

出國報告(出國類別：其他)

參加「WCPFC-IWG-ROP 第三屆會議」 報告

服務機關： 行政院農業委員會漁業署
姓名職稱： 劉啓超科長、陳科仰技佐
派赴國家： 美國
出國期間： 98年3月17日至3月21日
報告日期： 98年6月22日

摘要

中西太平洋漁業委員會第三屆區域觀察員計畫工作小組（IWG-ROP3）會議於 2009 年 3 月 17 日至 21 日在美國關島舉行，與會成員包含我國、澳洲、歐盟、斐濟、密克羅尼西亞、日本、韓國、帛琉、巴布亞紐幾內亞、菲律賓、馬紹爾群島、索羅門群島、吐瓦魯、美國、萬那度等會員國，以及太平洋共同體秘書處（Secretariat of the Pacific Community, SPC）與太平洋論壇漁業局（Forum Fisheries Agency, FFA）等觀察員參與。

本次會議針對各國觀察員計畫準備進度、監測 FAD 禁漁期、漁船安全檢查清單、觀察員資料管理成本、觀察員派遣成本、觀察員網站、觀察員來源、資深觀察員(cadre observer)、觀察員訓練員之資格、派遣觀察員之標準程序、聽取觀察員報告人(debriefer)之資格、觀察員保險、航次計算及觀察員涵蓋率、小船定義、委員會觀察員計畫（CMM 2007-01）之各項定義等議題進行討論。

本(三)屆區域觀察員計畫工作小組（IWG-ROP3）會議，應是最後一次會議，會中討論後仍擱置未決之議題，將於本年 10 月 TCC5 會議時提出討論。

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壹、 目的

我國為WCPFC(中西太平洋高度洄游魚類種群保育管理公約)之會員國，WCPFC於2006年通過第2006-07號區域性觀察員計畫養護與管理決議案，應落實發展WCPFC公約內涵，施行區域性觀察員計畫，以在公約區域派遣區域觀察員蒐集經核實的漁獲資料、其他科學資料及與漁業相關的額外資訊，並監測委員會所通過之養護與管理措施的執行。

第一屆 IWG-ROP 利用第三屆技術暨紀律次委員會(TCC3)會議前，於 2007 年 9 月 24 日至 25 日於密克羅尼西亞坡那佩舉行，提出對 ROP 之養護管理措施建議草案，供後續 TCC3 討論修正後，送第四屆 WCPFC 年會討論通過新版之 CMM-2007-01 號區域性觀察員計畫養護管理措施，規範有關 ROP 之設立、目標、範圍、觀察員之職責、委員會會員、合作非會員及參與屬地（合稱 CCMs）之義務、委員會及其附屬機構之角色、秘書處之角色、委員會 ROP 運作之指導原則、觀察員權利與責任之準則、漁船經營者、船長及船員之權利與責任準則、區域性觀察員計畫之履行計畫等等，然對於現存國家及次區域觀察員計畫的整合、ROP 之各項定義、觀察員之法律責任及保險、ROP 之成本與分攤、小船的定義及免除適用之範圍、各漁業別之涵蓋率、觀察員資料管理及標準、觀察員提供者、訓練及觀察員之認證、觀察員之監控、ROP 之營運管理、ROP 觀察員行為準則、觀察員的海上安全等等議題尚待繼續發展。

為能繼續推動前述待發展之議題，以提供 2009 年 10 月初之 TCC5 討論，IWG-ROP 於 2009 年 3 月 17 日至 21 日在美國關島舉行第三屆會議，期進一步就 ROP 未決之議題取得進展我國身為 WCPFC 會員國，必須遵守履行 WCPFC 相關養護管理措施，由於我國在中西太平洋有龐大之鮪漁業船隊，有必要參與前述會議，以參與及掌握該等議題之規劃及決策過程。

貳、 會議過程

IWG-ROP3 會議定於 3 月 17 日至 21 日在美國關島舉行，我團行政院農業委員會漁業署劉啓超科長、陳科仰技佐、對外漁業合作發展協會傅家驥秘書於 3 月 16 日凌晨 4 時抵達關島。

雙邊會談

3月16日下午3時，韓國團長農林漁業部國際漁業組織副組長 Chiguk Ahn 率漁業研究及發展中心科學家 Doo-Hae An，我方由劉啓超科長率陳科仰技佐、傅家驥秘書與會，就本屆會議及 WCPFC 相關議題交換意見：

1. 有關袋狀公海關閉議題：韓國認為今年年會難以改變關閉 PNA 圍繞之二處袋狀公海之決議，惟該國將於本年年會反對關閉另兩處之袋狀公海。至於關閉袋狀公海有關觀察員議題，韓國認為透過 VMS 確認漁船位置是否進入袋狀公海，加上查看觀察員紀錄是否作業，即可判定是否在袋狀公海作業。
2. 有關觀察員派遣及資料管理成本議題：韓國認為觀察員派遣成本應由委員會支付，如要求船旗國支付，該國目前仍未決定係由政府還是產業支付。至於觀察員資料管理及所需成本，韓國認為 WCPFC 秘書處有必要聘僱人員處理相關資料，相關成本費用則由秘書處支付，如考量成本效益，韓國亦支持我國想法，由國家觀察員計畫整理資料後送秘書處，以減少成本。至於觀察員資料之提供，韓國表示若該國國家觀察員計畫取得秘書處授權，則將提供秘書處要求之最低標準欄位表格，至於其國家所用觀察員資料將填另一份表格。
3. 有關觀察員來源議題：韓國表示該國雖有 52 名國家觀察員，惟可用於遠洋漁船僅有 12 名，且需派遣至三大洋，因此韓國考慮聘僱 FFA 國家觀察員以滿足本年圍網禁用 FAD 期間之觀察員需求，如未能取得足夠觀察員，該國將訓練國家觀察員。韓國表示，僅需三週即可完成國家觀察員之訓練。
4. 有關海上轉載管理措施及海上轉載觀察員：韓國表示此議題應與 IATTC 採取一致之措施，至於馬紹爾群島漁業局長 Glen Joseph 邀約各國於本

次會議洽談海上轉載管理措施乙事，韓國表希望延至技術及紀律次委員會(TCC)會議再行討論。

5. 有關觀察員涵蓋率議題：韓國表示延繩釣漁業仍將維持 2012 年 5%涵蓋率之目標，該國目前並無讓步空間。我方表示若在取得妥協，僅對一百噸以上延繩釣漁船實施 ROP 妥協的前提下，可酌量提高觀察員涵蓋率。
6. 有關漁船安全清單議題：韓方與我國立場一致皆認為，漁船安全由船旗國決定，如觀察員要檢查漁船之安全，可向漁船船長索取船旗國核發之證明文件以供檢驗，漁船無需進港進行檢查。
7. 有關觀察員簡報(Briefing)議題：韓方表示觀察員行前簡報不需船主及船長參與，與我國對長期在海上之遠洋漁船無法進港執行簡報之立場一致。
8. 有關觀察員保險議題：韓方表示該國觀察員係由觀察員支付保費，部份漁船有投保 P&I (protection& indemnity) 提供觀察員額外之保險，韓國認為該議題可依觀察員所監控漁船之船旗國有關觀察員要求進行投保。
9. 詢問近期 WCPFC 秘書處要求 4 月 1 日前填報漁船船位追蹤同意函(VTAF) 議題：韓方表示該國僅有 50 艘漁船，產業界對提供授權並無問題。我國表示因我部分漁船船主兼船長在海上作業，實務上無法於 4 月 1 日前達到要求。

大會會議

一.3 月 17 日上午 9 時會議開始，美籍主席 Dr. Charles Karnella 首先審視 WCPFC 第 5 屆年會有關委員會區域性觀察員計畫(ROP)及相關決議(CMM 2007-01-ROP 管理措施)之重點與待辦事項，之後採認議程安排後，討論議題如下：

1. 有關各國區域觀察員計畫準備進度：目前美國及 PNG 之觀察員計畫已取得 WCPFC 秘書處授權，成為 WCPFC-ROP，其中 PNG 可提供 135 位觀察員

供派遣外國籍圍網漁船；馬紹爾群島及 FSM 之區域觀察員計畫正由 WCPFC 秘書處審核中，預料近期將順利通過並各可提供 50 名及 20 名區域觀察員來源；索羅門群島表示該國計畫將增加觀察員規模至 30 位，並將申請取得 ROP 之授權，預估本年圍網 8 至 9 月執行禁用集魚器(FAD)措施前，島國之區域觀察員人數可達 235 人。

2. 有關禁用 FAD 措施議題：各國對圍網漁船使用 FAD 下網之定義尚有疑義，主席表示請秘書處準備相關文件供明日擇時進行討論。
3. 有關漁船安全檢查清單議題：秘書處於會場提出與 FFA 合作重新修改之表格供各方討論，美國、日本及島國對該漁船安全清單原則支持，惟對漁船需有適當空間及廁所等項目各有疑慮，我方表示漁船安全應由船旗國決定，並表示觀察員僅需檢查各國核發之檢查證明文件即可，如同意觀察員依該表格考量是否同意登船，勢將影響涵蓋率的達成。菲國表示漁船安全係由菲國海事單位核可，非由漁業單位認證，對此尚有疑慮；主席最後決定由 WCPFC 秘書處彙整各國意見修正漁船安全清單以供各國觀察員計畫發展漁船安全清單之參考準則，但該漁船安全檢查清單為非必要之要求。
4. 有關 ROP 資料管理成本議題：日本表示目前委員會正審視 WCPFC 科學架構安排，因此建議相關資料由秘書處增聘人員處理，美國對外包 SPC 提供服務或由秘書處聘請人員處理之提案皆可接受，我方表示有些國家可協助整理其觀察員計畫資料並提供秘書處，以減少秘書處聘僱人員之成本負擔，澳洲及島國皆支持由委員會外包現行科學服務提供者 SPC 來處理，由於未能達成共識，主席對此議題暫時保留再議。
5. 有關小船定義議題：日本以簡報說明，該國 24 公尺以下小型生鮮延繩釣漁船部分，因空間過小而無法搭載觀察員之情形，日本提出北緯 20 度以南之延繩釣漁船皆將派遣區域觀察員，惟部分小船因空間不足無法搭載觀察員時，將改派觀察員至其他空間足夠之漁船以達 5%涵蓋率(空間不足之漁船仍將視為觀察員涵蓋率計算之母數)。至於北緯 20 度以北生鮮鮪延繩釣漁船之觀察員派遣議題，則交由北方次委員會(NC)另行決定。主席詢問我國是否可接受日本之方案，我方隨即表示我國漁船因以噸數管制建造，船型較為狹長，亦有空間過小問題，且小船實難以同大船一般負擔觀察員高昂成本，基於 ROP 小組權責規定以彈性態度，考量可行性及經濟因素以發展 ROP，建議現階段一百噸以下小船不適用 ROP。如在派遣觀察員對象為一百噸以上大型延繩釣漁船並免除派遣小型延繩釣船

前提下，我方願增加一百噸以上延繩釣漁船涵蓋率，主席決定待區域觀察員管理措施定義決定後，再討論小船定義。

6. 有關委員會 ROP 管理措施 (CMM 2007-01) 之各項定義：澳洲表示有關該措施第 14 點(ii)要求主要(Principally)在沿海國水域作業之漁船，但偶爾 (Occasional) 會前往鄰接公海或鄰近(Adjacent)國家管轄水域等定義應以數量及時間計算基礎，歐盟及菲國回應支持澳洲之建議，菲國及韓國並表示有關獨立且公正(Independent and Impartial)的觀察員，可由船旗國之國籍觀察員擔任；美國表示只要觀察員與所監控漁船無關係，即可視為獨立且公正之觀察員。馬紹爾群島、澳洲及島國則表示除主要在船籍國水域作業之漁船，但偶爾前往鄰接公海或鄰近國家管轄水域者，能派遣本國籍之觀察員外，其餘 ROP 應依 WCPFC2 結論，以混合 (Hybrid) 方式派遣外國籍觀察員。由於各國對此未達共識，主席決定該議題保留再議。
7. 有關航次計算定義議題：美國表示航次的定義應有最低天數或網次的限制，以鮪釣為例，該國的做法是至少要有五個投鉤次數。FFA 秘書處人員表示圍網一航次計算最少要有 50 天以上。由於時間不足，因此主席裁示該議題保留再議。
8. 日本團長水產廳交涉官神谷崇於 17 日上午第一段休息時間與我方短暫交換意見，日方表示小船問題，將主張北緯 20 度以北生鮮漁船免除 ROP，我方表示對此有困難，將主張不分區域之小船免除 ROP。日本與我方皆認同鮪釣船觀察員派遣費用由委員會負擔，日本詢問我方執行 FAD 禁漁，可容許 FAD 與船之最近距離？我方認為 1 公里即可。
9. 有關漁豐 168 號非法入漁馬紹爾案：17 日中午休息時間，我方向馬紹爾群島漁業局長 Glen Joseph 洽談，我方表示將盡快促使船主向馬國尋求和解，並請馬國給我們時間妥善處理此案，此時不要將該船提報秘書處 IUU 名單，馬國表示同意，惟該國表示已做好相關調查及損害報告，希船主能在 TCC 會議前繳交罰款以達成和解，否則將依程序提報 WCPFC。
10. 17 日會後洽 WCPFC 執行長 drew，有關漁船船主授權 WCPFC 秘書處抽測船位方式：我方表示部分船位回報器之裝設公司已無法取得聯繫，考量時間緊迫且我國法令已規定船主需同意授權本署及本署指定之區域漁業管理組織抽測船位，因此我國將由政府出具授權信函並檢附漁船相關欄位資料方式，提供船主授權，WCPFC 秘書長表示同意以此方式處理。有關

我國取得查看漁船 VMS 船位之帳號及密碼之要求，執行長表示已保留予我國，並請我國發函秘書處後俾憑提供，我方表示盡速提供。另 drew 執行長詢問我國海域外界線範圍是否有在北緯 20 度以南之部份，渠並表示目前委員會不抽取漁船只在北緯 20 度以北作業之 VMS 船位。我方表示將於完成彙整前述資料後，盡速提供秘書處。

二.18 日進入 IWG-ROP3 會議第 2 天，主要討論小船定義、漁船安全檢查清單、FAD 禁用及委員會區域觀察員計畫各項定義等議題：

1. 有關漁船安全檢查清單議題：本日大會審視秘書處重新修訂之漁船安全檢查清單，各國同意 ROP 授權之各國觀察員計畫及次區域觀察員計畫可自行使用及發展表格，秘書處新修正之漁船安全檢查清單將作為各國觀察員計畫發展漁船安全清單之準則。
2. 有關 FAD 禁用議題：澳洲雖表示支持 FFA 所草擬之 FAD 定義，惟主席建議 FAD 定義應交由 TCC 及 WCPFC 決定，本工作小組僅提供觀察員於 FAD 禁用期間如何觀測 FAD 投網之指導方針。經另行召開小組會議討論後，各國初步同意觀察員所應蒐集之 FAD 資訊項目，包括時間、經緯度、如何發現 FAD、材質、類型、海上 FAD 動態（如投放、維修），並將納入觀察員所應蒐集資料之最低欄位需求。另為區分圍網漁船是否使用 FAD 作業，IATTC 係以 FAD 距離圍網船之大艇(Skiff)1 公里以外規範，我團表示 WCPFC 應考量與 IATTC 規範相容性，在沒有充分科學資料下，IATTC 之標準是很好參考點。惟日本、美國及 FFA 皆支持以 1 海浬規範此距離，特別是 PNA 國家已決定在渠等 EEZ 內使用 1 海浬作為定義，主席再請我方考慮是否可接受 1 海浬之距離。經中午休息時洽詢圍網公會代表同意後，為本年實施 FAD 禁用措施之需求，我方同意本年暫以 1 海浬之定義，惟該定義將由 TCC 或 WCPFC 再進行審視。
3. 有關小船定義議題：日本表示北緯 20 度以南不分大小，皆納入觀察員涵蓋率計算，北緯 20 度以北之生鮮漁船交由北方次委員會 NC 討論，美國、澳洲等表示可予以考量本方案，主席隨即詢問我方是否能接受日方方案，我團表示，該方案仍無法解決我方關切，無法同意北緯 20 度以南不分大小船全體適用 ROP，並強調 CMM2007-01 附錄 C 第 10 款規定，對小船定義存有空間，而非大小船全部納入，該議題應為政策議題，建議擱置至 TCC 或 WCPFC 進行討論。當日下午進行另外議題時，菲律賓方表示考量該國法

律規定及漁船工作環境，該國要求觀察員優先實施於 500 噸以上漁船，由於會議未達共識，該議題暫時保留。

4. 觀察員來源及 ROP 管理措施有關名詞定義議題：島國認為依據 TCC2 決議，及 CMM 2007-01 條文，除漁船主要在船籍國 EEZ 水域作業，偶而進入鄰近公海或他國 EEZ 外，各國派遣觀察員應以 Hybrid 方式，即需使用外國籍觀察員，我國、美國、日本、韓國、菲律賓等皆表示船旗國可派遣本國籍觀察員至其公海作業漁船，另美國表示圍網依雙邊安排為主，由於暫無共識，主席決定保留再做討論。
5. 有關航次定義：主席建議考量航次時，應將超低溫冷凍鮪漁船或生鮮鮪漁船兩選項，美國表示觀察員觀測生鮮漁船之有效航次應至少包括一定比例如 20%或 30%之努力量，日本表示航次可以投繩次數來計算，且不分生鮮與冷凍漁船，我方表示若以海上天數計算，因容易計算且節省行政成本而較為可行。由於暫無共識，主席決定請各國提出描述計算涵蓋率之基準及方式，保留再做討論。

三. IWG-ROP3 會議於 19 及 20 日主要討論 ROP 派遣成本、資料管理成本、觀察員涵蓋率、觀察員來源、ROP 網站及資深觀察員等議題：

1. 觀察員資料管理成本：秘書處重新提出 3 個選項（由 SPC-OPF、WCPFC 秘書處或 SPC 在 Fiji 辦公室管理）之成本供各方討論，由於各選項內容尚有未考量之處，大會因此決定請秘書處再研提更完整的各選項成本資料供第五屆技術及紀律次委員會（TCC）考量。
2. 觀察員派遣成本：美國表示委員會觀察員計畫（CMM 2007-01）管理措施要求秘書處應負義務所需之經費應由委員會負擔，至於派遣觀察員之成本則應由會員、合作非會員及參與領地(CCMs)負擔，韓國及 PNG 等島國表示支持；日本表示該國與島國漁業合作之漁船，觀察員費用將由業者支付，惟日本另關切僅在公海作業漁船之觀察員成本。我國表示各國派遣觀察員的費用，則不排除包括委員會及雙邊安排等方式支付之可能。考量仍有不同意見，大會建議秘書處所應負義務，包括審查授權、監督涵蓋率等義務所需經費由委員會負擔。觀察員提供者有責任管理 (administer) 觀察員之派遣成本，並得透過各種方式取得經費 (be recovered by various means)。

3. 觀察員網站：秘書處表示正在更新委員會網站架構及內容，有關 ROP 部分，秘書處預定於 4 月提供 ROP 網站內容及架構樣本供各國表示意見，並將參考各國意見於 5 月修正完成 ROP 網站。
4. 有關觀察員來源議題：我國、日本、韓國、菲律賓及美國表示船旗國有權派遣該國觀察員監測該國公海漁船。島國認為 CCMs 應使用他國籍觀察員或現行之次區域觀察員，雙方各自堅持立場，該議題因此未取得共識。
5. 有關資深觀察員(cadre observer)：大會同意請秘書處彙整各國意見，並提供資深觀察員之準則送 TCC 及年會討論，同時大會也同意秘書處本年度可使用去年 WCPFC5 會議通過之經費，利用資深觀察員協助秘書處進行臨時授權審查。
6. 有關觀察員訓練員之資格、派遣觀察員之標準程序、聽取觀察員報告人(debriefer)之資格等議題：大會建議委員會觀察員計畫對該等議題之臨時標準，係各國家及次區域觀察員計畫使用現行之標準或程序，委員會觀察員計畫應與現行之國家及次區域觀察員計畫合作，發展前述項目得供國家及次區域觀察員計畫作為參考之準則。
7. 有關觀察員保險：考量各國家及次區域觀察員計畫各有其觀察員保險安排，大會建議委員會觀察員保險之臨時標準，係各國家觀察員計畫使用各國現行之健康及安全險標準。各國之觀察員提供者應確保在漁船上之觀察員應有健康及安全險。
8. 有關航次計算及觀察員涵蓋率：考量圍網漁業之觀察員涵蓋率將於明年達成 100%，因此圍網漁業沒有計算標準之問題，該議題主要針對延繩釣漁業，然各方對於航次定義有不同的立場，大會因此接受主席建議，建議所有 CCMs 將於年度國家報告第 2 部分(主要報告有關 WCPFC 規範之執行情形)，說明該國將如何達成委員會所規範漁業之 5%觀察員涵蓋率，並建議 WCPFC 修改增列該年報第 2 部分之提報格式。此外，大會也建議該項說明，將包括如何計算達成 5%涵蓋率，又倘有漁船大小、季節性或區域性涵蓋率之困難，需說明為達到該 5%涵蓋率而將採取之調整或行動。
9. 有關小船定義議題：日本表示北緯 20 度以南不分大小，皆納入觀察員涵蓋率計算，北緯 20 度以北之生鮮漁船交由北方次委員會討論，我國表示無法同意北緯 20 度以南不分大小船全體派遣觀察員。菲律賓表示考量該國法律規定及漁船工作環境，該國要求觀察員優先實施於 500 噸以上漁

船，島國則認為漁船大小與觀察員派遣與否無關。

10. 委員會觀察員計畫 (CMM 2007-01) 之各項定義: 該等議題與觀察員來源有關，我國及日本等亞洲遠洋國家及美國認為觀察員之獨立且公正 (Independent and Impartial) 定義，係與監控之漁船無利益衝突，與國籍無涉，但 FFA 國家等表示不同考量，未能達成共識。

參、心得與建議

本屆會議為最後一次會期間觀察員計畫工作小組會議，觀察員計畫之成本、小船定義、涵蓋率計算方式等重要未決議題將交由 TCC 及 WCPFC 討論，而其中觀察員成本及小船定義議題，未來恐將面臨僅有我國持不同主張之窘境，我國應及早調整因應策略。

考量我國在中西太平洋之船數眾多，為能在 2012 年前順利達成 5% 之涵蓋率，我國應及早掌握實際作業之船數、進行觀察員措施之宣導及調整我國觀察員計畫內容。另外，為避免島國堅持船旗國不得派遣同國籍觀察員在其漁船進行觀測及降低觀察員派遣成本，與島國進行合作或聘請外國籍觀察員可作為未來我國因應 WCPFC 區域觀察員計畫之發展。



**Regional Observer Programme
Third Inter-sessional Working Group
Guam
17th – 21st March**

MEETING NOTICE

**WCPFC/ROP-IWG3/2009-02
14th February 2009**

In accordance with the Commission Rules of Procedure, Members, Cooperating Non-Members and Participating Territories (CCMs) are invited to attend the Third meeting of the Inter-sessional Working Group for the Regional Observer Programme (ROP-IWG3).

The ROP-IWG3 will take place from Tuesday 17th March to Saturday 21st March. The meeting will be at Tumon, Guam. The meeting venue will be the Fiesta Hotel (please see details below regarding accommodation arrangements).

Agenda

In accordance with Rules of Procedure, the following provisional agenda have been prepared.

- a. ROP-IWG3 Registration Form (WCPFC/ROP-IWG3/2009/01);
- b. ROP-IWG3 Meeting Notice (WCPFC/ROP-IWG3/2009/02);
- c. ROP-IWG3 Provisional Agenda (WCPFC/ROP-IWG3/2009/03);
- d. ROP-IWG3 Provisional Annotated Agenda (WCPFC/ROP-IWG3/2009/04);
- e. ROP-IWG3 Indicative Schedule for the meeting (WCPFC/ROP-IWG3/2009/05); and
- f. ROP-IWG3 Provisional List of Documents (WCPFC/ROP-IWG3/2009/06).

The inclusion of any supplementary items in the agenda accompanied by a written explanation would be appreciated at least 14 days before the meeting, this is by Monday 2nd March 2009. These documents will also shortly be available at www.wcpfc.int on the Meetings page.

Observers

In accordance with Rule 6 and 36 of the Rules of Procedure for the Commission Members, Cooperating Non Members, Observers and others desiring to participate are respectfully requested to advise the Secretariat of contact details for official contacts, designated representatives, alternate representatives and advisers at the earliest opportunity.

Tumon, Guam

Background information about Guam, including city maps and weather details is available at www.visitguam.org/

Meeting Documents

Every effort will be made to post all meeting documents on the WCPFC website by 2nd March 2009. All participants will be individually responsible for downloading their meeting papers and printing them out, as required. Participants who are unable to download meeting papers will be provided with a CD-ROM on arrival at Guam, Please advise Mr Karl Staisch (Karl.Staisch@wcpfc.int) of any special requirements in regard to meeting documents. Mr Staisch is also responsible for meeting logistics and administration.

Meeting Venue

The meeting venue will be the Fiesta Hotel, address...

801 Pale San Vitores Road,

Tumon, Guam 96913,

Telephone: +671 646 5880

Fax: +671 646 6729

Website: www.fiestaguam.com

Accommodation

Participants are asked to make their own accommodation arrangements. Accommodation options include:

Mountain View Room - \$85 plus tax

Ocean view Room \$100 plus tax

Breakfast extra \$12 per breakfast

Exchange Rates

Indicative exchange rates are available at xe.com [The Universal Currency Converter](#).

Registration

Participants are asked to complete the registration form (WCPFC/ROP-IWG3 on the WCPFC meeting Website. If there is any difficulties in doing this please contact (Herolyn.Movik@wcpfc.int or fax (phone: +691 320 1992 or Fax: +691 320 1108) as soon as possible with details. For those delegations with more than one participant it would be preferred if registrations could be submitted in one batch by a key contact for each Member/Observer.

Airport Transfers

Transport from the Guam International Airport to the Fiesta Hotel is available by:

- Shuttle bus: (pre-arrangement with the hotel required)
- Taxi (approximate fare USD15.00)

Visa to visit USA

Some nationals of WCPFC Members will require a visa to visit the USA. Participants are strongly encouraged to confirm visa arrangements with the nearest US Embassy. Countries that are listed as part of the US Visa Waiver program will be required to register on the US Homeland Security Electronic Authorisation System for travel Authorisations (ESTA) before they go to Guam.

Funding for Developing Countries and Participating Territories

The Commission will fund the participation (a daily allowance and most direct, economy-class airfare) of one representative from each developing country and participating territory that is a member of the Commission. Formal nominations for participants to receive this support should be submitted to the WCPFC Secretariat under the signature of the WCPFC Official Contact for qualifying developing country and participating territory Members by **Monday 2nd March 2009**. Special arrangements will need to be made for participants traveling from Palau to the ROP-IWG following their UST meetings the preceding week.

I wish to thank you in advance for providing prompt, complete details relating to your proposed participation in this important meeting.



Andrew Wright
Executive Director



**Regional Observer Programme
Third Intersessional Working Group
Guam
17^h -21st March 2009**

PRELIMINARY AGENDA

**WCPFC/ROP-IWG3/2009-03
14th February 2009**

- 1. OPENING OF THE MEETING**
- 2. APPOINTMENT OF RAPPORTEURS**
- 3. ADOPTION OF AGENDA**
- 4. CHAIR'S OVERVIEW OF ROP-IWG2, TCC4 AND WCPFC5 DECISIONS**
- 5. STATUS REPORT FROM THE SECRETARIAT ON WORK UNDERTAKEN SINCE ROP-IWG2**
- 6. STATUS REPORTS FROM CCMS ON THEIR PREPARATION TO ENGAGE IN THE ROP AND ISSUES ARISING**
- 7. ROP-IWG2, TCC4 & WCPFC5 PRIORITIES**
 - 7.1 ROP implications:**
 - a. FAD closure**
 - b. Catch retention**
 - c. High Seas pocket closures**
 - 7.2 Vessel Safety Checklist (VSC)**
 - 7.3 Cost Issues**
 - a. ROP observer data management**
 - b. ROP observer placements**
 - 7.4 Vessel Size Limitation**
 - 7.5 Definitions**
 - a. Principally**
 - b. Occasional**
 - c. Adjacent**
 - d. Independent & Impartial**
 - e. Observer Trip**
- 8. ADDITIONAL ELEMENTS OF ROP**
 - 8.1 Fisheries to be monitored**
 - 8.2 Coverage levels**
 - 8.3 Source of observers**
 - 8.4 Cadre of observers**

- 8.5 Observer and observer trainer qualifications**
- 8.6 Standardized procedures for deployment of ROP observers**
- 8.7 Authorisation of debriefers and requirements of debriefing**
- 8.8 Liability and insurance**
- 8.9 ROP Workbook (Forms & Harmonisation)**
- 8.10 Consider other means for obtaining data collected by observers and explore developing technologies for monitoring vessel operations and sampling catch.**
- 8.11 At sea transshipment**
- 8.12 Special requirements of developing states**
- 8.13 Website**
- 9. OTHER MATTERS**
- 10. FUTURE OF THE ROP-IWG**
- 11. ADOPTION OF SUMMARY REPORT AND RECOMMENDATIONS FOR SC5, TCC5 AND WCPFC6**
- 12. CLOSING OF THE MEETING**



**Regional Observer Programme
Third Intersessional Working Group
Guam
17th – 21st March 2009**

PRELIMINARY ANNOTATED AGENDA

WCPFC/ROP-IWG3/2009-04

14th February 2009

- 1. OPENING OF THE MEETING**
- 2. APPOINTMENT OF RAPPORTEURS**
- 3. ADOPTION OF AGENDA**
- 4. CHAIR'S OVERVIEW OF ROP –IWG2, TCC4 AND WCPFC5 DECISIONS**

The ROP-IWG Chair will present an overview of decisions concerning the ROP taken at ROP-IWG2, TCC4 and WCPFC5.

- 5. STATUS REPORT FROM THE SECRETARIAT ON WORK UNDERTAKEN SINCE ROP-IWG2**

The Secretariat will present an update on the work that has occurred on elements contained in the Strategic Plan ([WCPFC/ROP-IWG2/2008/IP01](#)) since ROP-IWG2

- 6. STATUS REPORT FROM CCMS ON THEIR PREPERATION TO ENGAGE IN THE ROP AND ISSUES ARISING**

CCMs are invited to present a report on the preparations they have made to source or supply observers for the ROP and to take this opportunity to identify issues that may need further consideration as implementation of the ROP proceeds.

- 7. ROP-IWG2, TCC4 & WCPFC5 PRIORITIES**

The ROP-IWG2, TCC4 and the WCPFC5 meetings highlighted important elements of the ROP still requiring agreement for their application:

- 7.1 ROP IMPLICATIONS**

- a. FAD closure**

Background

CMM 2008-01 provides that, in 2009, the purse seine fishery in EEZs and on the high seas in the area bounded by 20°N and 20°S shall be closed to fishing on FADs between 0000 hours on 1 August and 2400 hours on 30 September. During this period all purse seine vessels will be required to carry an observer from the Regional Observer Program on board, and without such an observer on board, will cease fishing and return directly to port. In 2010 and 2011 the closure is extended by one month to include July.

During the closures period a vessel may only engage in fishing operations if the vessel carries on board an observer from the Regional Observer Program to monitor that at no time does the vessel

deploy or service any FAD or associated electronic devices or fish on schools in association with FADs.

Discussion

The ROP-IWG3 is invited to discuss the implications for the ROP of these closures and, taking into account paragraph 14 of CMM 2008-01, propose options for the sourcing of observers for the period of the closure.

b. Catch Retention

Background

CMM 2008-01 provides that “In order to create a disincentive to the capture of small fish and to encourage the development of technologies and fishing strategies designed to avoid the capture of small bigeye and yellowfin tuna, CCMs shall require their purse seine vessels fishing in EEZs and on the high seas within the area bounded by 20°N and 20°S from 1 January 2010, subject to the Commission implementing the program for 100 percent coverage on purse seine vessels by the observers from the Regional Observer Program, to retain on board and then land or transship at port all bigeye, skipjack and yellowfin tuna.

Discussion

In the event that the ROP-IWG does not have another opportunity to meet prior to the commencement of the catch retention provision of CMM 2008-01 from 1st January 2010, ROP-IWG3 is invited to discuss any data and information that ROP observers could collect in an effort to monitor the implementation and application of this provision of the Measure.

c. High Seas Pocket Closures

Background

CMM 2008-01 provides that the high seas pockets (identified in Attachment D of the Measure) will be closed effective from 1 January 2010 unless the Commission decides otherwise at its 6th annual meeting in December 2009. At this meeting the Commission will also consider the closure of all high seas pockets in the Convention Area between 20 North and 20 South.

Discussion

The ROP-IWG3 is invited to discuss the implications of these closures for the ROP. The ROP-IWG3 may consider the data and information that ROP observers could collect in an effort to monitor the implementation and application of these provisions of the Measure.

7.2 VESSEL SAFETY CHECKLIST

Background

ROP-IWG1 and ROP-IWG2 began work on a Vessel Safety Checklist (VSC). This format will be used by observer providers or observers to determine the safety of the vessel from the perspective of the observer or an observer provider when a vessel has been selected for an observer deployment. Some preliminary discussion relating to this took place at IWG2 but elements of a standard checklist remain to be considered and agreed.

Discussion

ROP-IWG3 is invited to discuss and reach consensus on the elements of the Vessel Safety Checklist (VSC). Participants are referred to the paper “Determining Onboard Safety for Observers” [WCPFC/ROP-IWG2/2008/12](http://www.wcpfc.org/rop-iwg2/2008/12)

7.3 COST ISSUES

a. ROP observer data management

Background

Whether it is by the Secretariat or by a data service provider costs will be incurred annually managing data generated by the ROP. Such costs will include, *inter alia*, data entry, data quality control and verification, data consolidation, data transmission, data summaries etc.

Discussion

ROP-IWG3 is invited to consider paper [WCPFC5-2008/16](#) Attachment B which summarizes anticipated costs associated with ROP data management. Discussions will support the preparation of an annual budget, for consideration by the Commission, to support ROP data management and reporting.

b. Cost of ROP observer placements

Background

The IWG has considered a range of views on the source of funds to support the costs of observer deployments: An understanding should be developed between CCMs to determine fees and other associated costs for the placement of ROP observers. Refer to [WCPFC/ROP-IWG3/2009/07](#)

Discussion

The ROP-IWG3 is invited to consider and agree upon responsibilities for costs associated with achieving coverage rates by ROP observers agreed by the Commission.

7.4 VESSEL SIZE LIMITATION

Background

Some CCMs are concerned that the small size of some of their vessels means those vessels are incapable of carrying ROP observers. This is because on such vessels the work space and accommodation is limited and vessels are not well equipped to carry non-crew safely. These CCMs proposed that a vessel size limit be put in place where ROP observers would only be asked to carry out duties on vessels above a minimum vessel size. 24 metres has been proposed as the minimum length.

Other CCMs advise that they have successfully placed observers on vessels less than 24m in length. These CCMs indicated that there should be no vessel size limitation and that ROP observers should be placed on any vessel that was capable of operating on the high seas or the zones of two or more coastal States.

Discussion

ROP-IWG3 is invited to consider vessel size and whether a size limitation on vessels that ROP observers are asked to board should be placed on the ROP.

7.5 DEFINITIONS

- a. **Principally**
- b. **Occasional**
- c. **Adjacent**
- d. **Independent & Impartial**
- e. **Observer Trip**

Background

WCPFC4 agreed to the use of these terms in CMM-2007-01 (Para 13 (ii) and its footnote), and Annex C, but directed that the ROP-IWG2 develop clear definitions of these terms. A common understanding of the meaning of these terms is required to avoid confusion and mis-interpretation. Following limited progress towards reaching agreement on these terms at TCC4, WCPFC5 approved a third ROP-IWG be held in 2009 and directed that the definition of these terms be a priority for resolving at that meeting.

Discussion

The ROP-IWG3 has been directed as a priority to come up with agreed definitions of these terms in the context of their use in the ROP. [WCPFC5-2008/16](#) Attachment C proposed some possible definitions for these terms.

8. ADDITIONAL ELEMENTS OF ROP

Time permitting, ROP-IWG3 is invited to prioritise the following additional elements that require further consideration to support the effective implementation of the ROP and provide direction on application and implementation in 2009.

8.1 FISHERIES TO BE MONITORED

Background

Fisheries in the WCPFC Convention Area for the most recent year for which complete data are available, and guidelines for the phased implementation of the ROP, are contained in paper [WCPFC/ROP-IWG3/2009/08](#).

Discussion

ROP-IWG3 is invited to consider implementation strategies for each of the fisheries listed in [WCPFC/ROP-IWG3/2009/08](#).

8.2 COVERAGE LEVELS

Background

Subject to conservation and management measures and other decisions of the Commission, ROP coverage of fleets will be the responsibility of the flag States. The scope of coverage for each particular gear type is still to be determined.

WCPFC2 agreed that the target coverage for observers on vessels of the fleets fishing in the Convention Area would be 5 per cent. At WCPFC5, with the adoption of CMM 2008-01, this changed the coverage of purse seiners for 2009 to 20% - to apply to the Convention Area bounded by 20°N and 20°S. The coverage target for other gear types remains 5%. The coverage in 2010 and thereafter for purse seiners for the same area will increase to 100%, unless otherwise determined by the Commission. Except for vessels fishing exclusively for fresh fish in the area north of 20°N, ROP coverage for areas outside this boundary remain at 5% for all gear types.

Discussion

ROP-IWG3 is invited to discuss the means to implement and achieve the coverage rates adopted by the Commission, “and agree on the procedure required in attaining these coverage rates for their fleets”. The IWG is also required to determine the type of coverage, or metric, for each gear type that the coverage rate refers to. i.e. sea days, sets, trips, hooks, etc.

8.3 SOURCE OF OBSERVERS

Background

Recalling the suite of Conservation and Management Measures that have been adopted by the Commission to date, the ROP-IWG3 is invited to discuss the sourcing of observers to achieve the target coverage rates under the ROP.

8.4 CADRE OF OBSERVERS

Back ground

On the basis of discussion at ROP-IWG2, CCM-2007-01 (para.12 (ix)) provides that the Secretariat may utilize a cadre of specialized observers, if required, to assist with monitoring special situations, such as the implementation of a new CMM or to assist with audits. A small budget has been allocated for the use of such observers in 2009 where required.

Discussion

The ROP-IWG3 is invited to discuss procedures for the Secretariat to select observers for special situations. Some options and considerations relating to the deployment of such a small cadre of observers is provided in [WCPFC/ROP-IWG3/2009/09](#) “Planned use of a cadre of Observers for 2009”

8.5 OBSERVER AND OBSERVER TRAINER QUALIFICATIONS.

Back ground

ROP-IWG2 agreed that an interim standard for “Training” is that training programmes used by national or sub-regional observer programmes should demonstrate coverage of the Commission’s conservation and management measures and other decisions of the Commission and for the training materials to be available for review by the Secretariat.

Discussion

ROP-IWG3 is invited to propose harmonised minimum standards for training of ROP observers and minimum qualifications for Observer Trainers. ROP-IWG3 is also invited to consider procedures and protocols for the auditing role of the Secretariat in maintaining Minimum Training Standards.

8.6 STANDARDIZED PROCEDURES FOR DEPLOYMENT OF ROP OBSERVERS’

Background

Harmonised and standardised observer deployment procedures for Observer Providers will assist with the efficient implementation of the ROP. Issues that would benefit from consideration in this respect include: notification of boarding, timing, procedures for boarding, boarding sites or places, briefing and de-briefing arrangements, and purpose of the trip.

Discussion

The ROP-IWG3 is invited to consider and recommend harmonised standards and protocols for deployment of ROP observers. [WCPFC/ROP-IWG3/2009/10](#) has been prepared by the Secretariat to support discussions on these matters.

8.7 AUTHORISATION OF DEBRIEFERS AND REQUIRMENTS OF DEBRIEFING

Back ground

ROP-IWG2, and subsequently WCPFC5, agreed on the interim standards for briefing and debriefing. However no standard for the qualifications of the persons carrying out the briefing/debriefing has been considered. Therefore it is important that a harmonised debriefing strategy for the ROP including standards for qualification for debriefers.

Discussion

ROP-IWG3 is invited to consider harmonised standards and protocols for the authorisation of briefers and debriefers of ROP observers, training standards, qualifications and experience for briefers and de-briefers, an appropriate ratio between number of observer briefers/debriefers and observers and cost issues associated with briefing and de-briefing.

8.8 LIABILITY AND INSURANCE

Background

At TCC3 several CCMs requested information on the liability of observers while operating under an observer programme including in respect to financial loss to the vessel as a result of a disruption to its fishing time and the vessel's responsibility in the event of an incident involving the observer while on board. The question was also raised as to who is liable if there is an observer on board and through their actions, they cause the vessel to lose valuable fishing time.

The Chair of TCC, Mr Wendell Sanford (Canada) arranged for a legal opinion on this matter from Professor Edgar Gold, an international expert in maritime law, and this was made available to WCPFC4 ("On board Fisheries Observer Legal Liability and Insurance". [WCPFC/IWG-ROP2/2008/08](#)).

Although WCPFC4 directed that the paper and its implications be discussed at the ROP-IWG2 there was insufficient time at that session of the IWG for this to occur.

Discussion

ROP-IWG3 is invited to revisit Professor Gold's paper and provide advice and recommendations in relation to protocols and procedures for legal liability when an observer is deployed under the ROP plus to provide advice in respect of the responsibility for the costs of insuring ROP observers.

8.9 ROP WORKBOOK (Forms and Harmonisation)

Background

The ROP Workbook will contain data forms and other instructions, guidelines and requirements for ROP observers to carry out their duties when aboard a vessel. An important component of the Workbook will be a description of data to be collected by ROP observers. WCPFC5 approved a comprehensive list of minimum standard data fields to be collected by CCM observer programmes to enable them to contribute to the ROP. This does not restrict national or sub-regional programmes collecting additional data and information however when their observers are carrying out roles and responsibilities for the ROP they are required to collect, as a minimum, the data standards approved by the Commission.

Discussion

On the basis that CCMs will incorporate the minimum data requirements for the ROP in their national observer programmes, or sub-regional programmes as the case may be, the ROP-IWG3 is invited to provide advice and recommendations on the time frame, and content, for the development of a ROP Workbook that supports efforts to achieve harmonization among national and sub-regional observer programmes contributing to the ROP.

8.10 CONSIDER OTHER MEANS OF COLLECTING DATA COLLECTED BY OBSERVERS AND EXPLORE DEVELOPING TECHNOLOGIES FOR MONITORING VESSEL OPERATIONS AND SAMPLING THE CATCH.

Background

Previous ROP-IWGs have discussed alternative means for collecting data and information traditionally collected by observers.

Discussion

ROP-IWG3 is invited to discuss any recent technological or deployment developments that might be considered for future inclusion in the ROP for collecting observer-related information.

8.11 AT-SEA TRANSSHIPMENT

Background

Although a CMM for transshipment has not yet been adopted by the Commission it has been placed on the agenda for TCC5 and WCPFC6 with the intent that a Measure will be agreed and adopted in 2009. Recalling that the roles of an observer on a carrier would be more in line with a port sampler or monitor, rather than an at-sea observer, and that many transshipments are a 24 hour process, the IWG-ROP3 is invited to consider the role of the ROP in any future WCPFC transshipment conservation and management measure, providing advice and recommendations as appropriate.

Discussion

ROP-IWG3 is invited to discuss the role of observers or monitors during at-sea transshipment, specific training needs for observers who may be deployed for at-sea transshipment, deployment and disembarkation considerations, observer or monitoring needs in respect of 24-hour transshipment operations, data and information collection requirements, coverage rates, the role of the master and crew of the carrier vessel, cost considerations and other procedures and protocols that might support at-sea transshipment monitoring by ROP affiliated observers.

8.12 SPECIAL REQUIREMENTS OF DEVELOPING STATES

Background

Some developing States and participating territories already have observer programmes in place, others are still to develop national observer programmes and yet others, who may never develop a national programme, are interested in their trained and qualified personnel being able to participate in sub-regional or regional programmes.

Discussion

The ROP-IWG3 will discuss and make recommendations on the role that the Secretariat in relation to assisting with the full participation of developing State and participating territory CCMs in the ROP.

8.13 WEBSITE

Background

The Strategic Plan included the development of a dedicated ROP website that may serve as an information resource for vessel operators, observer trainers, CCM fisheries managers, observer providers and observers.

Discussion

The Secretariat will present a concept site map for the proposed dedicated ROP page on the Commission's website for discussion and suggestions for improvement. [WCPFC/ROP-IWG3 2009 /11](#)

9. OTHER MATTERS

The ROP-IWG3 is invited to raise any issues not already discussed

10. FUTURE OF THE ROP – IWG

Background

ROP-IWG3 is invited consider any outstanding issues that will be required to be resolved as implementation of the ROP proceeds. The ROP-IWG3 is invited to provide guidance on the means to address those issues, and a time frame for that work to be completed.

11. ADOPTION OF SUMMARY REPORT AND RECOMMENDATIONS FOR SC5, TCC5 AND WCPFC6

CCMs are invited to adopt the outcomes of the ROP-IWG3 for forwarding to SC5, TCC5 and WCPFC6 for further discussion, refinement as necessary and adoption.

12. CLOSING OF THE MEETING



**Regional Observer Programme
Third Intersessional Working Group
Guam
17th -21st March 2009**

INDICATIVE AGENDA SCHEDULE

**WCPFC/ ROP-IWG 3/2009-05
14th February 2009**

Date	Time	Agenda Items
Tuesday 17th March	0900 - 0915	1.0 Opening of meeting 2.0 Appointment of Rapporteurs 3.0 Adoption of Agenda
	0915 - 1000	4.0 Chairs overview of WCPFC5, TCC4, SC4 & IWG-ROP2
	10.30 - 1115	5.0 Status report from Secretariat on work undertaken since ROP-IWG2
	1115 -12.30	6.0 Status Reports from CCMs on their preparation to engage in the ROP and issues arising
	1400 - 1530	7.0 ROP – IWG2 & WCPFC5 Priorities 7.1a FAD closure
	1600 - 1730	7.1b Catch Retention
Wednesday 18th March	0830 - 0915	7.1c High seas pocket closures
	0915 - 1030	7.2 Vessel Safety Checklist (VSC)
	1100 - 1230	7.3a ROP Observer data management
	1400 - 1700	7.3b Costs of ROP observer placements
Thursday 19th March	0830 - 1030	7.4 Vessel Size Limitation
	1100 - 1230	7.5 Definitions – a. Principally b. Occasionally c. Adjacent

	1400 - 1700	7.5	Definitions d. Independent and Impartial e. Observer Trip
Friday 20th March	08:30 – 1030	8.0	Additional Elements of ROP
		8.1	Fisheries to be monitored
		8.2	Coverage levels
	1100- 1230	8.3	Source of observers
		8.4	Cadre of observers
	1400 - 1700	8.5	Observer and observer trainer qualifications
		8.6	Standard procedures for deployment of ROP observers
		8.7	Authorisation of Debriefers and requirements of debriefing
Saturday 21st March	0830- 1030	8.8	Liability and Insurance
		8.9	ROP Workbook (Forms and Harmonisation
	1100 -1230	8.10	Consider other means of collecting data collected by observers and explore developing technologies for monitoring vessel operations and sampling the catch.
		8.11	At Sea Transhipment coverage
	1400 - 1530	8.12	Special requirements of developing states
		8.13	Website
	1600 - 1630	9.0	Other Matters
	1630 - 1700	10.0	Future of the IWG-ROP
1700 -1800	11.0	Adoption of Summary Report and Recommendations for SC5 – TCC5& WCPFC6	
1800	12.00	Closure of Meeting	



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PROVISIONAL LIST OF DOCUMENTS

**WCPFC/ROP-IWG3/2009-06
2nd March 2009**

Symbol	Title
WCPFC/ROP –IWG3/2009-01	Registration Form
WCPFC/ROP –IWG3/2009-02	Notice of Meeting
WCPFC/ROP –IWG3/2009-03	Preliminary Agenda
WCPFC/ROP –IWG3/2009-04	Preliminary Annotated Agenda
WCPFC/ROP –IWG3/2009-05	Indicative Schedule
WCPFC/ROP –IWG3/2009-06	Provisional List of Documents
WCPFC/ROP –IWG3/2009-07	Cost Considerations for ROP Observers
WCPFC/ROP –IWG3/2009-08	Fisheries to Be Monitored
WCPFC/ROP –IWG3/2009-09	Cadre of Observers
WCPFC/ROP –IWG3/2009-10	Standardised Procedures for Observer Deployment
WCPFC/ROP –IWG3/2009-11	Preliminary ROP Website Chart

DOCUMENTS REFERENCED IN ANNOTATED AGENDA	
Symbol	Title
WCPFC/ROP-IWG2/2008-IP01	Draft Strategic Plan for the ROP
WCPFC/ROP-IWG2/2008-10	Determining Onboard Safety for Observers
WCPFC5-2008-16 Attachment B	Status Report - ROP Attachment B - Costing for a Range of Options for Data Management for the rOP
WCPFC5-2008-16 Attachment C	Status Report - ROP Attachment C - Definitions
WCPFC/ROP-IWG2/2008-08	On Board Fisheries Observers Legal Liability and Insurance



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COST CONSIDERATIONS FOR ROP OBSERVERS

**WCPFC/ROP-IWG3/2009-07
26th February 2009**

1. The IWG has previously discussed a range of issues associated with costs of the Regional Observer Programme (ROP) but, apart from the administrative costs incurred at the Secretariat, a common understanding is yet to emerge on other costs.

2. Costs will vary among observer programmes for a variety of reasons including national remuneration scales, and embarkation and disembarkation locations. Costs may be broken into two components:

- Fees and allowances paid to observers
- Operational costs of an observer program: expenses associated with placing an observer (could include air travel, per diem travel cost, in port waiting time costs, insurance, and other related costs)

3. The cost of an observer sea day should include all associated operational costs such as shore management, training, debriefing, data entry/analysis, and general administration and office costs. Table 1 presents a summary of observer costs that need to be factored in to the estimate of the cost of an observer sea day. There are numerous possible sources of funding to cover these costs (see Table 1)

Table 1. Relevant operational costs for deployment of observers with possible funding sources

Category	Item	Source of possible Funding
Travel	<ul style="list-style-type: none"> • Transport costs incl. Air, Taxi, Bus, Ferry. • Excess luggage costs. • Passport, Visa Costs, Airport Tax • Daily Travel Per Diem • Insurance • Travel Bags 	<ul style="list-style-type: none"> • Flag State of Vessel • Industry • Country of Observer • Donors
Equipment	<ul style="list-style-type: none"> • Observer Tools, Tapes, Calipers • Sampling Equipment • Wet Weather Gear • Work Books/ Data Forms • Safety Gear • Carry Bags 	<ul style="list-style-type: none"> • Flag State of Vessel • Industry • Country of Observer • Donors
Personal	<ul style="list-style-type: none"> • Salary 	<ul style="list-style-type: none"> • Flag State of Vessel

	<ul style="list-style-type: none"> • Sea Allowances • Medical & life Insurance • Boarding vessel costs 	<ul style="list-style-type: none"> • Industry • Country of Observer • Donors
Training Courses	<ul style="list-style-type: none"> • Pre Selection • Training Materials & Equipment • Venue & Training Facility costs • Trainer costs • Travel Accommodation • Sea Safety Certification • Red Cross Certification • Radio Operators Certificate 	<ul style="list-style-type: none"> • Flag State of Vessel • Industry • Country of Observer • Donors
<u>Debriefing and Data analysis</u>	<ul style="list-style-type: none"> • Briefing Observers • Debriefing the observer • Data and report analysis 	<ul style="list-style-type: none"> • Flag State of Vessel • Industry • Country of Observer • Donors
<u>Other</u>	<ul style="list-style-type: none"> • Technical & management support • Observer Communications 	

4. Most of the costs identified in Table 1 will be incurred as long as the programme is operating. So observer programmes require a constant and reliable source of funding support. Some explanations and elements of Table 1 to be considered when budgeting for these costs are as follows;

Travel

- Travel Costs including Daily Travel allowance

Costs of transporting observers to and from vessels, especially if dropped off in ports other than their home port should include cost of all air and other forms of required travel; a daily travel per diem which should be sufficient for each day it takes an observer to travel to a vessel to embark or back to their home port from a distant point of disembarkation. Costs for excess baggage when travelling with observer equipment should also be taken into account. Responsibilities for these costs, and payment schedules, should be clearly stipulated in any Agreement between the observer provider and the vessel flag State using the observer's services. Agreements should also stipulate costs such as, but not limited to, agent fees, airfare costs, visa and travel document costs, an agreed daily allowance for every day on shore waiting to travel, and for every day traveling to and from the observer's home port.

Equipment

- Observer equipment required for every day tasks

Standard equipment required by observers may include calipers, deck tapes, calculators, EPIRBS, cameras, wet weather gear, sampling equipment and waterproof clipboards and stationary. Equipment costs are generally supported by the Observer Provider who often recovers these costs through administrative or other fees charged to those contracting observer services.

- Safety Gear

Safety of the observer is important and all providers should ensure observers are properly outfitted for any unforeseen circumstance. Safety equipment required may depend on the type of vessel, and could include special deck work boots, hard hats, sun glasses and personal

life jackets. Safety equipment costs are generally supported by the Observer Provider who often recovers these costs through administrative or other fees charged to those contracting observer services.

- Forms and Workbooks

Data collection formats may include special waterproof deck work sheets, books of data forms, or individual data collection forms. The cost of producing and printing these forms and formats is ongoing, with changes in forms and formats continually requiring new forms to be produced. Form and Workbook costs are generally supported by the Observer Provider who often recovers these costs through administrative or other fees charged to those contracting observer services.

Personal

- Observers salary

Pay scales for observers depend on national salary scales and the experience and qualifications of the observer. Pay scales usually takes into account that an observer is working on a vessel at sea, and is often working seven days a week for long periods of time, and is isolated and away from his or her family or friends.

- Sea allowances

In some programmes observers may be paid a hardship allowance when working at sea on a vessel. Some programmes may have a tiered/incremental allowance system that accounts for the number of days a person is on board a vessel, e.g. seven days would be a lesser allowance than a 21 – 45 or a 60+ day trip. Some programmes pay a fixed rate allowance regardless of trip length.

- Insurance and Medical costs

Observer insurance should include coverage for life insurance as well as medical coverage and should cover the observer on board the vessel at sea, in port and when on shore carrying out observer duties. Insurance should also cover travelling to or from a vessel.

- Cost associated with boarding a vessel (i.e. bedding, suitable w/proof clothing bags etc)

In some cases observers will not be supplied with bedding and may be required to supply their own bedding when boarding vessels. Waterproof bags to hold clothing and other observer gear may also be required, especially if observers are asked to make an at-sea transfer.

Training

- Pre selection costs

There will be some costs associated with running pre-selection and entrance tests for observers to gain acceptance for training courses. However, not all programmes will use this method of selecting observer trainees; instead they will choose to rely on education standards as the criteria to gain entrance into an observer training course.

- Observer Training & Equipment Costs

Costs of the trainers, travel, equipment and preparation and printing of materials required to ensure observer trainees are given proper training. These costs depend on the training facilities used by each provider. Although 'in house' may incur lower overhead costs initial

set up costs to establish suitable training facilities can be significant. Once established, in-house training costs will generally be lower than a programme that has to utilize outside trainers or transport its trainees to a course held away from their home port; often training takes place in a facility or venue that may charge for the use of its area and equipment and this will need to be accounted for in the training budgets.

- Sea Safety Certification - Red Cross Certification- Radio Operators Certificate

Sea safety training, medical training and communications training are included as part of the minimum observer training standards in most programmes. All these have costs associated with them that need to be taken into account when assessing training costs.

Debriefing and Data analysis

- Briefing and debriefing of the observer

Briefing an observer before they go on a trip and debriefing them when they come back will help reduce errors and will assist in keeping data entry costs lower. Debriefing of the observer can help to improve the data quality as well as rectify any accidental errors before it is entered into a data base. The observer can also highlight issues of their trip that may require further investigation. Costs associated with debriefing include salaries for de-briefers as well as the cost of any materials required. These costs are often overlooked by national programmes when calculating costs required for observer programmes.

- Analysis of data and reports after the trip

Observer providers may also apportion some of the time costs involved in the analysis of data and the following up on issues arising from observer reports.

Other

- Technical & management support

Costs involved in keeping the observer at sea, including day-to-day management costs is usually included in an observer fee structure.

- Observer Communication

Observer communication costs especially when an observer is at sea can vary, depending on the issues at the time, and or the type of vessel the observer is on board. i.e. radio or satellite phone availability. These costs should be apportioned based on the previous year's costs or an estimated figure be calculated for each vessel the observer boards. Observer work related costs are normally covered by the national or sub regional programmes and are paid to the vessel on receipt of an invoice.

Cost of observer programmes

5. The results of an informal review of costs associated with a range of national and sub-regional programmes by the Secretariat in 2006 are summarized at Table 2.

Table 2 - General guide to Sub-Regional and National observer programme costs that were calculated in 2006 by the Secretariat.

Programme	Usual fee paid to an observer all currencies	Estimated operational cost per sea day salary,	Approx. cost of an observer sea day including training,
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	converted to US\$	travel, equipment	admin & office costs
FFA US Treaty sub-regional observer programme.	Min\$25 Max \$50	\$61.35	\$95
FFA-FSMA sub-regional observer programme	Min\$25 Max \$50	\$46.50	\$63
Fiji National Programme	\$30	\$54.50	\$94
Palau**	\$75	-	\$75
PNG	Min\$20 Max \$25		
Marshall Islands	Min\$25 Max \$50		
FSM	Min\$25 Max \$30	\$51	
Kiribati	Min\$30 Max \$37		
Australia		\$307	\$412
USA Hawaii	Min\$130 Max \$250	\$429	\$790
Korea		\$325	
Taiwan		\$83	

* Note: These figures are indicative only ** no training or admin costs included



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FISHERIES TO BE MONITORED

**WCPFC/ROP-IWG3/2009-08
26th February 2009**

1. Fisheries within the Convention Area are listed by gear type and flag, with estimates of recent annual catches and observer coverage rates as determined by data held by SPC. The information in Table 1 is used to characterize the nature of the fisheries and to assist in identifying any relevant factors that may need to be taken in account, to develop observer coverage as determined by the Commission. It is the intention to present this table annually with the latest up dates on the observer coverage rates attained by each fleet.
2. The adoption of the Conservation and Management Measure for Bigeye and Yellowfin Tuna in the Western and Central Pacific Ocean (CMM 2008-01) at the Busan WCPFC5 meeting has changed the coverage required by purse-seiners for certain areas. Except Members qualifying for alternative arrangements provided for at paragraph 15 of CMM 2008-01, all purse seine fleets that intend to fish in the area between 20°N and 20°S during the period 1 August to 30 September 2009 will require 100 per cent coverage by ROP observers. In addition to collecting data already agreed by the Commission, the primary role of observers during this period will be to monitor compliance with the two-month prohibition for setting on FADs. The prohibition is extended by one month in 2010 to include the month of July.
3. Across all purse seine fisheries the ROP coverage target in 2009 is 20 per cent. This increases to 100 per cent in 2010 and 2011. Other duties for ROP Observers provided for in CMM 2008-01 relate to monitoring and reporting on the implementation of the catch retention provisions of the Measure.
4. The Commission has adopted a ROP coverage target for the longline fleet of 5 per cent by 2012. In addition, it is recalled that CMM 2007-01 (Annex C) provides that the process for achieving implementation of the ROP on vessels that fish exclusively for fresh fish north of 20°N prior to 31 December 2014 has been assigned to the Northern Committee.
5. The ROP-IWG3 is invited to consider implementation issues associated with attaining the target ROP coverage agreed by the Commission for each fishery identified in the accompanying table.

Table 1. Preliminary Estimate of Fisheries to be monitored

Gear Type	Flag and Sector	Catch		Observer Coverage		Implementation
		Year	Tonnes	Year	%	
Longline	Australia	2007	4,662	2006	2.5%	Coverage to increase to 5% by end of 2012
	China	2007	14,855	2007	1.7%	Coverage to increase to 5% by end of 2012
	Cook Islands	2007	2,572	2007	0.0%	Coverage to increase to 5% by end of 2012
	Federated States of Micronesia	2007	1,943	2007	1.0%	Coverage to increase to 5% by end of 2012
	Fiji	2007	9,472	2006	1.9%	Coverage to increase to 5% by end of 2012
	French Polynesia	2007	4,992	2007	17.3%	Current 5%+ coverage to be maintained
	Japan, Coastal	2006	32,591	2007	0.0%	Exploratory coverage by end of 2010
	Japan, Offshore and Distant-Water	2006	33,244	2007	0.0%	Coverage to increase to 5% by end of 2012
	Korea (Republic of)	2007	20,305	2007	0.1%	Coverage to increase to 5% by end of 2012
	New Caledonia	2007	1,770	2007	2.2%	Coverage to increase to 5% by end of 2012
	New Zealand	2007	598	2006	2.5%	Coverage to increase to 5% by end of 2012
	Papua New Guinea	2007	2,987	2007	0.9%	Coverage to increase to 5% by end of 2012
	Samoa	2007	3,559	2006	0.3%	Coverage to increase to 5% by end of 2012
	Solomon Islands	2007	267	2007	0.0%	Coverage to increase to 5% by end of 2012
	Chinese Taipei, Offshore	2007	24,988	2007	0.0%	Coverage to increase to 5% by end of 2012
	Chinese Taipei, Distant-Water	2007	17,440	2007	0.0%	Coverage to increase to 5% by end of 2012
	Tonga	2007	861	2006	4.6%	Coverage to increase to 5% by end of 2012
	United States (Hawaii)	2007	6,585	2004	16.6%	Current 5%+ coverage to be maintained
	United States (American Samoa)	2007	6,317	2007	0.0%	Coverage to increase to 5% by end of 2012
	Vanuatu	2007	8,572	2007	0.0%	Coverage to increase to 5% by end of 2012

Pole and Line	Japan, Offshore and Distant-Water	2006	142,209	2007	0.0%	Exploratory coverage by end of 2010	
	Solomon Islands	2007	3,937	2007	0.0%	Exploratory coverage by end of 2010	
Purse Seine	China	2007	54,941	2007	4.8%	Coverage 20% in 2009, 100% in 2010.	
	European Union (Spain)	2007	19,747	2007	0.0%	Coverage 20% in 2009, 100% in 2010.	
	Federated States of Micronesia	2007	13,497	2007	12.3%	Coverage 20% in 2009, 100% in 2010.	
	Japan, Coastal	2007	639	2007	0.0%	Exploratory coverage by end of 2010	
	Japan, Offshore and Distant-Water	2007	244,919	2007	0.0%	Coverage 20% in 2009, 100% in 2010.	
	Kiribati	2007	5,450	2007	0.0%	Coverage 20% in 2009, 100% in 2010.	
	Korea (Republic of)	2007	258,177	2007	1.6%	Coverage 20% in 2009, 100% in 2010.	
	Marshall Islands	2007	59,404	2007	27.6%	Current 20% + coverage to be maintained in 2009, 100% in 2010	
	New Zealand	2007	30,562	2007	0.6%	Coverage 20% in 2009, 100% in 2010.	
	Papua New Guinea	2007	219,637	2007	17.0%	Coverage 20% in 2009, 100% in 2010.	
	Philippines, Distant-Water	2007	13,720	2007	34.6%	Current 20%+ coverage to be maintained in 2009, 100% coverage in 2010	
	Solomon Islands	2007	17,307	2007	4.2%	Coverage 20% in 2009, 100% in 2010.	
	Chinese Taipei	2007	232,535	2007	4.0%	Coverage 20% in 2009, 100% in 2010.	
	United States	2007	72,204	2005	20.6%	Current 20%+ coverage to be maintained in 2009, 100% coverage in 2010	
	Vanuatu	2007	67,010	2007	9.1%	Coverage 20% in 2009, 100% in 2010.	
	Troll	New Zealand	2007	1,734	2007	0.0%	Exploratory coverage by end of 2010
		United States	2007	1,425	2007	0.0%	Exploratory coverage by end of 2010



**Regional Observer Programme
Third Inter-sessional Working Group
Guam
17th – 21st March 2009**

PLANNED USE OF A CADRE OF OBSERVERS

**WCPFC/ROP-IWG3/2009-09
2nd March 2009**

Introduction

1. The potential for using a cadre of experienced observers to obtain additional information for special situations and to assist with audits was first presented in WCPFC-TCC2-2006/11. Though there was limited discussion on this issue at TCC2 it was further discussed at WCPFC4 that adopted CMM 2007-01 containing a provision for the use of specialized observers (CMM 2007-01, para.12 (ix)).

2. The IWG-ROP2 meeting at Nadi, Fiji recommended that the Secretariat further elaborate on the potential use of a cadre of experienced observers and provide the results of this work to the next IWG-ROP meeting or the Commission. WCPFC5 at Busan, Korea approved an amount of US\$30,000 to be used in 2009 to assist with the development and use of experienced observers for special situations.

Cadre of Observers

3. A cadre of experienced observers drawn from existing ROP-authorized national and sub-regional observer programmes may be employed by the Secretariat to address issues of special interest including, *inter alia*:

- conducting independent observer trips, as part of a review or audit of national and sub-regional observer programmes to ensure that the Commission's minimum standards are being maintained;
- IUU fishing;
- transshipment at sea;
- monitoring the implementation of decisions of the Commission including;
 - high seas closures;
 - prohibitions of fishing on FADs and monitoring the implementation of FAD Management Plans;
 - by-catch and by-catch mitigation issues involving all species, but in particular, sharks, seabirds, marine mammals and sea turtles.

Guidelines

4. The following guidelines and procedures will apply to the ROP Cadre of Observers

- i. All certified ROP observers employed by an ROP-authorized national and/or sub-regional observer programmes are eligible to qualify as an observer for the “Cadre of Observers”.
- ii. The Secretariat will communicate the requirements for the use of the observers to all authorised observer providers; the observer provider may nominate experienced, available, observers and relay information concerning their qualifications and experience to the Secretariat.
- iii. The Secretariat will maintain a list of experienced observers available for special ROP work.
- iv. All observers nominated to be part of the Commission Cadre of Observers will continue to be employed by their respective national and sub-regional observer programmes and, subject to their availability, may be called on from time to time to carry out specialized work for the Commission.
- v. Nominated and approved observers, who are available for work in special situations will be contacted directly by the Secretariat and will communicate with the Secretariat on the duties and roles to be carried out.
- vi. The provider of the observer will be kept informed on matters relating to the use of the observer and will assist where possible with travel and other administrative arrangements.
- vii. Nominated observers called for duty as part of the Commission Cadre of Observers will be contracted and paid in accordance to the pay scales and allowances arranged by the Secretariat. The pay scales and allowances of the national authorities of the observer’s home country will be used as a guide for the calculation of these entitlements.
- viii. All travel arrangements will be paid for by the Secretariat as per the guidelines, procedures and regulations of the Commission.
- ix. Data, images and other information collected by the observer whilst on a special situation ROP trips remains confidential and it will be the responsibility of the observer to maintain that data and information in a secure manner. Data handling protocols and procedures as described in the Commission’s *Rules and Procedures for the Protection of, Access to, and Dissemination of Data Compiled by the Commission* will be applicable.
- x. Additional training that may be required for special situations will be funded by the Commission Secretariat from the allocation approved by the Commission for this purpose or from voluntary contributions.
- xi. Debriefing of observers for special situations will be the responsibility of the Secretariat. The Secretariat may make arrangements with locally-based briefers and de-briefers at ports of embarkation and disembarkation to undertake these tasks on behalf of the Secretariat. The procedures and processes for this to occur, including in relation to compliance with the Commission’s *Rules and Procedures for the Protection of, Access to, and Dissemination of Data Compiled by the Commission*, will be negotiated by the Secretariat and observer provider.
- xii. The selection of the observer from the list of nominated observers for specialized situations will be done by the Secretariat taking into account, experience of observer, cost of travel for deployment, and availability of observers.

Funding 2009

5. WCPFC5 allocated US\$30,000 for the Secretariat's use in 2009 to develop and utilize a Commission Cadre of Observers. The table below summarises the proposed expenditure of these funds.

#	Item	Cost	Comment
1	Development of guidelines, workbooks, forms, procedures and list of eligible observers.	\$2,000	Funds will be required to produce formats and manuals for the specialized work, and the establishment of a database of available observers.
2	Specialised training for selected observers.	\$7,000	Depending on requirements, there will need to be extra training and briefings for the selected observers.
3	Deployment of observers for the auditing of national and sub-regional programmes.	\$21,000	Costs of deployment and travel for approximately three (3) observer trips.
	Total	\$30,000	



**Regional Observer Programme
Third Intersessional Working Group
Guam
17th -21st March 2009**

STANDARDISED PROCEDURES FOR ROP OBSERVER DEPLOYMENT

**WCPFC/ROP-IWG3/2009-010
26th February 2009**

Introduction

1. In accordance Article 28(4) "Each member of the Commission shall ensure that fishing vessels flying its flag in the Convention Area, except for vessels that operate exclusively within waters under the national jurisdiction of the flag State, are prepared to accept an observer from the regional observer programme, if required by the Commission." ROP observers will be deployed directly by CCM national and sub-regional observer programmes (ROP providers), and in some cases, by the Secretariat.
2. Each CCM of the Commission shall be entitled to have its nationals included in the observer programme.
3. It is the responsibility of the flag State to ensure that the captain or master of its vessels are fully aware of the requirements and obligations that the vessel may be under as described in conservation and management measures or other decisions of the Commission. (This is not the responsibility of the observers on board the vessel)
4. Trip selection will need to comply with sampling and coverage protocols approved for specific fisheries by the Commission.

Coverage

5. Flag States will be responsible for achieving the coverage levels established by the Commission for vessels flying its flag, subject to Article 28 (4) and (5), in a flexible manner, taking into account the nature of the fishery and other relevant factors.
6. The Secretariat will be responsible for monitoring observer coverage levels throughout the Convention Area according to the requirements of the Commission.
7. The selection of specific trips to be observed and the achievement of required coverage for the ROP will be decided between the flag State and the authorised observer providers.
8. The placement of observers for special purposes shall be at the discretion of the Secretariat taking into account any guidelines established by the Commission.

Deployments to achieve coverage levels agreed by the Commission

9. There are several operational scenarios that will require ROP coverage:
 - For domestic vessel that only fish within their own EEZ and on the high seas;

- Under bilateral fisheries access arrangements whereby a coastal State requires vessels it licenses to carry an observer;
- For flag States fishing beyond their national jurisdiction;
- Observers deployed for special situations by the Secretariat.

10. The flag State will communicate with an authorised observer provider to source ROP observers in accordance with the Commission's standards and procedures.

11. Each flag State, through its relevant national authority or nominated fishing association, will ensure that a reasonable period of notice is given to observer providers regarding observer deployment needs. Similarly, in the event of deployments done at the request of a coastal State CCM, or the WCPFC Secretariat, vessel agents and operators will be given reasonable notice regarding an impending deployment.

Selection of observers

12. The vessel flag State will select a suitable authorised CCM provider who has available ROP- authorised observers to carry out duties on the vessel. – for convenience observers could be chosen from the CCM's who have bilateral agreements with the flag State of the vessel.

13. Observers who have been selected for ROP duties must be trained and certified to Commission minimum standards.

14. After selecting the observer for deployment, the provider should ensure the following applies:

- a) Observers selected for ROP duties must be authorised to Commission ROP standards for the gear type they will encounter on the trip.
- b) Observers about to be placed on a vessel should be fully aware of any alleged questionable issues recorded in previous observer trips on the same vessel.
- c) All observers regardless of experience should have an onboard briefing preferably conducted by the ROP National Observer Coordinator where possible, with the Master, owners or agents and the observer before departure of the vessel.

Observer fees for placements

15. Observer fees vary across the Convention Area, it is important to ensure the fee structure is capable of servicing the national needs and the ROP requirements. Observer fees are normally part of a bilateral access agreement negotiation and should be calculated to ensure programmes can achieve their target coverage and goals. Observer fees should be non negotiable and are generally treated separately to any access fee.

16. Flag States who do not have bilateral access to a member country but wish to use the observers from that country will need to come to an agreement on the cost structure to be used between the flag State and the country providing the observers.

17. There are a number of ways to pay for the observers costs. Whatever method is decided that suites the parties, it should be adequate to ensure that the observer receives the correct remuneration and benefits relevant to the standards set by the observer provider.

18. When determining fee structures or payments there are many costs that need to be taken into account The fees should be realistic to cover all the costs of the observer placement, travel, equipment and the administration of the observer

19. Refer WCPFC/ROP-IWG3 2009-07 for a comprehensive list of elements that need to be taken into account when determining fee requirements for an observer programme.

Observer Requirements

20. Observers may be required to travel from their homes to the port of embarkation in another country. Before the ROP observer departs for the trip, observer providers will ensure that the observer has a valid passport with at least 6 months before the expiry date. Observer Providers will also ensure that the observers they are providing have relevant visas for travel.

21. Observers will be required to be medically fit for a placement and a certified medical report proving their fitness may need to be produced and shown to providers or vessel operators, before departing their home country. Fitness to board a vessel and whether there is a need for a medical examination of the observer prior to the trip is the Observer Provider's responsibility. Each observer should have a regular medical and dental check up to ensure they are fit to carry out work in an environment where there are no medical facilities.

Travel Costs

22. Travel costs include air, bus, ferry, visa, entry permit, daily subsistence allowance, excess luggage costs and any other approved costs. The provision for these is usually included in agreements between Observer Providers and client flag States utilising their observers.

Provider responsibilities for observer deployment

23. CMM 2007-01 Attachment K, Annexes A&B (Rights and Responsibilities of Observers, Vessel Captain /Master and Crew) provides guidance in the case when boarding of an observer is agreed between the flag State and the provider.

24. The provider will be responsible for the deployment of the observer including ensuring that the selected observer is provided with all possible assistance to board a vessel. It is the flag State's responsibility to ensure the vessel is informed, as soon as practical, when a boarding is to take place. A list of items to be used as a guide to ensure proper deployment of the observer is provided below.

Observer Providers will *inter alia*:

- a) advise the vessel in a reasonable time¹, the name of the ROP observer and agree with the vessel on the time and date of the observer boarding;
- b) advise the ROP observer on the agreed boarding date and time (the ROP observer should board earlier than this time if the vessel gives permission to do so);
- c) assist with the procurement of observer visas, entry permits, waivers and any travel documents required to transport the observer to the departure or from the arrival port of the vessel;
- d) organize all travel arrangements including air, bus or ferry schedules;
- e) arrange a briefing of the ROP observer on any prioritized scientific, biological, management and operational data that is required to be collected for each trip;
- f) coordinate a briefing of the ROP observer and the vessel captain or master before departure to advise on the obligations regarding the observer and vessel, and to check the safety standards of the vessel before the observer departs;
- g) supply all relevant equipment to the ROP observer for carrying out their duties, including the collection of data and biological sampling;
- h) supply forms and workbooks that contain the ROP minimum data standards;

¹ Reasonable time is defined as being well in advance of the vessel's departure and at least sufficient time for the vessel to prepare for the observer's boarding.

- i) assist the ROP observer on any matters related to their trip or the boarding of the vessel, ensure the observer has proper accommodation and bedding;
- j) arrange another vessel for boarding preferably from the same flag State fleet if due to unforeseen circumstances the target vessel becomes unavailable due to mechanical or other problems such as safety, and is not favorable to the placement of an ROP observer;
- k) arrange communication schedules with observers while they are on board the vessel;
- l) arrange a debriefing of the ROP observer, using ROP authorised debriefers as soon as possible on their return to port;
- m) collect from the observer all data, images, and reports after their trip;
- n) arrange the final payment of the ROP observers salary and sea allowances as soon as practical after the observers return to port;
- o) maintain regular contact with the observer after their return to provide technical support, personal support, and information on new developments, and to assure the ROP observer is in good health after the trip, and to inform the observer of any future boardings or relevant issues arising from the trip just completed;

Flag State and Vessel obligations

25. When a boarding of an observer is agreed by the flag State and the provider.

- a) The responsibility of informing the flag State's vessel Captain/Master within a reasonable time that an observer is to board the vessel will be with the flag State.
- b) The flag State vessel master will agree on a boarding date and time and relay this to the flag State authority and the provider of the observer.
- c) The flag State vessel master will inform the person, persons or company nominated by the vessel to organise the observer boarding and will relay this to the provider.
- d) Failure on behalf of the flag State to inform the vessel master of the boarding will not negate the boarding if the provider has been advised by the flag State to supply an observer.

The following protocols will apply.

- e) A vessel chosen by the flag State to take an observer cannot refuse the placement of that observer.
- f) The vessel when designated to take an observer can not leave port until one hour after the agreed time of boarding has expired if the observer is not on board. (A vessel is not permitted to leave earlier than the agreed boarding, time unless the observer is already on board the vessel).
- g) The captain or master will ensure the observer is received on board and will ensure the accommodation is to Commission standards. The captain will also be responsible to explain all meal times, and other vessel routine before the vessel departs on its fishing trip.

Placement briefings

26. The observer provider should ensure that a briefing of the observer outlining any issues or special tasks is made before they board the vessel. The provider should also organise with the vessel a briefing with the observer, captain and agent/owner if possible. This will provide an opportunity to ensure that both the captain/owner and observer fully understand their respective roles rights and duties while the observer is on board the vessel.

27. The observer provider should ensure that the before the ROP observer is deployed he/she will be fully briefed on:

- a) trip requirements and expectations;
- b) sampling regimes;

- c) special circumstances of the trip (these must be fully understood by the observer before departure);
- d) relevant and current Commission Conservation and Management Measures (CMMs); and
- e) observer or data collection priorities determined by the Commission (these must be fully explained to the observer before the vessel departs).

28. A placement meeting on board the vessel should involve an authorised officer from the provider, preferably the WCPFC National Observer Coordinator, the authorised ROP observer and the vessel captain /master; a company representative/owner or agent. If required and available, an interpreter should also be involved, particularly if there is a potential issue with the observer being placed on the vessel.

29. Items that should be addressed and or checked at this briefing could include *inter alia*:

- a) Vessel registration; check to ensure the vessel is the correct vessel to be boarded and currently registered with its flag State;
- b) Observer accommodation must be of an acceptable standard to the observer;
- c) Vessel insurance to ensure observer is covered by the vessel's insurance when on board;
- d) Current vessel safety standard surveys, including current survey status on the life saving equipment carried out by an authorised flag State authority;
- e) Observer's requirement to be able to utilise and record information from the bridge equipment for the recording of information required by the observer to carry out their duties; including lat / long positions and UTC (GMT) and ship's time;
- f) Ensure observer is given vessel safety procedures/drills, written description (if available) and free access to check for properly fitting life-jackets if required;
- g) Safe working /sampling area for the observer when on deck should be convenient for the observer but should not be an obstruction to the vessel's operations. Vessel captain/master/crew should indicate to observer safe and unsafe areas of the vessel.

30. The vessel captain, observer and provider should ask any questions that need clarification before the departure of the vessel. If available a company agent or vessel owner and a company interpreter could also be present if there are any potential issues.

The vessel captain/master will be briefed by the provider or observer on:

- a) Observers roles and rights;
- b) Observer Code of Conduct;
- c) Obligations the vessel is under, when there is an observer on board;
- d) Obligations to allow an observer to carry out his/her work in a safe and agreeable manner;
- e) Sampling regimes, with requirements such as safe sample storage.

Briefing Formats

31. The ROP will develop a briefing format to be used by national programmes that may wish to use this format. However briefing formats used by current observer programmes are acceptable providing the basic components of the ROP format are covered. To ensure there is a clear understanding of the requirements, the briefing form should be signed by the Captain and the Observer when it is clearly understood by both parties. A copy of the briefing should be attached to the observer's ROP trip report and data prior to being sent for analysis.

Disembarkation

32. When the vessel is fully loaded or intends to return to port, the observer should be notified as soon as possible and provided with the following information and assistance by the vessel captain/master:

- Destination Port;
- Expected time and date of arrival;
- Reason for visit (e.g. unloading, pick up parts, etc);
- Allow observer to communicate above information to provider;
- Vessel crew will assist observer to organise any samples and equipment for removal from the vessel;
- After vessel arrives at port, allow observer to stay on board (where practical) until departure as per travel arrangements, and or for the continuation of the trip as previously arranged.

Observer collected data

33. Data, images and other information collected by the observer whilst on an ROP trip remains confidential and should be handled in a secure manner. Data handling protocols and procedures will be as described in the Commission's *Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the Commission* including any supplementary rules and procedures that might be adopted in relation to compliance and enforcement on the high seas.

Debriefing

34. 34. Procedures for debriefing of observers on return to port will be carried out, where practical and possible, in accordance with the minimum standards as adopted by the Commission.



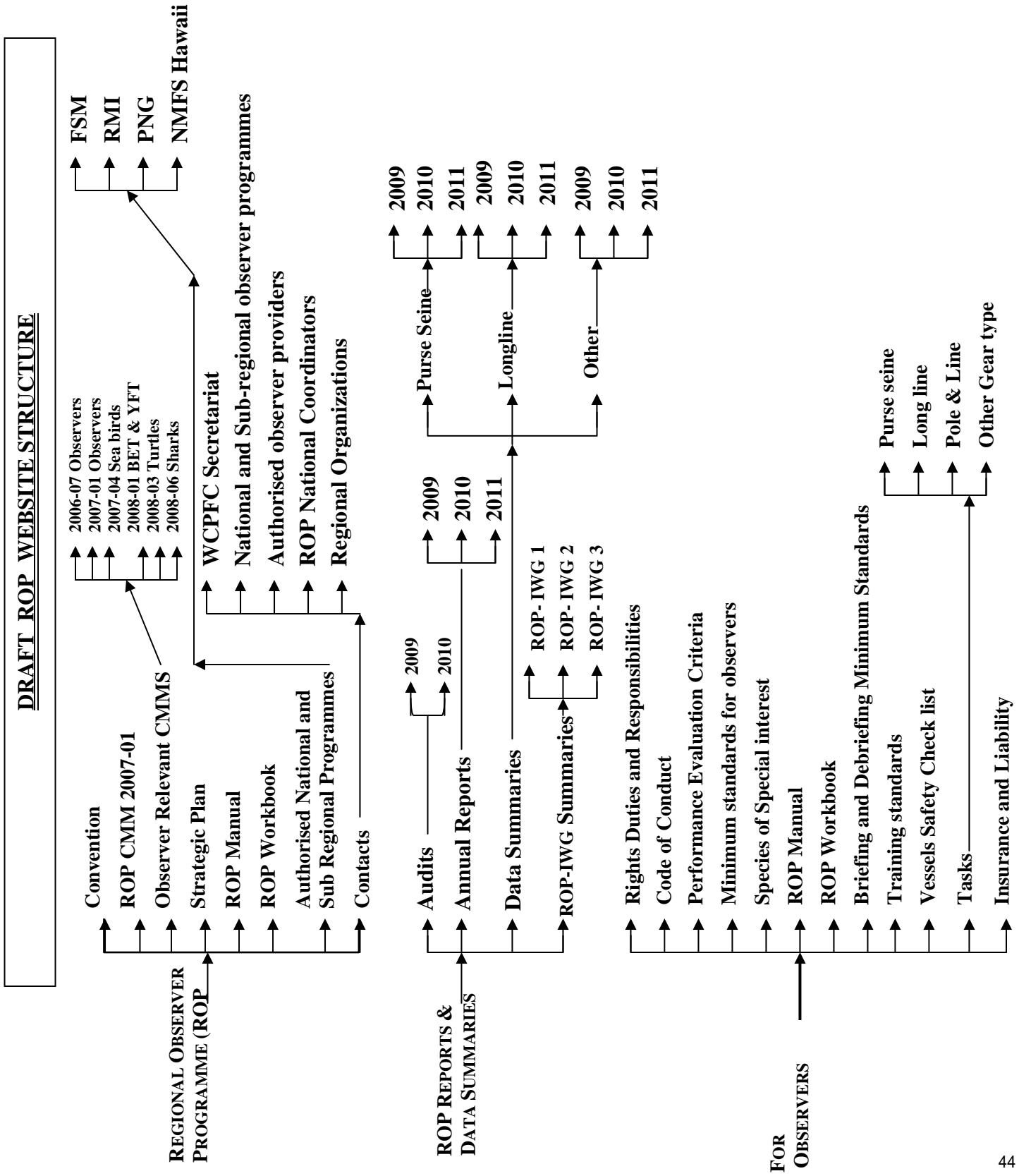
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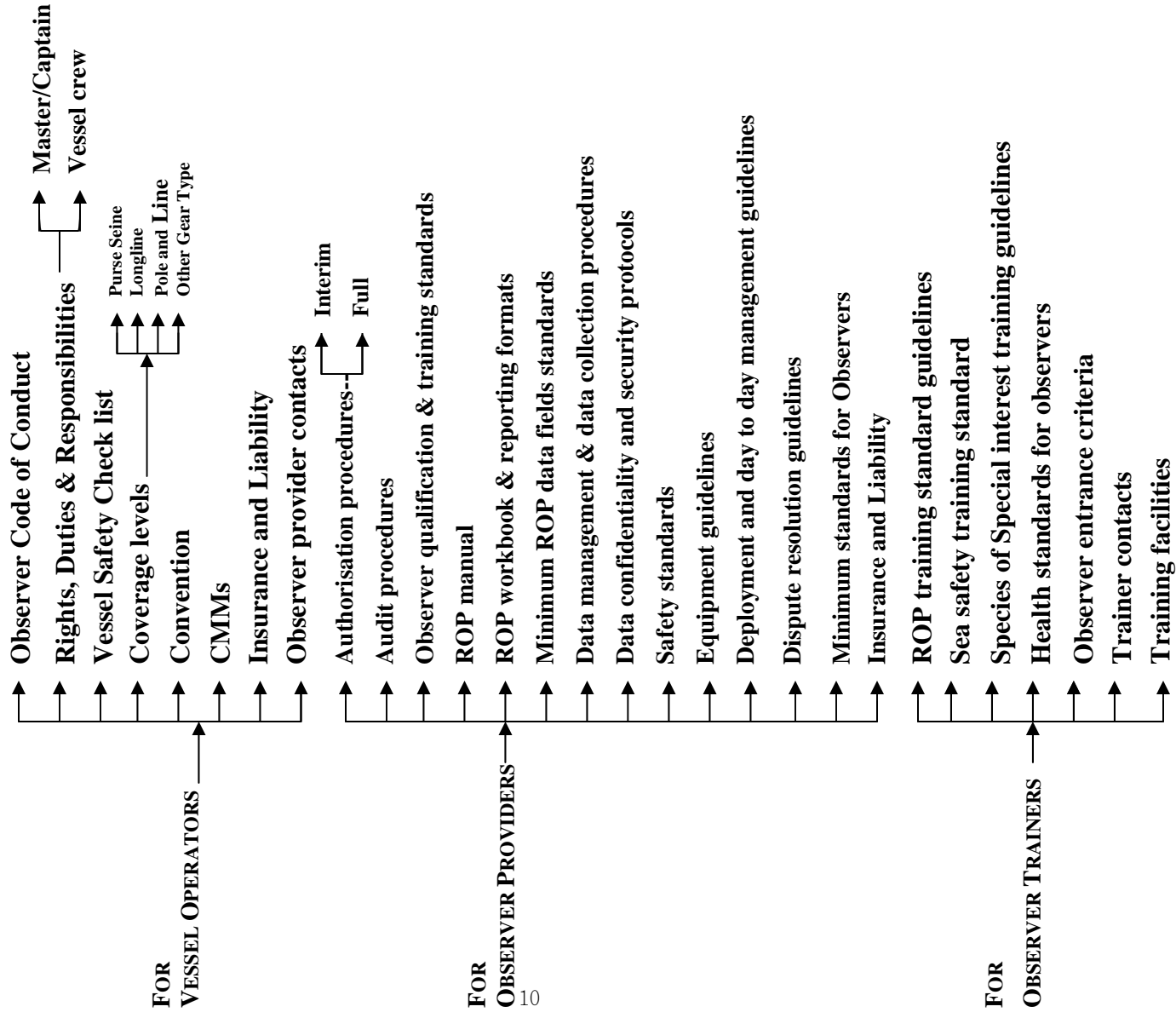
PRELIMINARY ROP WEBSITE CHART

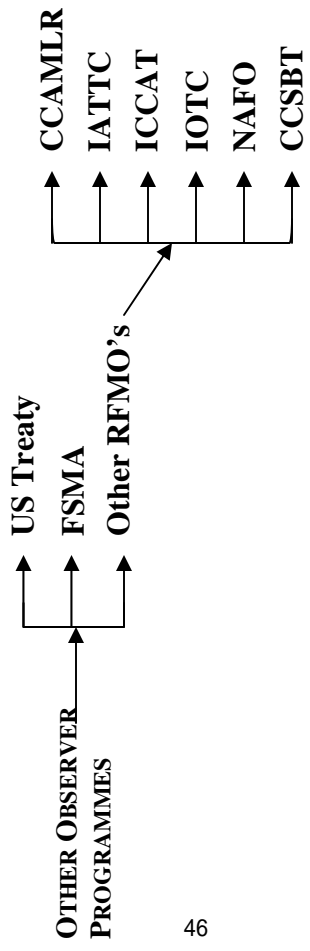
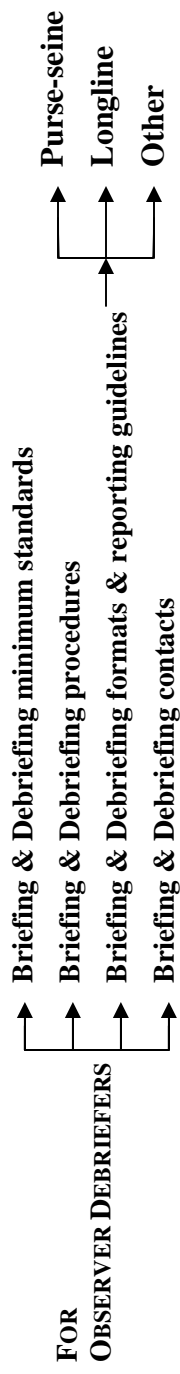
**WCPFC/ROP-IWG3/2009-11
26th February 2009**

Introduction

1. The WCPFC website is currently undergoing revision. Part of the re-design plan provides for the inclusion of a dedicated section for the Regional Observer Programme (ROP).
2. It is planned that the ROP section of the website become an information resource for members, cooperating non-members and participating territories' officials, observers, observer providers, observer trainers, vessel owners and masters, and other persons with an interest in observer programmes. The information presented on the site will be continually updated as new material becomes available.
3. In the longer term it is planned to establish a real-time communication facility on the site for observers and others to communicate through forums and chat groups so that they may exchange information relating to their experience with observer programmes. The site will have both public access and restricted access (for CCM-authorized users only) sections.
4. The Draft ROP website structure at Attachment A covers most areas that will be presented on the ROP site. The ROP-IWG3 is invited to review the proposed draft structure and provide comments and suggestions regarding its content, proposed structure and functional attributes.









**Regional Observer Programme
Third Intersessional Working Group**

17-21 March 2008
Guam, USA

SUMMARY REPORT

Opening of the Meeting

1. The Chair of the Inter-sessional Working Group for the Regional Observer Programme (ROP-IWG), Dr Charles Karnella (USA), welcomed participants to the group's third meeting (ROP-IWG3).
2. Participants included representatives from Australia, European Union (EU), Federated States of Micronesia, Fiji, Japan, Republic of Korea, Palau, Papua New Guinea, Philippines, Republic of Marshall Islands, Solomon Islands, Chinese Taipei, Tuvalu, United States of America and Vanuatu. The Secretariat of the Pacific Community Oceanic Fisheries Programme (SPC-OFP) and the Secretariat of the Pacific Islands Forum Fisheries Agency (FFA) participated as observers. The WCPFC Secretariat also attended. A list of meeting participants is appended at **Attachment A**.

Appointment of Rapporteurs

3. The Secretariat, assisted by the FFA Secretariat, provided rapporteuring services.

Adoption of Agenda

4. The agenda adopted by the ROP-IWG3 to guide discussions is appended at **Attachment B**.

Chair's Overview of ROP-IWG2/TCC4/WCPFC5 Decisions

5. The Chair reviewed activities that had been undertaken during 2008 to support the work of the ROP-IWG, including the group's second meeting held at Nadi, Fiji (ROP-IWG2), the Fourth Regular Session of the Technical and Compliance Committee (TCC4), and the Fifth Regular Session of the Commission (WCPFC5).

Status Report from the Secretariat on Work Undertaken since ROP-IWG2

6. The Secretariat presented WCPFC/ROP-IWG3/2009-IP02 summarizing the ROP work it has undertaken since the ROP-IWG2 Meeting at Nadi, Fiji in July 2008. It noted that four CCMs have applied for interim authorization of their observer programmes, namely Papua New Guinea, United States of America, Federated States of Micronesia and Marshall Islands. The two former programmes have been granted interim authorization since they have provided the materials required and have each nominated a National WCPFC ROP Coordinator.

Status Reports from CCMs on their Preparation to Engage in the ROP and Issues Arising

7. Status reports were provided by Australia, the EC, Fiji, Federated States of Micronesia, Japan, Korea, Palau, Papua New Guinea, the Philippines, Marshall Islands, Solomon Islands, Chinese Taipei, Tuvalu, United States of America, Vanuatu and the FFA Secretariat. These status reports are appended at **Attachment C**.

8. The Executive Director noted the poor response by CCMs to their collective commitment to provide information to the WCPFC Secretariat about their respective national observer programmes by 11 August 2008. CCMs were urged, in accordance with this earlier commitment, to provide to the WCPFC Secretariat with the national observer coordinator's contact details no later than 1 June 2009.

ROP-IWG2, TCC4 AND WCPFC5 Priorities

ROP Implications

FAD Closure and Catch Retention

9. The Executive Director referred to the sections of Conservation and Management Measure 2008-01 (CMM 2008-01) describing the closure of purse seine fishing on Fish Aggregating Devices (FADs) and the retention on board purse seiners of bigeye, skipjack and yellowfin tuna. He described the implications of these requirements on the ROP.

10. One CCM proposed that the focus of the ROP-IWG3's efforts should be on the FAD Closure requirements. This CCM noted that catch retention was a measure that was implemented in 2010, whereas the FAD closure was to be implemented commencing August 2009 so should be considered a higher priority. The meeting proceeded on this basis.

11. The ROP-IWG agreed that in relation to CMM 2008-01, ROP observers on board purse seiners will carry out their usual functions with the additional roles of monitoring FAD closure and catch retention. Since the focus will be on FAD closure, the Secretariat was requested to provide the ROP-IWG with a definition of "FAD Set", based on the definitions used by other RFMOs and the Parties to the Nauru Agreement (PNA).

12. The Secretariat presented WCPFC/ROP-IWG3/2009-IP02 (Rev.1) that includes definitions of "FAD Set" from the IATTC and the PNA 3rd Implementing Agreement draft regulations.

13. The ROP-IWG discussed various options for a definition of "FAD Set", taking into account issues such as the distance of a fishing vessel from a FAD and the need for consistency with terminology used in CMM 2008-01.

14. The ROP-IWG agreed that a "FAD Set" for the period August-September 2009, be defined as "a set on a FAD is a set with a purse seine net made by a fishing vessel that is a distance of one nautical mile or less from a FAD at the moment in which the skiff is released into the water for the purposes of that set."

15. A small group considered the "FAD Information Record" containing fields for observers to collect during August-September 2009.

16. The ROP-IWG agreed that the "FAD Information Record" (**Attachment D**) could be used during the period August-September 2009 for the ROP

17. The ROP-IWG recommended that data fields contained in the Form WCPFC PS-CM4 be included in the ROP minimum data standards for ROP observer data collection.

High Seas Pocket Closures

18. There was no discussion on this issue.

Vessel Safety Checklist (VSC)

19. The Secretariat clarified that the Vessel Safety Checklist (VSC) presented in WCPFC/ROP-IWG2/IP-10 addresses the issue of whether an observer feels that a vessel is safe to board not the sea-worthiness of the vessel. It further clarified that the VSC is proposed as a guideline for observers, not a mandatory requirement.

20. The ROP-IWG expressed general support for the use of the VSC as a guideline for observer programmes prior to placement of an observer on a vessel.

21. The Secretariat was requested to revise the VSC in accordance with comments from the ROP-IWG. The revised VSC is appended at **Attachment E**.

22. The ROP-IWG3 recommends that 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 at the ROP-IWG3. CCMs should submit copies of their VSC to the Secretariat as soon as possible.

Cost Issues

a. ROP Observer Data Management

23. The Secretariat presented information regarding the estimated cost of managing the data generated by the ROP, referring to Attachment B of WCPFC5-2008/16. It advised that these cost estimates were prepared prior to the Commission's agreement on CMM 2008-01.

24. The Secretariat noted that the three data management options presented in Attachment B of WCPFC5-2008/16 are:

- 1) use of existing national and sub-regional observer programme's data management arrangements;
- 2) out-sourcing of Secretariat functions to SPC-OFP under the existing contract for data services; and
- 3) data management centralized in the WCPFC Secretariat.

25. The Secretariat advised that WCPFC5 had allocated \$US40,000 for ROP data entry in 2009 that has been provided to the SPC-OFP.

26. In relation to the options presented at Busan, the ROP-IWG expressed its support for Option 2 in the short-term, noting the longer-term relationship between the WCPFC Secretariat and the SPC-OFP is subject to the outcome of the Independent Review of Science Structure and Function. Some CCMs noted their preference for the WCPFC Secretariat to develop its own data-handling capability in the future. Noting these, the ROP-IWG noted the desirability of either Option 2 or Option 3 for the long-term.

27. Noting that the decisions at Busan had numerous implications for the ROP, the Secretariat, in consultation with its Data Services Provider (SPF-OFP), revised the data processing options and costs for the ROP which were originally provided in WCPFC5-2008/16, Attachment B. The provisional revised costings, providing for data processing options at the SPC headquarters, Noumea, at the WCPFC Secretariat, Pohnpei and at the SPC Office in Fiji, were provided to the ROP-IWG for information and advice (WCPFC/ROP-IWG3/2009-IP03). The

Secretariat explained that it would undertake additional work on these estimates and table revisions for the consideration of CCMs at the Fifth Regular Session of the Technical and Compliance Committee (TCC5) at Pohnpei, Federated States of Micronesia, 1-6 October 2009.

28. While commenting on potential additional needs concerning establishment costs and management oversight for both the Pohnpei and Fiji options, the ROP-IWG3 considered more time was required to consider the information provided by the Secretariat. It encouraged the Secretariat to further explore hosting and costing options for consideration at TCC5.

29. Some CCMs, noting the Independent Review of Science Structure and Functions will be considered in 2009 and the stock assessment needs for observer data, requested the WCPFC Secretariat make available to SC5 and the Statistics Specialist Working Group the observer data management hosting and costing options, for their information.

b. ROP Observer Placements

30. The Secretariat presented WCPFC/ROP-IWG3/2009-07 summarising the various operational costs for observer deployment and possible funding sources for each. It noted that there are primarily two funding options for observer placements: (i) bilateral agreements concluded between the observer provider and the flag State for the defrayment of costs, and (ii) the cost of observer placements coming from the Commission budget.

31. The ROP-IWG recommended that it is the responsibility of the observer provider to administer observer placement costs, which may be recovered by various means. The cost of Secretariat responsibilities as articulated in CMM 2007-01, such as for audits and oversight of the ROP, will be part of the Commission's annual budget.

Vessel Size Limitations

32. Japan presented the environment of small scale longline vessels which mainly operate in the area south of 20°N, and explained the difficulty to place an observer for some vessels with capacity limitation subject to the domestic regulation - the number of capacity designated by regulation is the same as the number of crew. However, Japan further explained that, in such a case, an alternative vessel of similar size which has a space for an observer will be provided to ensure five per cent observer coverage for the longliners in the area.

33. Marshall Islands, on behalf of the FFA, stated that the FFA position on this issue is clear – “size doesn't matter”. It invited other delegations that have exceptions to this position, and the FFA position on the Hybrid Approach, to clearly state their respective positions.

34. With the concerns of vessel space, observer safety and economical feasibility, Chinese Taipei emphasized the difficulties of placement of observers onboard tuna longliners smaller than 100GT, hence, the implementation of ROP for these small vessels should be deferred in accordance with paragraph 10, Annex C of CMM 2007-01.

Definitions

35. All FFA members present at IWG-ROP3 stated their understanding that the Hybrid Approach had been adopted by the Commission at WCPFC2, and reaffirmed their support for the implementation of the Hybrid Approach as an integral feature of the WCPFC ROP. FFA members noted that the matter of "Independent and impartial", "principally", "occasionally", and "adjacent", were related to the matter of "sourcing of observers for the ROP". Solomon Islands, on behalf of FFA members stated that: “In accordance with the Hybrid Approach, the Commission has already determined that ROP observers are sourced from either the national observer programs of other Members or from the existing sub-regional programs, except

where vessels operate principally in coastal waters, but occasionally venture on to the adjacent high seas or into the waters under the jurisdiction of a neighbouring State, if they so agree. For this exception, and with the necessary approval of the neighbouring State, the vessels may carry observers of their own nationality provided those observers have been authorized by the Secretariat.”

36. The Philippines understands the words *principally* as “greater than 50 per cent”, *occasionally* as “less than 50 per cent”, adjacent as “next to”. The need for an *independent and impartial observer* will be determined by the code of conduct. An *observer trip* means a trip where an observer will be needed.

37. Recalling that the terms “Principally”, “Occasional”, “Adjacent”, and “Independent and Impartial” had been discussed at ROP-IWG2, the ROP-IWG again considered definitions that would apply under the ROP. Following considerable discussion it was apparent that consensus agreement on a definition for each of these terms was not possible at this time.

Observer Trip

38. The Chair referred to WCPFC/IWG-ROP2/2008-07 that presents background information on the issue of “Observer Trip”, noting that discussion at the ROP-IWG3 should be focused on longline vessels taking fresh fish.

39. The ROP-IWG’s recommendation on this matter is accommodated under paragraph 43.

Additional Elements of the ROP

Fisheries to be Monitored

40. The Secretariat introduced WCPFC/ROP-IWG3/2009-08 that presents preliminary estimates of fisheries to be monitored, prepared by the SPC-OFP using data received from CCMs. Several CCMs provided additional information to the Observer Programme Coordinator (OPC).

41. It was acknowledged that the tables in WCPFC/ROP-IWG3/2009-08 represented the best available data to SPC-OFP. However, some CCMs noted that the tables could be misleading in regard to the ROP coverage levels required for different fleets and fisheries. For example, the ROP primarily covers vessels fishing beyond the areas under national jurisdiction of the flag State, but the tables include coverage by national observer programmes for vessels operating in their national waters. These CCMs also noted the tables fail to acknowledge the significant contribution that coastal States’ national observer programmes and bilateral licence conditions have made to achieving the described coverage levels for foreign flags.

42. The updated table indicating the preliminary estimate of fisheries to be monitored is appended at Attachment FE.

Coverage Levels

43. The ROP-IWG recommended that all CCMs will include in Part 2 of their Annual Report to the Commission a description of how they will achieve five (5) per cent observer coverage in each of their fisheries under the jurisdiction of the Commission, other than purse seine fisheries. This description shall include how the effort in each fishery is determined and how observers will be placed to ensure that the five (5) per cent coverage is obtained. If there are issues regarding the placement of observers, e.g. vessel size, seasonal or geographic coverage, etc., these and any adjustments or actions to be taken to overcome these issues also should be described. The ROP – IWG recommended that appropriate changes be made to the format of the Annual Report Part 2

to accommodate this new information. CCMs present at ROP-IWG3 agreed to voluntarily provide this information in 2009.

Source of Observers

44. The ROP-IWG noted that CMM 2008-01 places significant demands on the ROP in respect of meeting the needs of flag States to source observers from national and sub-regional programmes that have received interim authorisation from the Secretariat in advance of the purse seine FAD closure commencing on August 1, 2009. Some CCMs considered that their purse seine vessels may use observers from their own national observer programmes to meet this need, particularly in relation to high seas fishing operations. Other CCMs considered that the Hybrid Approach, which has been adopted by the Commission, requires the use of observers from the programmes of other CCMs or from existing sub-regional programmes except where vessels operate principally in coastal waters, but occasionally venture onto the adjacent high seas or into the waters under the jurisdiction of a neighbouring State, if they so agree.

45. Even as the Philippines is preparing to train its national observers, it will also source some of its observers from observer programs from other member countries for so long as these observers are willing to board vessels with less than ideal accommodations which are shared by the crew, with strict water discipline and toilet facilities which are acceptable to its Filipino crew. In any case, the food on board is adequate and, as we were told by non-Filipino observers who perform observer functions on board Philippine vessels, more than acceptable as regards taste.

46. The ROP-IWG was unable to reach consensus on the source of observers for longline fleets. Some CCMs maintained that the Hybrid Approach required that observers be sourced from the authorised programmes of other CCMs or from the existing sub-regional programs, except where vessels operate principally in coastal waters, but occasionally venture on to the adjacent high seas or into the waters under the jurisdiction of a neighbouring State, if they so agree. Other CCMs maintained that their national observer programmes will be the source of observers to meet the coverage requirements for these fleets as agreed to by the Commission.

Cadre of Observers

47. The Executive Director presented WCPFC/ROP-IWG3/2009-09 and provided background for this issue. He invited CCMs to provide suggestions of circumstances when the cadre of observers could be used, noting that they may be employed in auditing National Observer Programmes. The Executive Director advised that the Commission has provided the Secretariat with \$US30,000 in 2009 for the cadre of observers.

48. The United States expressed concern that the issue of observer compensation for Commission-deployed observers not act as a barrier to the full participation called for in Article 28.6(b).

49. While there was support for the use by the Secretariat of a cadre of observers, several CCMs expressed the need for enhanced definition on how it will be developed.

50. The ROP-IWG:

- a) tasked the Secretariat to prepare a scoping document for the cadre of observers, including guidelines, for the consideration of TCC and the Commission; and
- b) agreed that the Secretariat should use the funds provided for this purpose in 2009 to backstop the Observer Programme Coordinator's work on interim authorizations.

Observer and Observer Trainer Qualifications

51. The Secretariat introduced the issue of Observer and Observer Trainer Qualifications, and requested the ROP-IWG to propose minimum standards for Observer Trainers.

52. The ROP-IWG recommended that the Interim Standard for Observer Trainers is that CCMs will use existing national and sub-regional training standards. CCMs will develop trainer qualifications, available for review by the Secretariat.

53. The ROP shall, in collaboration with existing national and sub-regional observer programmes, produce guidelines for the qualifications of Observer Trainers, which may be used as a guide for national and sub-regional programmes training ROP observers.

Standardized Procedures for Deployment of ROP Observers

54. The Secretariat presented WCPFC/ROP-IWG3/2009-10 that lists operational matters relating to observer deployment.

55. Some CCMs expressed support for the use of these standardized procedures as minimum standard guidelines for ROP observer deployment.

56. The ROP-IWG recommended that the Interim Standard for the deployment of ROP observers is that the CCMs shall use existing deployment procedures in place for their national and sub-regional programmes. CCMs will develop these procedures, available for review by the Secretariat.

57. The ROP, in collaboration with existing national and sub-regional observer programmes, shall produce guidelines for the placement of observers which may be used as a guide for national and sub-regional programmes placing ROP observers.

Authorization of Debriefers and Requirements of Debriefing

58. The Secretariat advised that the ROP-IWG2 meeting had not adopted a minimum standard for observer debriefers.

59. The ROP-IWG recommended that the Interim 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.

60. The ROP, in collaboration with existing national and sub-regional observer programmes, shall produce guidelines for the qualifications of observer debriefers which may be used as a guide for national and sub-regional programmes training ROP observer debriefers.

Liability and Insurance

61. The Secretariat referred to WCPFC/ROP-IWG2/2008-08 on the issue of liability and insurance, specifically Prof. Edgar Gold's legal analysis. It noted that the ROP-IWG2 meeting had not reached a conclusion on this issue, the intention of which is to develop a minimum standard of insurance for ROP observers.

62. The ROP-IWG recommended that 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.

ROP Workbook (Forms and Harmonization)

63. The Secretariat advised that the ROP Workbook is not a “manual” but a collection of forms for use by observers while on board a fishing vessel. The ROP Workbook could be used by the cadre of observers in 2009 but could also be used by National Observer Programmes as they see fit.

64. The ROP-IWG agreed that each CCM National Observer Programme and Sub-Regional Observer Programmes will provide copies of their respective Observer Workbooks to the Secretariat.

Consider other means for obtaining data collected by observers and explore developing technologies for monitoring vessel operations and sampling catch

65. The Secretariat noted that this issue was first raised at TCC2 where the possible use of video cameras and other audio-visual equipment was suggested for use in situations where the deployment of observers is problematic. The Secretariat has re-introduced this topic to provide CCMs with an opportunity to provide new information for the ROP-IWG’s consideration.

66. The ROP-IWG agreed that the ROP should keep under review technological and other developments relating to the collection of data and information that may supplement that collected by observers deployed under the ROP.

At-Sea Transshipment

67. The Secretariat noted that the Commission has established a process for the development of a CMM on transshipment monitoring, in which observers may play a significant role. It also noted that because of the nature of transshipment operations, for practical reasons more than one observer will be required to monitor transshipment operations.

68. The Chair noted the need to closely follow the development of the CMM on transshipment monitoring and urged those involved in this process to keep in mind the proposed role of observers.

Special Requirements of Developing States

69. The Executive Director advised that this issue was included in the ROP-IWG agenda to encourage discussion on how this area of the Commission’s work may be operationalised, particularly in relation to ways in which the Commission can assist in developing the capacity of small island States to participate in the ROP.

70. The Chair encouraged CCMs to give due consideration to potential capacity-building initiatives to support the full participation of developing States and Participating Territories in the ROP, including through activities supported under the Special Requirements Fund.

Website

71. The Executive Director presented WCPFC/ROP-IWG3/2009-11, noting that the WCPFC Secretariat has funding in 2009 for re-development of the entire WCPFC website, including an area for the ROP. The redeveloped website, that will cater to a variety of stakeholders, will be operational in May 2009.

72. The Executive Director advised that there will be opportunities for CCMs to comment on prototypes of the redeveloped website during its preparation. CCMs will be advised when and where these prototypes will be made available for viewing.

Other Matters

73. In response to a question from the EU regarding cross-endorsement of observers between the WCPFC and IATTC, the Secretariat advised that it has commenced discussions with the IATTC Secretariat on this issue and will provide a report to TCC5.

Future of the ROP-IWG

74. The ROP-IWG has assisted the Commission in developing and implementing the Commission's observer program. Its work has been done over three meetings, during which most of the major issues were addressed and resolved. As a result of this work the ROP has become operational in this calendar year.

75. The ROP-IWG was not able to reach agreement on ; costs, vessel size limitations, source of observers, and related definitions. ". This was not for the lack of effort. The various CCMs have strongly held views on these matters and, although there was much discussion and debate on these at the three meetings, additional work needs to be done. In the view of the ROP-IWG this work does not require additional separate meetings and the ROP-IWG3 recommends that these matters be added to the agendas of both TCC5 and WCPFC6. If those discussions do not result in resolution of the matters, they should provide insight on the best way to proceed.

76. The ROP-IWG sees a need to provide the Commission's Observer Programme Coordinator (OPC) with continuing support in the continued development and implementation of the ROP and recommends that a Technical Advisory Group be established for this purpose. That group can assist the OPC in harmonizing the national and sub-regional programs authorized under the ROP. Additionally, the group can assist the OPC in resolving the many technical issues that are likely to arise, particularly in the early stages of the ROP.

77. The ROP-IWG3 acknowledged the considerable support provided by the Secretariat.

78. Finally, we thank the Commission for the opportunity to assist in the development and implementation of the ROP.

79. On behalf of the ROP-IWG the Executive Director thanked the ROP-IWG Chair for his invaluable leadership and guidance.

Adoption of Summary Report and Recommendations for SC5, TCC5 and WCPFC6

80. This summary report was adopted.

Closing of the Meeting

81. The ROP-IWG3 meeting closed on Friday 20 March 2009.