTC has approved such trip, and that they carry either an IATTC or a CE observer, and that the vessel does not possess a DML. The procedure to allow these vessels to fish must be determined by the flag nation's competent authorities in conjunction with the staff of the IATTC. If the ROP receives a request from a vessel for a CE observer, it should be immediately coordinated with the staff of the WCPFC and the IATTC.

2.1.2. Observer preparation

Prior to departure of the vessel, the observer should be provided with the following EPO forms in sufficient quantity to perform his or her duties. The following is a brief description of the forms for informational purposes and it should not be considered as complete instructions to fill them:

a) EPO-1: At Sea Report.

This report includes information on all sets and retained catch during the trip, regardless of the EEZ (which will not be identified). The observer must provide the report to the fishing captain or the person he designates to broadcast it. Reports should be sent each Monday to the e-mail address or fax number on the form. These contacts are also listed in Annex 2. The vessel personnel can choose to scan the form and send an e-mail, or fax it to the headquarters of the IATTC in La Jolla, California.

b) EPO-2: Summary Report on compliance with IATTC resolutions.

This report is completed during the trip and includes information regarding compliance, or lack of, with the various resolutions for purse seine vessels operating in the EPO.

c) EPO-3: International Review Panel (IRP) Report.

The IRP is a technical advisory body for the Agreement on the International Dolphin Conservation Program (AIDCP) for which the IATTC serves as Secretariat. The AIDCP mandates specific requirements for vessels operating in the EPO and their interactions with marine mammals. This form includes information on compliance with those requirements. One such form should be completed by the observer, for the whole trip, describing different aspects of the gear or fishing operations in sets where marine mammals of the *Delphinidae* family are involved.

d) EPO-4: Tuna Tracking.

This form includes information of the *AIDCP Dolphin-Safe* condition of the three main species of tuna (YFT, SKJ and BET). Fish caught during sets in which no injuries or mortality of members of the *Delphinidae* family occurred are considered to be *AIDCP Dolphin-Safe*. Otherwise, the fish is considered to be *Non Dolphin-Safe*. Depending on the flag of the vessel, its catch should be included in this form.

e) EPO-5: Marine Mammal Sighting and Set Record.

This form is completed **only if there is interaction** between the vessel's gear and a member of the *Delphinidae* family, during a set in the EPO.

f) EPO-6: Sea Turtle Record.

This form is completed **only if there is interaction** between the vessel's gear and a marine turtle during a set, or entangled with a FAD in the EPO.

g) EPO-7: Shark Form.

This form is completed **only if there is interaction** between the vessel's gear and any species of shark during a set in the EPO.

Additional documentation may be required if, upon the completion of the trip, the IATTC staff determines that there is a need to report cases of non-compliance to a National Authority. This information may require additional reports or even copies of the non-IATTC forms completed by the observer during the trip.

2.2. After the trip.

The ROP staff must ensure that the observer completed all necessary forms described above. During debriefing, the *Cruise Summary* Excel spreadsheet provided by the IATTC staff should be completed and sent immediately to the IATTC. The simple instructions to complete the spreadsheet are included in the electronic file. Codes for the observer program, the vessel name, the observer name, and the name of the fishing captain are required in the spreadsheet. Such information will be provided by the IATTC upon request. Other data to be entered include the departure and arrival dates and ports, and the location and types of sets made during the trip along with the associated catch of tuna by species.

3. Procedures for the observer

3.1. Before the trip.

Please become familiar with these procedures and keep them handy during your trip for further reference.

During a series of meetings among staffs of the IATTC and the different regional bodies of observer programs in the Western and Central Pacific Ocean (WCPO), it was agreed that observers of the WCPO could act as observers aboard tuna purse seiners permitted to operate in the EPO, but that also fish in the WCPO. As the IATTC and the WCPFC are the main tuna Regional Fisheries Management Organizations in the Pacific, it would be necessary for them to manage this Cross Endorsement program.

Before the trip, you will be provided with the forms described in section 2.1.2 above, that you will complete, as required, **in addition** to the regular forms you complete for your ROP. Please make sure that you have sufficient quantities of the forms for the trip. We recommend considering the following recommendations:

- a) You should have enough EPO-1 forms to complete one for every week you spend at sea.
- b) You should have two EPO-2 forms. You will complete one during the trip and keep the other as a backup.
- c) You should have two EPO-3 forms. You will complete one during the trip and keep the other as a backup.
- d) You should have two EPO-4 forms. You will complete one during the trip and keep the other as a backup. Please note that this form has two parts; one for fish considered *AIDCP Dolphin-Safe*, and another for fish considered to be non-*AIDCP Dolphin-Safe*.
- e) Forms EPO-5 and EPO-6 will be used in case there are interactions with marine mammals (*Delphinidae*) or sea turtles during the fishing operations. These are rare occurrences; however we would recommend taking at least 10 sets of each of these forms. Please note that EPO-5 is an 8-page report.
- f) EPO-7 form. As shark interaction is common during sets on floating objects and unassociated schools, it is recommended that you take at least 20 EPO-7 forms to be used for documentation of non-compliance with IATTC Resolutions, including a ban on finning of any species of sharks, and a ban on retention of oceanic whitetip sharks (*Carcharhinus longimanus*).

3.2. During the trip.

If your trip starts west of the meridian 150° W, you will start your reports once you cross eastward over this line and enter the EPO. You should remind the fishing captain of his obligation to send a short message to the ROP or the IATTC staff, indicating the ETA of the vessel to EPO waters. If your trip starts east of the 150° W meridian, you should start reporting on the first Monday following your departure date.

4. Instructions for completing the forms

4.1. EPO-1: At Sea Report.

Form EPO-1 summarizes information on retained catch of the main four species of tunas **caught and retained** in the EPO: yellowfin tuna (YFT), skipjack (SKJ), bigeye tuna (BET) and Pacific bluefin tuna (PBF), as well as any dolphin mortality which occurs during the reporting week, which includes information from Monday (or the departure day of the vessel) through the following Sunday. Each weekly report should be transmitted on the Monday following the reporting period. If you depart on a Sunday, you should prepare a report to be sent on the following Monday, even if the vessel has not made a set.

According to IATTC resolutions [A-03-02](#) and [C-03-04](#), the vessel personnel have the obligation to send the weekly at sea report to the IATTC headquarters by e-mail or fax to the addresses indicated in Annex 2. Each week the observer must complete the form and provide it to the fishing captain or the person that he designates.

Complete this form in blue ink to assure legibility in case it is scanned or faxed.

4.1.1. Form description and instructions.

Form heading

IATTC Trip No.: The number assigned by the IATTC staff for this trip.

Period Start: The date (YYMMDD) of the start of the week included in this report (either Monday or the departure date for the first week of the trip).

Period End: The date (YYMMDD) of the end of the week included in this report (Sunday).

Accid. sets: The number of sets with accidental capture of dolphins.

Mort in acc sets: The number of dead dolphins in the above stated sets with accidental capture of dolphins.

Retained tuna before the report period, by set type and area (metric tons)

SECTION A

Include the requested data for the complete trip from the beginning of the trip through the Sunday prior to the start of the period described above. On the first week of the trip, this part should be blank as there are no previous reports. The data is grouped as Inside the IATTC Convention Area (EPO) and the Rest of the Pacific.

No. sets: Number of total sets made by set type according to the following descriptions:

- a) TUNASET: A set made on an unassociated school of tunas. Whale sharks should be included under this category,
- b) DOLPSET: A set made with the intention to capture marine mammals of the *Delphinidae* family (includes small whales, commonly known as *Black Fish* as well as killer whales). If dolphins are seen in the area of the encirclement of the net, before the start of the set, the type should be coded as DOLPSET even if the intention of the set was not to capture dolphins. Under these circumstances you will have to make detailed notes in form EPO-5.

- c) LOGSET: A set made on a floating object. This could be natural, such as a log or a dead animal or man-made such as a FAD, buoy or trash.

Retained tuna during the report period, by set type and area (metric tons).

SECTION B

Record the same information as described in the paragraph above, corresponding to the weekly reporting period. If you were to add the totals in section A (sets and tuna catch **before** the reporting period) and B (sets and tuna catch **during** the reporting period), you would have the total sets and retained catch for the duration of the trip. This total would be the information for section A in the next reporting period.

Dolphin mortality.

SECTION C

Include in this section the total number of dead dolphins, by stock, as a result of the fishing operations for tunas during your trip. If there is no dolphin mortality during the trip, leave this section blank.

TOT. PREV. (Previous total): In the enclosed spaces, include the number of dead dolphin by stock previous to the beginning of reporting period.

In the following lines, only include information for sets with dolphin mortality, including the mortality by dolphin stocks.

4.2. EPO-2: Summary Report on IATTC resolutions compliance (Compliance Record).

The Compliance Record (CR) is designed to record information regarding compliance with IATTC resolutions, and this information is used to notify the national authorities of the vessel's flag about possible infractions. Like the IRP record, it must be filled out in blue ink, not pencil.

IATTC resolutions are effective only in the IATTC Convention Area, i.e. east of the 150°W meridian (see the map in Annex 1 of this manual). Do not include any activity that occurs outside this area on the form.

Resolutions often expire or are amended, and new resolutions adopted, so it is possible that this form and/or the instructions for completing it will also change; it is your responsibility to verify that the form and instructions that you are given are up-to-date, and to ensure that copies of all relevant IATTC and AIDCP resolutions are included in the documentation that you take to sea, so that they may be used as a reference by the fishing captain if necessary.

Some sections of the form can be completed during the trip when the events occur, while others can be completed after the trip terminates. Review the instructions carefully to determine how and when each section should be completed.

In all cases, write down any detail of interest in the Comments section. Additional spaces are provided on the back of the form.

Note: It is important that you understand that, while your ROP is expected to provide the fishing captain with copies of the various IATTC and AIDCP resolutions if necessary, you should abstain from answering questions, expressing opinions, or making interpretations about the application of the resolutions, since this is the responsibility of the competent national authority.

4.2.1. Description of the form

NP (National program) Trip No.: If your trip is for one of the participating ROP in the EPO, enter the trip number assigned by your program. If it is an IATTC trip, leave this space blank.

IATTC Trip No.: Leave this space blank.

Note: You should complete one form for each trip, even if you leave the rest of the form blank because you do not identify anything related to compliance.

4.2.2. Sea turtles

Section A

This section relates to Resolutions C-04-05 (Consolidated resolution on bycatch, paragraphs 4.a and 4.e) and C-07-03 (Resolution to mitigate the impact of tuna fisheries on sea turtles, paragraphs 5, 6.a, and 6.c). The information should be recorded during each set at the time that the event occurs. For each instance of possible non-compliance, there should be a corresponding Sea Turtle Record (STR, EPO-6) on which you record the details of the possible infraction. Record the following information on the Compliance Record:

Species: Enter the code for the appropriate sea turtle species in the marked box on the corresponding STR. See code table in Annex 3.

STR No.: Enter the record number of the corresponding STR (EPO-6).

No. tort. (Number of turtles): Enter the number of turtles involved in this occurrence. This is not the same as the record number that you entered in the previous box. Normally this number will be the same as the number of turtles, under OTHER DATA on the STR, but in extraordinary circumstances, which you must explain, the number may be different.

Non-compliance code: Enter the numeric code listed on the form that best describes the reason why you consider that there was a failure to comply with the above-mentioned resolutions. Use only one of the following criteria to identify which codes to use:

- 1. Sea turtle entangled in floating object and not released:** Live sea turtles previously entangled or trapped in a floating object were not released, either during a set or when the vessel stops to inspect the object, even if no set is made. Describe the details as extensively as possible under Comments.
- 2. Sea turtle observed in the net and not released before becoming entangled in the gear:** One or more live turtles are seen within the area of encirclement at any time during a set, without vessel crew in the encirclement area to prevent the turtle(s) from becoming entangled in the vessel's fishing net, and that subsequently become entangled in the mesh during net roll. Include in your notes the time during the encirclement when you saw the turtle(s). *(Note Because of the way the resolution is written, turtles entangled even at the time of encirclement, should be released.)*
- 3. Sea turtle entangled and not released by stopping net roll:** A live turtle, in contact with the net mesh, is lifted out of the water and net roll is not stopped in order to release it. Note any circumstance that might have affected the decision by the crew to not stop net roll in order to free the turtle. Turtles that are passed through the power block alive should be included under this code.
- 4. Sea turtle not promptly released from deck:** An active live sea turtle is not returned to the water promptly after coming on deck. A turtle that appears to be dead or stressed and that

is kept on deck for observation should not be recorded on the Compliance Record as a possible infraction.

Set No., Data, Latitude and Longitude: This information must be identical to that on the corresponding STR.

The form provides space to list non-compliance of eight different STRs, but if necessary you can use more than one form per trip. Include additional notes under Comments.

4.2.3. Sharks.

Section B

This section should be completed once the trip is finished, and relates to Resolution C-05-03 (Resolution on the conservation of sharks captured in association with fisheries in the EPO, paragraphs 3 and 4). You will need to record in your notes any occurrence of a captured shark whose fins were cut off and, subsequently, record the summary data on the Compliance Record.

Of all the species captured in sets: This field is intended to identify the number of sharks whose fins were cut off during sets made to catch tunas. In the upper right box indicate the number of sharks whose fins were cut off and body discarded, and in the lower right box the number of sharks whose fins were cut off and body retained. Do not include in these fields sharks retained whole (without cutting fins) or discarded whole. Include additional notes under Comments.

Of all the species captured outside sets: This field is intended to identify the number of sharks of all species that are captured outside fishing sets, for example when fishing at night with hooks and lines while the vessel is drifting. In the upper right box indicate the number of occasions on which these attempts were made. For example, if one night 10 lines with five hooks are set, while on the following night only one line with one hook is set, this is recorded as two occasions. In the following box, record the number of sharks whose fins were cut off and body discarded. In the last space, record the number of sharks whose fins were cut off and body retained. Do not include in these fields sharks retained whole (without cutting fins) or discarded whole. Include additional notes under Comments.

Oceanic whitetip sharks (*C. longimanus*) retained: This section relates to Resolution C-11-10 (Resolution on the conservation of oceanic whitetip sharks, paragraphs 2 and 3). Before filling it out, you should make a determination, as best you can, about whether captured sharks of this species came aboard dead or alive (an animal that moves by itself should be considered alive). If you cannot determine whether the animal is alive, record its condition as undetermined.

In the upper box of each sub section, record the number of individuals of this species captured and brought on deck, for each of the conditions you determined (alive, dead or undetermined). In the bottom box of each subsection, indicate the number of individuals that were retained, by condition. Include additional notes under Comments.

4.2.4. Plastic bags.

Section C

This section relates to Resolution C-04-05 on bycatch, specifically paragraph 4.d.ii; it should be completed once the trip terminates. Check the box only if you are sure that salt bags and/or large plastic bags (as large as, or larger than, salt bags) were discarded at sea, i.e. you saw them being discarded.

4.2.5. Fishing operations in the closed high-seas area.

Section D

This section relates to Resolution C-11-01 (Resolution for the conservation of tunas in the EPO, paragraph 5) and is also subject to the definition of 'fishing' in the IATTC Antigua Convention, which defines the following operations as fishing:

- a) The actual or attempted searching for, catching, or harvesting of the fish stocks covered by this Convention;
- b) Engaging in any activity which can reasonably be expected to result in the locating, catching, or harvesting of these stocks;
- c) Placing, searching for or recovering any fish-aggregating device or associated equipment, including radio beacons;
- d) Any operation at sea in support of, or in preparation for, any activity previously described;
- e) The use of any other vehicle, air or sea-borne, in relation to any activity described above.

This resolution applies only between 00:01 hours on 29 September and 23:59 hours on 29 October in the area bounded by 96° and 110°W from 4°N to 3°S. The section includes two subsections; the first requires that you indicate the number of sets that were made in that area, between the dates indicated. You may include details under Comments. The second subsection requires that you indicate whether the operations described above took place during activities outside of sets.

4.2.6. Data buoys.

Section E

This section relates to Resolution C-11-03, which prohibits fishing and/or any interaction with or on data buoys anchored to the seabed, such as the TAO buoys, or any other anchored or drifting research buoy. The definition of 'fishing' in the previous paragraph applies. In the top box, indicate the number of sets or interactions within one nautical mile (nm) of the buoy. In the following box, answer whether one of these buoys was brought aboard and, finally, in the bottom box indicate the number of these buoys that you judge were damaged (the anchor cable or chain was cut, or some of their equipment was broken), etc. Under Comments indicate the number of each interaction or set that you identified and details about the fishing operations.

4.2.7. Discards of tunas.

Section F

This section relates to Resolution C-11-01, paragraph 16, which prohibits discarding yellowfin, skipjack and bigeye tunas. Regardless of the reasons given by the crew for dumping the fish, you must make an objective assessment of the predominant reason for which you consider the fish was discarded.

This report includes only those sets in which there were discards of the three species indicated (YFT, SKJ and BET) for reasons of species/size unsuitable for market (1) and other reasons (6), but not including those resulting from equipment failure (sack rips, malfunction of winches or hydraulics, etc.). Under 'Set type', enter the code that you used on the DAR (TUNASET, DOLPSET, or LOGSET). Do not include sets in which there were no discards, or in which fish were lost for other reasons (vessel full, condition unsuitable for market, etc.). Indicate the set number and the tonnage of each species discarded. Enter a dash (-) in the space corresponding to any species that was not discarded. Also, for each of the discarded species, enter the code for the discard reason (1 or 6). If you enter the 'other' reason code (6), document in detail in the Comments section.

4.2.8. Continuation of the sections.

The fourth page of this form contains additional space for each of the sections, if required. If the information that you are entering exceeds the space available on the form, use as many additional pages as necessary. Do not forget to note at the foot of each page the total number of pages, and from the second page on, write the trip number in the corresponding space.

4.3. EPO-3: International Review Panel (IRP) Report.

This form centers around the requirements for vessels fishing on tunas associated with dolphins. Under the conditions of this Cross-Endorsement, your vessel will very likely not be permitted to make such sets. The

only time when it would be required for you to document extensive information on this form would be if during your trip there were sets made in which dolphins were encircled and/or captured or if you were impeded harassed, or attempts were made to bribe you to falsify or not report required information.

4.3.1. Form description and instructions.

TRIP INFORMATION.

NAMES: Include the name of the vessel and its flag, as well as your name and the name of the fishing captain of the vessel. If a second fishing captain takes command of the vessel during the trip, please include his name too.

DATES: Include the dates of the trip. If there was a change in fishing captains, please include the date the second captain began directing fishing operations. If you have to be relieved of your duties but the fishing trip continues with another observer, provide this form to the new observer so that he may continue gathering the data. The new observer must record his or her name and the date of change.

FISHING CAPTAIN'S DECLARATION: At any convenient occasion during the trip, ask the fishing captain to sign this declaration, which states that he has the right to review and comment on any data included in this report. If he does not wish to sign, just make a note indicating so on the comments section in the back. Include the date. There is no obligation for the captain to sign this form and this is provided to him for informational purposes only.

OBSERVER'S DECLARATION: Since the information in these forms could be used by national authorities to verify compliance with national and international regulations and requirements, the information in this report must be as accurate as possible. By signing this statement you pledge to include data and events as accurately as possible.

DATA PROCEEDENCE: In the space provided for PROGRAM, include the name of your ROP. In the space provided for Cruise No., include the number for the trip provided by the IATTC staff to your program manager.

SUMMARY REPORT OF DOLPHIN SAFETY GEAR AND SET DATA.

This part of the report is used to record compliance with the AIDCP on the requirements of Dolphin Safety Gear for vessels with a DML that are allowed to fish on tunas associated with dolphins. As this CE is not applicable to DML vessels, answer each the 10 questions on this page with NA (Not Applicable).

OBSERVER-VESSEL'S PERSONNEL INTERACTION.

If the vessel personnel tried to impede or interfere with your data gathering activities, answer 'Yes' to the only question on this page and give detailed notes of what happened. Include names and dates. Bribe attempts should also be described here.

Note: Harassment is the act of systematic and/or continued unwanted and annoying actions of one or more crew members, including threats and demands with the purpose of interfering or impeding the observer's ability to collect information. It creates a hostile and/or offensive environment.

If he wishes, the captain may write comments on this page while in your presence. He is not allowed to take the forms and keep them for any length of time.

SET AND DOLPHIN MORTALITY DATA.

Vessels operating under this CE agreement are not allowed to fish on tunas associated with dolphins and therefore this part of the report should be left blank. If you consider it necessary, you may write a note in the space under 'Captured Stock' indicating that no dolphin sets were made.

If the vessel makes a set with accidental capture of dolphins, please complete form EPO-5 and follow the instructions in section 4.5.

PURSE SEINER SIGHTING INFORMATION.

Record in this section any sighting of tuna purse seine vessels operating in the EPO. Enter the date and the name of the vessel. Include the position and the activity of the vessel (fishing, searching, running, drifting, etc.). If you see the same vessel later in the trip, do not record its name again unless the vessel is sighted while engaged in fishing operations. If the vessel is making a set, try to determine the type of set in which it is engaged (dolphins, floating objects, or unassociated schools).

4.4. EPO-4: Tuna Tracking Form (TTF).

Complete this form only if you catch tuna in the EPO.

To complete this form, it is necessary that you are familiar with the following concepts:

- a) *AIDCP Dolphin Safe Tuna (DS tuna)*: Tuna caught in the EPO, in **any type of set** that did not cause injuries or mortality to dolphins.
- b) *Non-AIDCP Dolphin Safe Tuna (Non-DS tuna)*: Tuna caught in the EPO, in **any type of set** that caused injuries or mortality to dolphins.
- c) Vessel personnel should separate DS tuna and Non-DS tuna in the wells to preserve its condition; the mix in a well of these two types of tuna makes the entire contents of that well, and any subsequent tuna added to the well, Non-DS.

4.4.1. Form description and instructions.

This form is divided into two identical parts: Form A and Form B. Form A is used to record fish that is stored in wells that are used to store DS tuna, while Form B is used to record fish that is stored in wells that contain Non-DS tuna. Each of these forms are divided into two sections: the set by set tuna load information, and the summary information of the well. The following instructions apply to both forms A and B:

Set-by-set information

In the spaces provided, include the date (in the format YYYYMMDD) and time of each set from which tuna was loaded into each well, for the three species of tuna included in this report, YFT, SKJ and BET. If the catch of a single set is loaded into multiple wells, you may use the ditto mark (") to indicate the same set. Please note that, for these cases, it is very important that each line represents the metric ton load by species for each well.

Once you have made your estimates of the load by wells, enter your initials in the space marked with OBS. Corroborate your estimates with those of the Chief Engineer and ask him to enter his initials in the space marked with "C.E.". If your estimates by weight and species are very different (more than 15%), please mark the column "Com?" and make comments in the space provided in the summary.

Summary information

In each of the forms (A and B), enter the tonnage for each of the wells in the vessel, by species of tuna loaded. The summary provides space for a vessel with 13 paired wells. If the vessel is not equipped with

that number of wells, cross out the complete line for non-existing wells. If the vessel has more than 13 pairs of wells, use additional pages to include the relevant information and make notes under 'Comments'.

Names and dates

At the end of the trip, when you know that there will not be more fish loaded, complete and sign the information at the bottom of the page. The person responsible for signing official vessel documents (not necessarily the fishing captain) should do the same. Remember that no copies are to be made of these documents. Bring this form with the rest of your data back to the office of your ROP.

4.5. EPO-5: Marine Mammal Sighting and Set Record.

This is an 8-page report that should be completed whenever there is an interaction between dolphins and the vessel's gear. Your vessel should not intentionally set on dolphins. An intentional set on dolphins is defined as any type of set where dolphins are seen in the encirclement area of the net prior to the start of the set (skiff is let go). Nonetheless, occasionally, there are sets where dolphins are captured even though the target of the set was not a herd of dolphins. These are called accidental capture sets.

If you are not sure of the type of set when there are dolphins involved, you should make detailed notes of the situation describing:

- a) The local time when you determined that dolphins were present.
- b) The local time when the skiff was released (let go).
- c) The presence or absence of dolphins in the net at the time of rings up.
- d) The way dolphins were rescued, as well as the number and methods used by the rescuers.
- e) Any dolphin mortality by species.
- f) Sketches of the set in which you graphically describe the above events.

As this is a form that will not be needed until there is a set in which dolphins are involved, complete only the sections with notes and illustrations and at your return to the ROP for debriefing, explain the situation to the person in charge of your debriefing. He or she should contact the IATTC when more information is needed.

If the fishing captain would like to make notes regarding this form, please ask him to include his comments in the section provided for captain's comments on the form. Remember that he should write his comments in your presence. He is not allowed to keep the data forms for any length of time.

4.6. EPO-6: Sea Turtle Form.

This form should only be completed when sea turtles are involved in fishing operations. The data recorded on this form is very simple and the titles of each section should be self-explanatory. Nevertheless, the following is a list of common causes of confusion when completing this form. Please review this list each time you need to complete a form.

You can aggregate as many turtles on this form as you want, as long as they are the same species and are related to the same set. Otherwise, complete one form for every species present in the set.

Cruise Number: The IATTC number assigned to your trip.

Record Number: Assign a number to each form you complete during this trip, starting with 001.

Set No., Date, Time, Latitude and Longitude: of the corresponding set. Please note that only sets in the EPO should be included.

Number of turtles: if you are aggregating the description of more than one turtle in this form, please indicate the number of turtles (same species) that you are registering on this form.

If there is more than one turtle answer:

Various individual sightings: You will not be completing this section as it is not required that you collect data for turtle sightings.

One group with multiple turtles: Check this box if you are recording more than one turtle involved in a set. Otherwise, leave this box blank.

Found trapped/entangled in a floating object?: Check this box if a turtle is entangled or trapped in the floating object, but do not confuse this with entanglement in the vessel's fishing net.

Condition upon leaving the turtle, Association, Identification, dimension and tags: Complete the information as appropriate.

Additional comments: If you have any doubts or questions regarding any of the data items of this form, you should make detailed notes or drawings that may help the data debriefers to understand the situation, and edit your data if needed. Please include all relevant information regarding the sea turtle or turtles that you are recording on this form.

4.7. EPO-7: Shark form.

4.7.1. Form description and instructions.

This form should be completed only under the following two circumstances:

- a) The fins of any species of sharks are removed from the body and the carcass is discarded.
- b) Oceanic white tip sharks (*Carcharhinus longimanus*) are brought to the vessel's deck.

Trip number: The IATTC number assigned to your trip.

Record Number: Assign a sequential number to each form you complete during this trip, starting with 001.

Set number: of the corresponding set. Please note that shark information should only be collected for sets in the EPO .

Species: Identify the shark species and enter the corresponding code listed in Annex 4.

Total number of sharks: The design of this form allows you to group sharks of the same species on one form for each set in which an interaction with sharks (as indicated above) occurs. In this box record the number of sharks of this particular species captured in the set.

You should determine the size of the sharks either by taking a measurement of the total length of each individual shark, or by estimating into which of the three general size categories the shark falls. In addition to this, for each category of size, indicate the fate or disposition of the shark, using the following codes:

1. **Human consumption:** The shark was consumed by the crew or treated as catch to be sold as food.
2. **Discarded:** The shark was discarded to the ocean. Use this code if all or most of the shark body was discarded. If the shark is finned, use the 'DISCARDED' code and document the finning with great detail under 'COMMENTS'.
3. **Released alive:** The shark arrived to the deck alive and was immediately released to the water without apparent lethal injuries. If you believe the shark has injuries that would cause imminent death after being released, use the code for 'DISCARDED'.
4. **Other:** Any other situation not described above. Provide details under 'COMMENTS'.
5. **Unknown:** Use this code only if you could not determine the fate of the sharks because it was impossible to observe. This normally occurs when sharks are released from the stern.

This form is designed for you to easily select the morphological characteristics that you observe for each species of shark present in the set. This includes the shape of the caudal fin, the shape of the head, the shape of the dorsal fin, the distance between the first dorsal the pectoral fins, the internal border length of the second dorsal fin, the body coloration, and the presence or absence of an interdorsal crest.

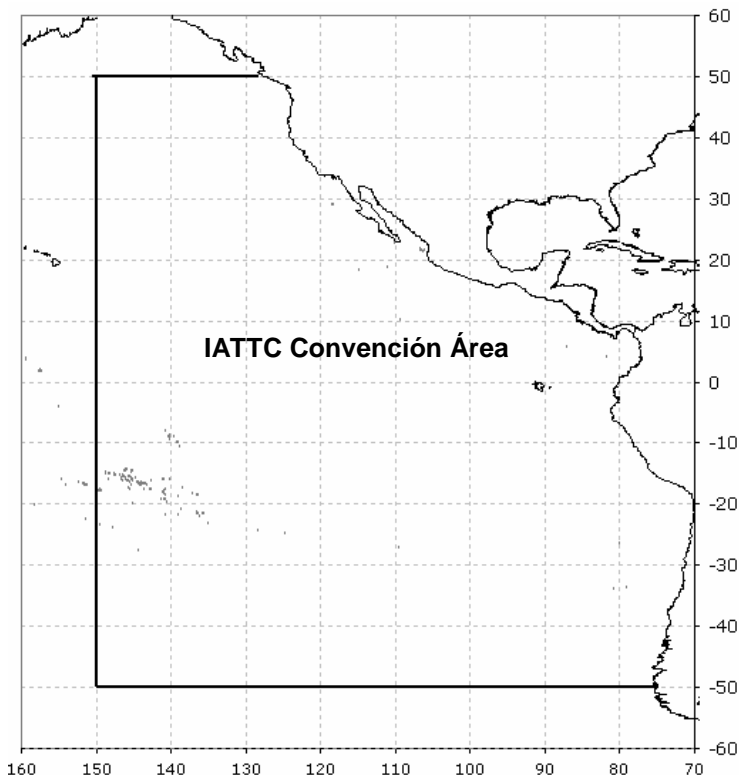
In each of the different groups of characteristics, check the following options, based on the indicated criteria:

- The illustration of the observed characteristic that most closely matches the shark.

- **Neither/None of these:** Indicates that, according to what you see, the observed characteristic is not similar to any of those presented in the illustrations. If this is the case, please document under 'COMMENTS' at the bottom of the page. Use additional pages if needed.
- **Could not determine:** Indicates that you could not determine the characteristic for any reason, such as an obstructed view or because there was not enough time to make your observations.
- **Unsure:** Indicates that even though you had time to observe with certain detail the described characteristic, the illustration noted does not seem to reflect what you observe on the shark. If this is the case, try to describe the difference under 'COMMENTS', at the bottom of the page. Use additional pages if needed.

Annex 1. Convention Area:

The area of application of the Convention (“the Convention Area”) comprises the area of the Pacific Ocean bounded by the coastline of North, Central, and South America and by the following lines:



- a) the 50°N parallel from the coast of North America to its intersection with the 150°W meridian;
- b) the 150°W meridian to its intersection with the 50°S parallel; and
- c) the 50°S parallel to its intersection with the coast of South America.

Annex 2. IATTC Staff Contact information:

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Annex 3. Sea turtle codes:

Family	Species	Common name	Sp.	Not ident.
Cheloniidae	<i>Lepidochelys olivacea</i>	Olive ridley	LKV	TTX
	<i>Caretta caretta</i>	Loggerhead	TTL	
	<i>Chelonia mydas</i>	Green	TUG	
	<i>Eretmochelys</i>	Hawksbill	TTH	
	<i>Dermochelys coriacea</i>	Laetherback	DKK	
Other species not in this table				OTH

Annex 4. Shark codes: for IATTC forms

Sharks					
Famiy	Species	Common Name	Code	Unidentified	Unidentified
Carcharhinidae	<i>Carcharhinus falciformis</i>	Silky	FAL	RSK	SHK
	<i>Carcharhinus limbatus</i>	Blacktip	CCL		
	<i>Carcharhinus longimanus</i>	Oceanic whitetip	OCS		
	<i>Carcharhinus leucas</i>	Bull	CCE		
Sphyrnidae	<i>Prionace glauca</i>	Blue	BSH	SPN	
	<i>Sphyrna lewini</i>	Scalloped hammerhead	SPL		
	<i>Sphyrna zygaena</i>	Smooth hammerhead	SPZ		
Lamnidae	<i>Sphyrna mokarran</i>	Great hammerhead	SPK	THR	
	<i>Isurus oxyrinchus</i>	Mako	SMA		
Alopiidae	<i>Isurus spp.</i>	Mako	MAK	THR	
	<i>Alopias pelagicus</i>	Pelagic thresher shark	PTH		
	<i>Alopias superciliosus</i>	Bigeye thresher shark	BTH		
Rhincodontidae	<i>Alopias vulpinus</i>	Thresher shark	ALV		
Other specie, not included in this table	<i>Rhincodon typus</i>	Whale shark	RHN		OTH
Unidentified Shark					SHK