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**INFORMATION PAPER ON A COOPERATIVE MONITORING, CONTROL AND
SURVEILLANCE ACTIVITY IN THE WESTERN AND CENTRAL PACIFIC FISHERIES
COMMISSION CONVENTION AREA: OPERATION NASSE 2021**

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Paper submitted by Australia on behalf of Australia, France, New Zealand and the United States

Information paper on a cooperative Monitoring, Control and Surveillance activity in the Western and Central Pacific Fisheries Commission Convention Area: Operation Nasse 2021

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Introduction

Operation Nasse is an annual regional maritime monitoring, control and surveillance (MCS) operation between Pacific Quadrilateral Defence Coordination Group (Pacific QUAD) partners Australia, France, New Zealand and the United States of America. Operation Nasse is conducted in the high seas of the south west Pacific Ocean and has been completed annually since 2015, with the USA joining in 2016. This year also saw the involvement of officers from the Pacific Islands Forum Fisheries Agency (FFA) Regional Fisheries Surveillance Centre (RFSC).

The primary objective of Operation Nasse is to detect and deter illegal, unreported and unregulated (IUU) fishing for species regulated by the Western and Central Pacific Fisheries Commission (WCPFC) on the high seas. The Area of Operation (AO) is the high seas areas adjacent to the exclusive economic zones (EEZs) of the French Territories (New Caledonia and French Polynesia), Australia (which includes Norfolk Island), Fiji, New Zealand, Tonga, Niue, and the Cook Islands (Figure 1). Activities include centralised coordination of resources, aerial and sea surface platforms, monitoring via aerial surveillance and Vessel Monitoring Systems (VMS), and high seas boarding and inspections (HSBIs) of fishing vessels to verify compliance with WCPFC Conservation and Management Measures (CMMs).

This report highlights some of the key successes and challenges experienced during Operation Nasse 2021 (Op Nasse 21), including opportunities and constraints resulting from the current COVID-19 operating environment.

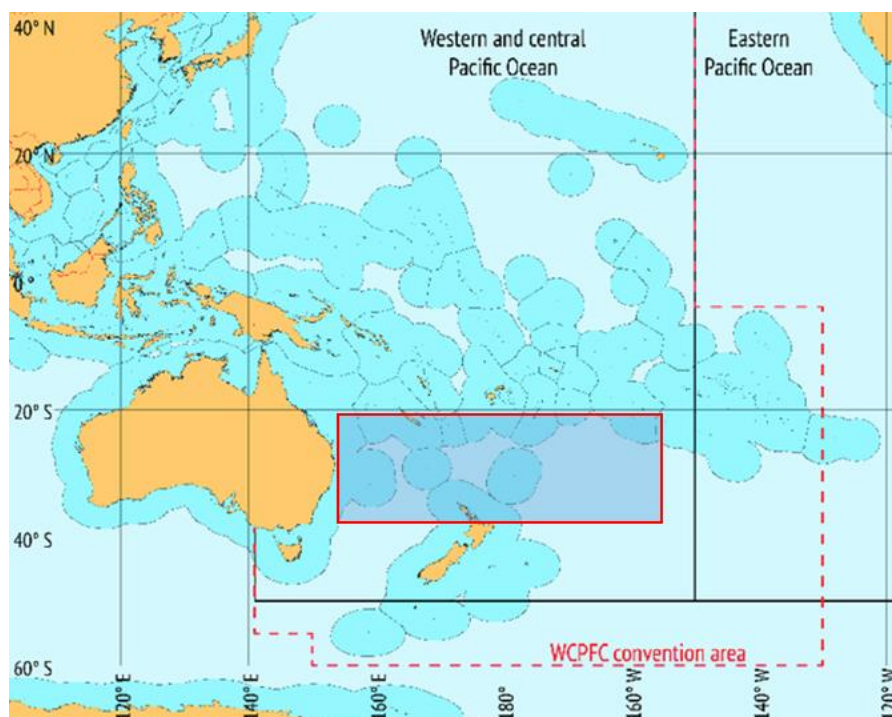


Figure 1. Operation Nasse, Area of Operation

Operation Nasse 2021

Op Nasse 21 objectives were to:

- detect, investigate and report IUU fishing activity;
- gather intelligence and validate information being reported to WCPFC;
- monitor compliance with relevant WCPFC CMMs; and
- enhance MCS tools and multi-lateral communications to support regional and national maritime surveillance efforts.

This year, Pacific QUAD partners focused on:

- misreporting of catch and bycatch interactions;
- non-compliance with VMS conditions; and
- non-compliance with bycatch mitigation requirements.

Pacific QUAD partners requested WCPFC MCS information under the 2009 non-public domain data rules¹ to support the planning and delivery of the operation. Pacific QUAD partners thank the WCPFC Secretariat for its support of Op Nasse 21 through the provision of MCS data in accordance with WCPFC data rules. The timely provision of such data enabled Pacific QUAD partners to direct operational activities to areas of particular interest and maximised the effectiveness of surveillance platforms.

During Op Nasse 21, Pacific QUAD partners conducted a range of data analyses including:

- validation of fishing vessel position reporting against aerial surveillance information, VMS (FFA and WCPFC), AIS and other sources of reporting;
- correlation of transshipment reporting (notifications and declarations) and activity analysis;
- level of compliance with WCPFC CMMs, with particular focus on CMM 2018-03 regarding seabird mitigation measures and the extension of the application of that CMM from 30°S to 25°S which came into effect 1 January 2020; and
- vessel risk based profiling under CMM 2006-08 (Boarding and Inspection Procedures), paragraph 10, for prioritisation of vessels for MCS efforts.

Op Nasse 21 focused heavily on aerial surveillance activities to collect information and deter potential IUU fishing. Desktop analysis was supported by aerial imagery, as well as remote sensing capabilities. HSBI activities provide valuable insight into the performance and operation of offshore fisheries and the effectiveness of management measures. HSBI activities are an important tool in ensuring timely and reliable fisheries information is made available to support fisheries management decisions. Several HSBI of fishing vessels were conducted during the operation. A number of suspected breaches were identified during HSBI pertaining mainly to the implementation of seabird mitigation devices. Further assessment by national authorities of participating countries and by relevant flag States is required to verify the exact nature and extent of potential non-compliance. However, cooperation between inspecting States and flag States has been very positive with flag States responding to correspondence and taking effective action against non-compliances that were identified during Op

¹2009 Rules and Procedures for the Protection, Access to, and Dissemination of High Seas Non-Public Domain Data and Information Compiled by the Commission for the Purpose of Monitoring, Control or Surveillance (MCS) Activities and the Access to and Dissemination of High Seas VMS Data for Scientific Purposes, <https://www.wcpfc.int/doc/commission-09/rules-and-procedures-protection-access-and-dissemination-high-seas-non-public>

Nasse 21. Sharing information on the insights gathered at the vessel level ensures that measures adopted at the WCPFC level are practical, enforceable and assist in achieving the objective of the CMM.



Figure 2. WCPFC pennant on Australian boarding vessel

Source: AFMA

During Op Nasse 21 and as in previous years, inspecting States received a high level of cooperation and engagement from the fishing vessel operators, masters and crews. Crews were willing and responsive to requests for information. Inspectors used the WCPFC multilanguage questionnaires and other communication tools to ensure that crews understood the various requests. Crews consistently displayed internationally accepted principles of good seamanship by facilitating and cooperating with the inspectors conducting the boarding and inspections.

COVID

Pacific QUAD partners conducted Op Nasse 21 under a strict COVID-19 safe operating environment. Pacific QUAD partners spent significant time and effort this year in the planning phase to ensure that any potential risks or impacts associated with COVID-19 were minimised and managed safely and appropriately. This planning phase included a number of operational considerations to minimise COVID-19 risks to all vessels (patrol and fishing) and personnel on board (fisheries officers and crew).

All HSBI activities were conducted under strict COVID-19 protocols, which are consistent with the FFA COVID-19 Operating Protocols for the Fishing Sector in the Pacific. These protocols include a range of actions that take into consideration the particular circumstances. Some examples of COVID-19 safety measures that were implemented include:

- before boarding a vessel, a COVID-19 risk assessment was conducted to ensure the safety of fisheries officers and crew;
- fisheries officers that carried out HSBI were fully vaccinated and wearing enhanced personal protective equipment (PPE); and
- officers ensured social distancing was maintained and photographed key vessel documentation to reduce time on board the vessel. These photographs were analysed post inspection, with any compliance issues being provided to the flag State for investigation.

COVID-19 has impacted Pacific fisheries in multiple ways and there continue to be a range of responses implemented across the Pacific as vaccination rates improve and lessons learnt about the most effective strategies. Ongoing consideration and analysis of fishing behaviour in response to the COVID-19 pandemic will assist in both supporting fishing operators to continue to demonstrate sustainable and compliant fishing behaviours, as well as identifying risk areas into the future.

Misreporting

One of the highest risks to the WCPFC fishery, and a serious violation under the WCPFC HSBI CMM, is catch and effort data being misreported. As such, HSBI pay particular attention to assessing compliance against CMM 2013-05 (Daily Catch and Effort reporting), and other related CMMs.

DNA sampling is undertaken during Op Nasse HSBI in order to validate reporting of processed fish on board. The DNA samples are sent post boarding to laboratories for analysis and the DNA results are then compared to copies of logbook records taken at the time of the boarding. Any discrepancy is reported to the flag State for further investigation. DNA sampling is a useful tool for distinguishing between species of tuna and ensuring they are being correctly recorded in the daily catch and effort logbooks.

Unreported or misreporting of interactions, discards and released species as part of operational level catch and effort data distorts the overall reported levels and distributions of fishing mortality on both target and non-target species, and can have negative implications for species like sharks and bluefin tunas. On a large scale, this behaviour undermines the scientific data and therefore WCPFC's fisheries management framework.

VMS

A focus of Operation Nasse is to monitor fishing vessels' compliance with WCPFC VMS obligations while operating in the high seas and this year saw high VMS compliance rates. The WCPFC require flag States to direct their vessels to provide real time VMS reports to the WCPFC Secretariat when fishing in the high seas of the WCPFC. Failure to comply with VMS provisions may also be an indicator of other IUU fishing activity.

The ability to monitor vessels via VMS is a key component of effective fisheries MCS. VMS data is particularly valuable when compared against other available datasets to help detect suspected IUU fishing. During Op Nasse 21, sightings data was compared to WCPFC VMS as well as other available MCS data such as WCPFC Record of Fishing Vessels (RFV) data and Automatic Identification System (AIS) information.

Op Nasse 21 saw high VMS compliance rates, determined through the correlation of aerial and surface patrol assets' data with WCPFC VMS reporting data. In previous years, Operation Nasse has recorded significant instances of potential WCPFC VMS non-compliance by vessels. In many cases, vessels are polling to their national Fisheries Monitoring Centre (FMC) but due to suspected technical faults are not showing up on the WCPFC VMS picture. This year vessels which were not appearing to report on VMS were identified as administrative issues and rectified during the operation. All other vessels identified during aerial surveillance were reporting on WCPFC VMS.

Transshipment

Since 2015, the number of reported high seas transshipment events in WCPFC has been increasing and now sits at a record high². Lack of port access in response to the changing COVID-19 environment has only strengthened this growth. Recognising the ongoing work within WCPFC to improve the transparency and monitoring of transshipment activity and the impacts of the observer suspension on monitoring transshipment, Op Nasse 21 monitored compliance with CMM 2013-05 (Daily Catch and Effort reporting) and CMM 2009-06 (Regulation of Transshipment).

All vessels that transhipped during the period of the operation, were authorised to do so as set out in the RFV. Transshipment notifications were useful for refining deployment of assets, particularly aerial surveillance, to areas of transshipment activity.

Non-declared transshipment is a form of reporting violation and in breach of WCPFC regulations. It limits the ability to accurately monitor fishing activity in the WCPFC convention area and undermines scientific advice and CMMs. Such behaviour may also indicate an attempt to hide nefarious activity. Non-declared transshipment is a serious violation and will continue to be a focus of Operation Nasse in future.

Prior knowledge or detections of transshipments, and the ability to monitor these events is a useful tool for gaining a better understanding of catch and operating patterns. WCPFC transshipment reports (notifications and declarations) were requested under the 2009 non-public domain data rules to support targeted asset deployment and analyses on transshipment activity during Op Nasse 21. Transshipment analyses included:

- a comparison of transshipment notifications and declarations with corresponding vessels in the AO; and
- corroboration of transshipment notifications and any vessel encounters identified on AIS or VMS.

Seabird Mitigation Measures

The correct implementation of seabird bycatch mitigation is essential to ensure survival of protected seabird species. Operation Nasse has seen a gradual improvement in the design of tori lines and tori poles over the years. However, further efforts are required by vessel operators and their flag States to ensure compliance with CMM 2018-03.

Some seabird species, notably albatrosses and petrels, are threatened with global extinction. Together with IUU fishing, the greatest threat to Southern Ocean seabirds is mortality as a result of interactions with longline fisheries operations. Scientific research into mitigation of seabird bycatch

² Annual Report on WCPFC Transshipment Reporting, 16th Technical and Compliance Committee, <https://meetings.wcpfc.int/node/11829>

in surface longline fisheries has showed that the effectiveness of various measures varies greatly depending on the vessel type, season, and seabird species assemblage present, therefore combinations of mitigation measures are essential for effective reduction of seabird bycatch. WCPFC has taken steps in recent years to strengthen the measures relating to seabird mitigation but Op Nasse 21 identified that implementation at the vessel level needs further focus and education.

CMM 2018-03 requires vessels to use mitigation devices to reduce capture of seabirds. The application of these mitigation requirements came into effect from 1 January 2020 (extending application from 30°S to 25°S). These WCPFC seabird mitigation requirements now cover the vast majority of the Op Nasse AO.

During Op Nasse 21, aerial and surface surveillance monitored vessel activities in CMM 2018-03 applicable zones, and noted the presence or absence and condition of tori lines and tori poles that were visible and/or in use. Observations made by aerial surveillance and through HSBI indicate that correct implementation of seabird mitigation requirements remain a concern and requires close monitoring in future operations. Flag States are asked to work closely with their fleets in ensuring that all tori lines and tori poles meet the specifications outlined in CMM 2018-03 to mitigate seabird mortality during fishing operations.



Figure 3. Op Nasse 2021 - An officer inspects and measures a tori line

Source: AFMA

Summary

Operation Nasse provides a valuable opportunity to monitor compliance with WCPFC CMMs and gather information on how the respective CMMs work in practice. Importantly, these operations provide an opportunity for boarding teams to provide education and information on applicable CMMs to improve compliance on the high seas and to highlight to flag States areas that may require greater scrutiny as part of flag State responsibilities.

Over the six years of Operation Nasse, an overall increase in general compliance with CMMs is evident. With each year, various methods for improving communication between inspectors and fishers have been used to overcome translation and language barriers. This exchange of information and engagement enhances crew awareness of WCPFC CMMs, and provides an opportunity for both fishing vessel crews and inspectors to better understand how CMMs are implemented at the vessel level. This positive engagement is highlighted when previously inspected vessels have been able to show the next inspection authorities the previous boarding reports and how they have rectified any non-compliance.

The successful deployment of aerial and surface patrols are critical to the ability of Op Nasse to ensure vessel level compliance with WCPFC CMMs. These MCS operations also ensure that requirements relating to vessel level reporting are met, using a range of verification tools and data such as VMS, observers, electronic monitoring and transshipment reporting.

COVID-19 has had, and will continue to have, wide ranging impacts across the WCPFC convention area. Fleets and regulators will continue to modify approaches to ensure that there is adequate monitoring of fishing activity, albeit with appropriate measures to minimise exposure. This operation has demonstrated an ongoing commitment to MCS in the high seas but also highlighted the need for supplementary MCS capabilities in times where physical operations may be reduced.

We take this opportunity to thank the vessel operators and flag States for their cooperative engagement during Operation Nasse 21. We value the positive engagement and responses in relation to the sharing of information. Further, we extend our gratitude to the WCPFC Secretariat, FFA staff, and other FFA partners for their ongoing support and assistance.