

**INFORMAL DRAFT FOR DISCUSSION
SUBMITTED BY FFA**

**WESTERN AND CENTRAL PACIFIC FISHERIES COMMISSION
REGIONAL OBSERVER PROGRAMME**

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

In accordance with Article 28 of the Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific:

Recalling the decision of the Commission at its Second Regular Session to proceed with the hybrid option recommended by Working Group I of the Preparatory Conference for the Establishment of the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific and identified in WCPFC-TCC1-2005/14;

Committed to the implementation of Article 30 relating to recognition of the special requirements of developing states

Noting that the Commission shall develop a regional observer programme to collect verified data, other scientific data, and additional information related to the fishery from the Convention Area and to monitor the implementation of the conservation and management measures adopted by the Commission;

Further noting that the regional observer programme shall consist of independent and impartial observers authorized by the Secretariat of the Commission and that the programme should be coordinated, to the maximum extent possible with other regional, subregional and national observer programmes.

Adopts in accordance with Article 10 of the WCPFC Convention the following provisions relating to the implementation of the WCPFC Observer Programme.

1. The Commission hereby establishes the WCPFC Regional Observer Programme in accordance with Attachment 1.
2. The Commission shall adopt at its 4th session arrangements for the implementation of the Programme. These arrangements shall provide for:
 - a) placement of observers by CCMs on other vessels in accordance with section 1 (b) of Attachment 1
 - b) placement of observers by the Commission on carrier vessels receiving fish from large scale tuna longline fishing vessels and purse seine vessels in accordance with section 1 (c) of Attachment 1
 - c) Minimum coverage levels as follows:

- i) 100% on carrier vessels receiving fish from large scale tuna longline vessels
 - ii) 20% on purse seine vessels and
 - iii) 5% coverage on other vessels, including long line vessels
 - d) use of observers from the national observer programmes of Pacific Islands states and territories and existing Pacific Islands sub-regional programmes on vessels operating in the Pacific Islands sub-region, and
 - e) a substantial use of national observers on fleets that are essentially coastal fleets fishing in adjacent high seas and neighbouring national zones, while still requiring an appropriate level of use of regional observers.
3. The Executive Director shall provide to the 3rd meeting of the TCC draft documentation necessary for the implementation of the Programme, including:
- a) a Programme Document
 - b) an Observer Manual
 - c) debriefing materials
 - d) instructions on the provision of information from observers to the Secretariat and/or its data service providers
 - e) standards and procedures for certification of WCPFC Observers
 - f) standards and procedures for accreditation of national and existing sub-regional observer programs as providers of WCPFC observers
 - g) such other documentation as may be necessary for the implementation of the Programme
4. The TCC shall review the documentation and make arrangements for any revisions that are necessary for the documentation to be submitted to the Commission for adoption.

THE WCPFC REGIONAL OBSERVER PROGRAMME

1. The Commission shall:
 - a) establish standards and procedures for the collection, handling and provision to the Commission of information from vessels operating outside the jurisdiction of their CCM, and review their implementation
 - b) for fishing activities where observers will be provided by CCMs or sub-regional programmes, set minimum levels of observer coverage and sampling protocols to be implemented by CCMs on their vessels operating outside their jurisdiction, including patterns of coverage by CCM national observers and WCPFC observers
 - c) determine fishing activities where WCPFC observers will be placed by the Commission where necessary to ensure the effective implementation of the Convention. In such cases, the Commission shall select vessel trips for observation, place WCPFC observers onboard and meet their costs, and establish arrangements for the financing of those costs, which may include the establishment of levies to be paid by the CCMs involved
 - d) establish standards and procedures for certification of WCPFC Observers and for accreditation of national and existing sub-regional observer programs as providers of WCPFC observers
 - e) establish processes for the review and audit of CCM implementation of the Commission requirements for observers on vessels operating outside the jurisdiction of their CCM
 - f) determine rights, duties and responsibilities of observers, captain and crew

2. Each CCM shall
 - a) nominate a WCPFC National Observer Coordinator, who shall be the contact point on matters related to the Regional Observer Programme
 - b) ensure the placing of observers on its vessels operating outside its jurisdiction in accordance with standards and procedures established by the Commission
 - c) enter into arrangements with other CCMs or with existing sub-regional programs for the provision of WCPFC observers to meet the requirements of the Commission
 - d) report to the Commission on any apparent violation of the provisions of this Convention or any conservation and management measure adopted by the Commission by any CCM detected as a result of reports from observers on its vessels and any investigation or actions taken in respect of the apparent violation

3. Each CCM or sub-regional program providing WCPFC observers shall, inter alia, provide the following services:
 - a) recruitment, selection and training of observers
 - b) implementation of the technical and operational protocols for the observer role and tasks, including data management issues, as required by the Commission
 - c) day to day management of observers, including all personnel and financial matters, and the co-ordination of all logistical components
 - d) place and recover observers
 - e) arrange for debriefing of observers
 - f) ensure the provision of reports prepared by its observers to CCMs of vessels on which its observers were placed, any coastal state CCMs in whose waters vessels operated with its observers on board and the Commission Secretariat
4. The Commission Secretariat shall:
 - a) inform CCMs of agreed coverage levels (fleets, target species, geographic coverage etc.), monitor coverage levels relative to Commission requirements, and advise CCMs of coverage progress as information becomes available
 - b) review and audit accredited national and sub-regional programmes;
 - c) develop and maintain a WCPFC observer manual to explain data collection protocols and formats, covering all aspects of observer deployments and activities, including templates of approved data collection forms, and disseminate manual and templates to CCMs and sub-regional programs
 - d) develop an observer information database or databases
 - e) prepare and disseminate materials for debriefing, including the debriefing policy, and the standard debriefing form
 - f) provide instructions to CCMs and sub-regional programs on the provision of information from observers to the Secretariat and/or its data service providers
 - g) maintain and disseminate information on the rights, duties and responsibilities of observers, captain and crew as decided by the Commission
 - h) provide support and advice to CCMs for the implementation of Commission standards

- i) provide an annual report to the Commission on the regional observer program, including, as appropriate relevant recommendations