



REGIONAL OBSERVER PROGRAMME INTERSESSIONAL WORKING GROUP

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USA Feedback on ROP-IWG08 Summary Report Annex 3

Revised Working Draft of Regional Observer Provider – Commission CCFS Process Flow

ROP-IWG09-2026-DP02

29 May 2026

Submitted by the United States of America

Explanatory Note:

On 20 April 2026, the ROP-IWG Chair published a [Revised Working Draft of Regional Observer Provider – Commission CCFS Process Flow](#), updated from [WCPFC22-2025-IP04a](#), the ROP-IWG proposed a process flow to streamline the transfer of information from observer reporting to the WCPFC Secretariat for inclusion in the CCFS.

The U.S. supports the proposed process flow—particularly regarding its emphasis on the CCM-led creation of CCFS cases arising out of observer-sourced data (including the automatic provision of complete observer-sourced case packages upon notification under [Article 25\(2\)](#)¹ and/or [Article 23\(5\)](#)² of the [Convention](#) and obligations for sharing of observer evidence ([CMM 2018-05](#) at ¶ 11³)) and its description of the debriefing and verification process for observer-alleged infringements. The U.S. further recommends clarifying edits to the proposed steps in order to:

- *Clarify Terminology* by ensuring consistent language throughout and defining terms,
- *Specify Responsible Parties* to clearly delineate who is responsible for each action, and
- *Harmonize with the Convention* to ensure that the procedural flow aligns with the requirements for compliance investigations outlined in Articles [23\(5\)](#) and [25\(2\)](#) of the [Convention](#) and obligations for sharing of observer evidence ([CMM 2018-05](#) at ¶ 11).

A summary of the U.S. recommendations appears below (*with additional language in step titles indicated in [blue-color with underline](#)*), followed by the proposed revisions for review in the following Annexes, reproduced below:

- **Annex 1** presents the proposed changes in redline against the 20 April 2026 revised draft.
- **Annex 2** presents a clean proposed final version of the Observer–CCFS Process Flow.

¹ [Convention Article 25, paragraph] 2. Each member of the Commission shall, at the request of any other member, and when provided with the relevant information, investigate fully any alleged violation by fishing vessels flying its flag of the provisions of this Convention or any conservation and management measure adopted by the Commission. A report on the progress of the investigation, including details of any action taken or proposed to be taken in relation to the alleged violation, shall be provided to the member making the request and to the Commission as soon as practicable and in any case within two months of such request and a report on the outcome of the investigation shall be provided when the investigation is completed.

² [Convention Article 23, paragraph] 5. Each member of the Commission shall, to the greatest extent possible, take measures to ensure that its nationals, and fishing vessels owned or controlled by its nationals fishing in the Convention Area, comply with the provisions of this Convention. To this end, members of the Commission may enter into agreements with States whose flags such vessels are flying to facilitate such enforcement. Each member of the Commission shall, to the greatest extent possible, at the request of any other member, and when provided with the relevant information, investigate any alleged violation by its nationals, or fishing vessels owned or controlled by its nationals, of the provisions of this Convention or any conservation and management measure adopted by the Commission. A report on the progress of the investigation, including details of any action taken or proposed to be taken in relation to the alleged violation, shall be provided to the member making the request and to the Commission as soon as practicable and in any case within two months of such request and a report on the outcome of the investigation shall be provided when the investigation is completed.

³ [CMM 2018-05, paragraph] 11. CCMs shall take advantage of the information collected by observers for the purpose of investigations under Convention Articles 23 and 25, and shall cooperate in the exchange of such information, including by proactively requesting, responding to, and facilitating the fulfilment of requests for, copies of observer reports in accordance with standards adopted by the Commission, as applicable.

**SUMMARY OF USA COMMENTS on the 20 April 2026
Revised Working Draft of Regional Observer Provider – Commission CCFS Process Flow**

[**Step 1. Observer Data Source**] Assuming the 20 April 2026 Revised Working Draft is proposing to use the phrase “trip report,” the U.S. concurs, but we would still like to see the term defined. For example, in Step 3’s bullet 4, there is a reference to “observer evidence (photo/ video/ statement)”. It is unclear whether this is included in “trip report”, which comments to the 20 April 2026 draft explain refers to “data collections and written reports.” The U.S. has proposed a sentence defining the term:

The phrase “trip report” refers to observer data collections, written reports, and any other observer-sourced evidence (photos/videos/writings) from the trip.

The U.S. is flexible and will agree with other edits to this Step, so long as the final meaning is that observers should complete their reporting immediately after returning to port from a trip, and so long as the step clearly describes what the reporting should contain.

[**Step 2. Data Transmission from Observer to Debrief**] The U.S. observes that the term “trip data” used here must be made consistent with Step 1 and recommends that “trip report” from Step 1 be used instead. The first bullet point is an incomplete sentence, so the U.S. recommends language to complete it. And consistent with prior recommendations not reflected in the 20 April 2026 working draft, the U.S. renews its recommendation to re-format the second bullet point (which does *not* describe a Step, per se) as an italicized note, consistent with the text following the last bullet in Step 1.

[**Step 3. ROP Observer Debriefing Process**] Recommended edits to the first bullet points clarify *who* would conduct the debriefing process (e.g., by changing the “Coastal State” reference to a “Coastal State CCM”, which is consistent with language in other Steps). Recommended edits to the second bullet point aim to reduce the need for constant updates to this document, by specifying that the *latest* agreed standards should always apply, rather than standards updated in a particular year. Regarding Step 3, bullet 3, the U.S. notes that the “WCPFC Observer Trip Monitoring Summary Form” is not discussed or described anywhere else in the Process Flow document, so clarification is needed. From context, it appears that the text might intend to reference the debrief form mentioned in the final bullet point under Step 4, and if this is accurate, the U.S. proposes clarifying edits accordingly. Edits to the fourth bullet point of Step 3 are made for consistency with the rest of the document. Finally, the U.S. recommends additional descriptors before the term “trip data” in order to distinguish it from the “trip report” first described in Step 1.

[**Step 4. Compliance Evaluation and Vetting**] Recommended edits to Step 4 bring the language into conformity with the rest of the document. For example, the debriefer report is referred to by its title, the “WCPFC Debrief Report Form,” to avoid any ambiguity; the observer report mentioned at the end of the first bullet point is clarified as the “observer’s trip report” for consistency with the term defined in Step 1. The remaining recommendations in this Step are non-substantive grammatical edits. *Notably, although the U.S. would prefer to expand the suggested description of an Observer-Sourced “Case Package” in Process Flow Step 5 to include all observer-sourced trip data and information, whether or not the data/information is specifically relevant to a particular alleged infringement, the U.S. recognizes that there is not yet consensus amongst the CCMs and other interested parties on this point. The U.S. is prepared to agree to a non-expanded description of the observer-sourced “case package” in the interest of efficiency and collegiality, but for the record, the U.S. here renews its position that*

complete copies of reports are required by the U.S. and other members' legal systems, with confidential information redacted as needed. For the United States, this is true even if only portions of the report will be used as evidence in domestic proceedings. As previously noted, the limitation on access to each CCFS case and using redaction technologies (rather than omitting pages) should be sufficient to mitigate observer providers' concerns about uploading confidential observer information directly to the CCFS. Without a complete record, the U.S. will be hindered in its ability to bring domestic enforcement actions based on observer-sourced allegations.

[Step 5. [Referral Notice and Formal Investigation Request](#)] All CCFS cases should be Initiated by CCMs pursuant to [Convention](#) Articles [23\(5\)](#) and [25\(2\)](#) and paragraph 11 of [CMM 2018-05](#), as there is no authority allowing for CCFS case initiation by the Regional Observer Programme, individual observers, and/or the Secretariat.⁴ The United States endorses the substance of the ROP-IWG's proposed process flow Step 5, which ensures this practice, but offers edits to align the text with Steps 2, 3, and 4. Moreover, recommended edits to bullet point 1 (e.g., "~~including~~ copying the Coastal State CCM, [if any](#)") are intended to give effect to the ROP-IWG08 discussion, which sought to clarify that a referral for Article [25\(2\)](#) investigation should go to the *Flag* CCM, but that *notice* of the referral itself (i.e., the referral email and the supporting documentation) should also go to the Coastal CCM, if there is a Coastal CCM who might also exercise jurisdiction. The recommendation for Step 5 bullet 2 would memorialize the requirement in [Article 25\(2\)](#) and [Article 23\(5\)](#) that the responsible CCM be "provided with the relevant information" in support of any investigation request requiring a timely response; e.g. —

The formal request is transmitted via email [attaching the case package and](#) copying the WCPFC Secretariat for CCFS integration in **Step 6**.

Finally, the U.S. recommends deleting bullet 3 in Step 5, which duplicates the text of the last bullet under Step 7 (which the U.S. recommends retaining), below.

[Step 6. [WCPFC Secretariat CCFS Integration](#)] Recommended edits clarify that supporting documentation for Observer-Sourced CCFS cases, as is true for all Inspection-Sourced CCFS cases, should be uploaded to the CCFS and/or attached to the initial referral communication, as contemplated under Articles [23\(5\)](#) and [25\(2\)](#) of the [Convention](#); e.g. —

When receiving a copy of the [Initiating CCM's formal](#) request, the Secretariat entered~~s~~ the case into the CCFS [together with all supporting documentation](#) for tracking and centralized record-keeping of the case until it is closed.

[Step 7. [Investigation of Alleged Infringements and Domestic Enforcement](#)] Finally, in edits proposed to process flow Step 7, the U.S. renews its prior recommendation not included in the Chair's Summary Annex 3, which would give a title to this Step 7, consistent with the other steps. Noting that the last bullet point in this step duplicates an identical point in Step 5, the U.S. recommends retaining the language under Step 7 and deleting the Step 5 duplicate. Other edits are recommended for consistency with references throughout the document to the "Flag CCM" and "Coastal State CCM."

As noted, a "redline" version of the draft proposed process flow incorporating the U.S.-suggested edits appears in **Annex 1**, and a "clean" (proposed final) version of appears in **Annex 2**, *infra*.

⁴ See, e.g., [WCPFC-TCC21-2025-TCC21 DRAFT ¶¶ 211 & 213](#) (Draft Summary Report)

ANNEX 1: U.S.-Proposed REDLINE Showing Recommendations for the 20 April 2026

Revised Working Draft of Regional Observer Provider – Commission CCFS Process Flow

Notes:

1. Observer Data Source

- Observer disembarks
- Once the observer disembarks in port (home or foreign), or whilst observer is in port during back-to-back trips, the trip report ~~data~~^[1] is expected to be 90% complete^[2] ~~{completed upon disembarkations or whilst observer is in port during back-to-back trips}~~. The term “trip report” refers to observer data collections, written reports, and any other observer-sourced evidence (photos/videos/writings) from the trip.^[3]
- Observer will notify the observer’s national observer provider to arrange for debrief and repatriation. *CMM (agreed minimum standards and guides of ROPs) Standard requirement - IWGROP2/TCC4/WCPFC5*

Note that the requirements set out in CMM 2017-03 Conservation and Management Measure for the protection of WCPFC Regional Observer Programme Observers would also apply to matters related to the health, safety and welfare of observers.

2. Data transmission from Observer to Debrief

- Observer provides trip ~~data~~report either through hard copy in port or by ER processes (observer –ER database) to the debriefer.

● It is recognized that within the Pacific Islands region, there are often existing arrangements that facilitate an observer being debriefed by another ~~d~~Debriefing ~~o~~Observer ~~p~~Provider CCM’s debriefer. For example, SBOB on POA trip is debriefed by PGOB debriefer.

3. ROP Observer-Debriefing Process

- Observer ~~data~~ is debriefed by an Observer Provider CCM, Coastal State CCM, or other designated Debriefing Observer Provider CCM.
- Debriefing will be conducted in line with the most recent WCPFC ROP Agreed Minimum Standards and Guidelines as were last updated at the time of drafting in 2023.
- Debriefing will prioritize any potential infringements from the agreed listed CMMs’

¹ Comment in Chair’s Working Draft (p.3) reads: “US proposed text ‘Trip Data’ though trip report consists of both data collections and written reports which makes up a trip report”.

² Comment in Chair’s Working Draft (p.3) reads: “Recommended text: ‘Completed upon disembarkations’”.

^[3] [The U.S. is flexible on wording of the definition but believes the term must be defined.]

paragraphs identified through a WCPFC ROP Debriefing Questionnaire (to be developed) to facilitate completing the WCPFC Observer Trip Monitoring Summary Form.^[4]

- If the debriefer gives a “YES” in any or all of the agreed/listed CMMs paragraphs in the WCPFC ROP Debriefing Questionnaires, that ~~/those form~~ Questionnaire(s) supported with observer evidence (photo/video/statement^[5]) is then passed on to the designated CCM’s vetting personnel/contacts in **Step 4** to verify and validate the WCPFC dDebriefers’ potential compliance summary rReport Form generated from the Debriefing ~~q~~ Questionnaires.
- If a “NO”^[6] is attained from the Debriefing ~~q~~ Questionnaires on the listed CMMs paragraphs, the raw, standardized trip data is cleared and ~~send~~ sent to SPC for scientific purposes and archiving.

4. Compliance Evaluation and Vetting

- The CCM designated vetting personal/contact will review the WCPFC dDebriefers rReport Form and complete an “Infringement Notification Form/Report” (to be developed^[7]); if potential infringements indicated in the WCPFC dDebriefers rReport Form are established to be genuine with supporting evidence/information obtained from the observer’s trip report.
- At this step, a full case package is compiled with the following details~~;~~:
 1. An Infringement Notification Form/Report outlining the
 - (a) Vessel and Trip Details,
 - (b) Infringement Descriptions (Date/Time, Location, Set/Species #, etc)
 - (c) Compliance Analysis
 - (d) Recommendation for Flag/Coastal ~~s~~ State CCM investigations
 2. Supporting Evidence (photo/video, observer statement or crew statement, including relevant observer trip reports ~~s~~ forms)
- These details will be then used under CMM 2018-05 paragraph 11, to trigger an Article 23(5) or Article 25(2) CCM request in **Step 5** for investigations by the ~~f~~ Flag state CCM responsible and the Coastal ~~s~~ State CCM, if any, that into whether the

^[4] [The U.S. seeks clarification here, as this is the only time a “WCPFC Observer Trip Monitoring Summary Form” is mentioned. Query whether this edit is appropriate: “WCPFC ~~Observer Trip Monitoring Summary~~ Debriefing Report Form”?]

⁵ Comment in Working Draft: “DP01 refinements includes text indicating complete observer report to be presented, however PNA oppose the text to maintain current requirements rather emphasizing the confidentiality of data in compliance to National Regulations. Suggest to maintain text.”

⁶ Comment in Working Draft: “The clarifications here brings to the attention of CCMs that debriefer verifies that NO potential CMM violation (GEN-3 form has no box tick) reported and the trip report is sent straight to SPC. In situations of any potential violations either CMMs or National obligations, debriefing questionnaire still goes through Compliance evaluations and vetting before further actions are determined.”

⁷ Working Draft: “Invitation is open to any CCM to provide or create an Infringement Notification form/report or present any existing form previously used to notify Commission. This can be discussed during the 2ndROP-IWG09 meeting.”

infringement occurred.

- If the vetter's compliance evaluation carried out is NO CASE, due to insufficient observer information and/or evidence, the data is given a CLEARED authenticity on the WCPFC Debriefers Report Form and submitted to SPC.

5. Referral Notice and Formal Investigation Request

- The “Initiating CCM” (Observer Provider CCM, Coastal State CCM, or other designated CCM responsible for debriefing and compliance evaluation), submits a formal request and supporting documentation^[8] to the Flag CCM, including copying the Coastal State CCM, if any, to investigate the alleged violation, as outlined in **Step 4**.
- The formal request is transmitted via email attaching the case package^[9] and copying the WCPFC Secretariat for CCFS integration in **Step 6**.
- ~~The flag CCM initiates a full investigation and provides progress reports within two months, per Article 25(2).~~^[10]

6. WCPFC Secretariat CCFS Integration

- When receiving a copy of the Initiating CCM's formal request, the Secretariat enters ~~eds~~ the case into the CCFS together with all supporting documentation^[11] for tracking and centralized record-keeping of the case until it is closed.¹²
- The investigation outcomes and data from this process and through the CCFS are then considered in the CMS process for inclusion in the CMR, ensuring timely and accurate compliance assessments.

7. Investigation of Alleged Infringements and Domestic Enforcement

- ~~f~~Flag CCM and ~~other parties~~ Coastal State CCM, if any, act on notification of a potential infringement and investigate, prosecute, and penalize proven infringements in accordance with national laws.
- The ~~f~~Flag CCM (and Coastal State CCM, if any) initiates a full investigation and provides progress reports within two months, per Article 25(2), through the CCFS.

[8] Article 25(2) and Article 23(5) both require that the responsible CCM be “provided with the relevant information” to support an investigation referral that a responsible CCM must respond to.]

[9] [See n.8, *supra*.]

[10] [The U.S. recommends deleting this duplicate bullet point in Step 4 and retaining the same in Step 7, *infra*.]

[11] [This edit would bring the observer-sourced CCFS case creation in line with the inspection-sourced CCFS cases, which are created with supporting documentation already uploaded to the CCFS case file.]

¹² Note that if the WCPFC eventually creates a “ROP Portal” (similar to the “HSBI Portal” implemented in 2025), then an Initiating CCM in Step 5 would also create a CCFS case in the ROP Portal and upload the Case Package described in Step 4, and Step 6 would be comprised of the Secretariat's review of the ROP-Portal entry to finalize the creation of a case in CCFS for tracking and centralized record-keeping purposes.

ANNEX 2: U.S.-Proposed CLEAN “Final” Version

Revised Working Draft of Regional Observer Provider – Commission CCFS Process Flow

Notes:

1. Observer Data Source

- Observer disembarks
- Once the observer disembarks in port (home or foreign), or whilst observer is in port during back-to-back trips, the trip report is expected to be complete. The term “trip report” refers to data collections, written reports, and any other observer-sourced evidence (photos/videos/writings) from the trip.
- Observer will notify the observer’s national observer provider to arrange for debrief and repatriation. *CMM (agreed minimum standards and guides of ROPs) Standard requirement - IWGROP2/TCC4/WCPFC5*

Note that the requirements set out in [CMM 2017-03 Conservation and Management Measure for the protection of WCPFC Regional Observer Programme Observers](#) would also apply to matters related to the health, safety and welfare of observers.

2. Data transmission from Observer to Debriefing

- Observer provides trip report either through hard copy in port or by ER processes (observer – ER database) to the debriefer.

It is recognized that within the Pacific Islands region, there are often existing arrangements that facilitate an observer being debriefed by another Debriefing Observer Provider CCM’s debriefer. For example, SBOB on POA trip is debriefed by PGOB debriefer.

3. ROP Observer Debriefing Process

- Observer is debriefed by an Observer Provider CCM, Coastal State CCM, or other designated Debriefing Observer Provider CCM.
- Debriefing will be conducted in line with the most recent WCPFC ROP Agreed Minimum Standards and Guidelines as were last updated at the time of drafting in 2023.
- Debriefing will prioritize any potential infringements from the agreed listed CMMs’ paragraphs identified through the WCPFC ROP Debriefing Questionnaire (to be developed) to facilitate completing the WCPFC Observer Trip Monitoring Summary Form.^[1]
- If the debriefer gives a “YES” in any or all of the agreed/listed CMMs paragraphs in the WCPFC ROP Debriefing Questionnaires, that/those Questionnaire(s) supported

^[1] [Query whether this should instead read: “WCPFC Debriefing Report Form”?]

with observer evidence (photo/video/statement) is then passed on to the designated CCM's vetting personnel/contacts in **Step 4** to verify and validate the WCPFC Debriefing Report Form generated from the Debriefing Questionnaires.

- If a "NO"^[2] is attained from the Debriefing Questionnaires on the listed CMMs paragraphs, the raw, standardized trip data is cleared and sent to SPC for scientific purposes and archiving.

4. Compliance Evaluation and Vetting

- The CCM designated vetting personal/contact will review the WCPFC Debriefers Report Form and complete an "Infringement Notification Form" (to be developed) if potential infringements indicated in the WCPFC Debriefers Report Form are established to be genuine with supporting evidence/information obtained from the observer's trip report.
- At this step, a full case package is compiled with the following details:
 1. An Infringement Notification Form/Report outlining the
 - (e) Vessel and Trip Details,
 - (f) Infringement Descriptions (Date/Time, Location, Set/Species #, etc)
 - (g) Compliance Analysis
 - (h) Recommendation for Flag/Coastal State CCM investigations
 2. Supporting Evidence (photo/video, observer statement or crew statement, including all relevant observer trip report forms)
- These details will be then used under CMM 2018-05 paragraph 11, to trigger an Article 23(5) or Article 25(2) CCM request in **Step 5** for investigations by the Flag CCM and the Coastal State CCM, if any, into whether the infringement occurred.
- If the vetter's compliance evaluation carried out is NO CASE, due to insufficient observer information and/or evidence, the data is given a CLEARED authenticity on the WCPFC Debriefing Report Form and submitted to SPC.

5. Referral Notice and Formal Investigation Request

- The "Initiating CCM" (Observer Provider CCM, Coastal State CCM, or other designated CCM responsible for debriefing and compliance evaluation), submits a formal request and supporting documentation to the Flag CCM, copying the Coastal State CCM, if any, to investigate the alleged violation, as outlined in **Step 4**.
- The request is transmitted via email attaching the case package and copying the

² The clarification here brings to the attention of CCMs that debriefer verifies that NO potential CMM violation (GEN-3 form has no box tick) reported and the trip report is sent straight to SPC. In situations of any potential violations either CMMs or National obligations, debriefing questionnaire still goes through Compliance evaluations and vetting before further actions are determined.

WCPFC Secretariat for CCFS integration in **Step 6**.

6. WCPFC Secretariat CCFS Integration

- When receiving a copy of the Initiating CCM's formal request, the Secretariat enters the case into the CCFS together with all supporting documentation for tracking and centralized record-keeping of the case until it is closed.³
- The investigation outcomes and data from this process and through the CCFS are then considered in the CMS process for inclusion in the CMR, ensuring timely and accurate compliance assessments.

7. Investigation of Alleged Infringements and Domestic Enforcement

- Flag CCM and the Coastal State CCM, if any, act on notification of a potential infringement and investigate, prosecute, and penalize proven infringements in accordance with national laws.
- The Flag CCM (and Coastal State CCM, if any) initiates a full investigation and provides progress reports within two months, per Article 25(2), through the CCFS.

³ Note that if the WCPFC eventually creates a "ROP Portal" (similar to the "HSBI Portal" implemented in 2025), then an Initiating CCM in **Step 5** would also create a CCFS case in the ROP Portal and upload the Case Package described in **Step 4**, and **Step 6** would be comprised of the Secretariat's review of the ROP-Portal entry to finalize the creation of a case in CCFS for tracking and centralized record-keeping purposes.