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HSBI COLLECTION AND DISSEMINATION OF PHOTOGRAPHIC AND VIDEO EVIDENCE GUIDE

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Voluntary HSBI Regional Guides

TOOLS FOR HIGH SEAS BOARDING AND INSPECTIONS

DRAFT

Voluntary HSBI Regional Guides

TOOLS FOR HIGH SEAS BOARDING AND INSPECTIONS

HSBI Collection and Dissemination of Photographic and Video Evidence

Document History

Version	Effective Date	Description of Revision	Prepared by	Reviewed by

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PURPOSE STATEMENT

1. This document provides guidance to Authorised inspectors on the collection and dissemination of photographic and video media collected as part of WCPFC High Seas Boarding and Inspections (HSBI¹). For CCMs with an authorized inspection presence conducting HSBI activities, the development of this Guide also intends to:
 - support the generation and dissemination of clear, detailed, and evidentiary-quality boarding and violation reports to CCM authorities – particularly in cases with potential violations.
 - assist CCMs in determining the compliance status of its fishing vessels subjected to HSBI activities and support CCM judicial processes against its fishing vessels deemed to be

¹ HSBI, refers to boarding, inspection, and related activities on the high seas within the Convention Area conducted pursuant to CMM 2006-08 Western and Central Pacific Fisheries Commission Boarding and Inspection Procedures or any successor CMM.

non-compliant, with robust photographic and video media that will afford reliable evidence for such purposes.

- support the establishment of best practices amongst inspecting authorities.
2. This Guide refers to general considerations in the application of common photographic and video collection and reporting practices conducted by inspectors during and subsequent to HSBI activities, which includes:
 - device settings
 - documentation protocols
 - media file handling
 - reporting
 - transmission of media to flag state.
 3. The application of this Guide will be voluntary and apply to authorised HSBI activities within the WCPFC Convention Area.
 4. This Guide can be modified in response to new information, technical innovations, and perspectives. It is expected that this guide will continue to evolve as the field develops.
 5. Inspectors should consider any specific evidentiary protocols relevant to the national requirements of the fishing vessel authorities that are raised to the attention of the inspection authority or HSBI Working Group when conducting collection and reporting activities.

Application of Photography and Video Collection During HSBI Activities.

6. The aim of HSBI is to verify compliance of a vessel with the WCPFC Convention and all applicable WCPFC CMM obligations and support the flag state conduct a fulsome investigation into any potential violations observed.
7. Inspectors should attempt to collect detailed evidence during the course of a boarding and inspection relating to obligations to be referred to the flag CCM as potentially non-compliant where an investigation is requested, including but not limited to, catch exceedance, bycatch requirements, prohibited species, record keeping and licencing requirements, vessel identification requirements, fishing gear, and transshipment obligations.

COMMENTS Long sentence

8. Inspectors conducting HSBI activities should seek to document potential violations of WCPFC obligations with photographic and video recording devices wherever deemed practicable during the course of a boarding and inspection in order to supply the best evidence to the flag CCM.

Photographic and Video Collection Practices

Devices

9. The appropriate media recording device (video recording, photography, audio, etc.) to be used is at the discretion of the inspector and will depend on the nature of the potential violation(s) being documented.
10. The inspector should ensure that a correct and consistent time/date stamp be used by all media collection devices. The time zone used (i.e. Coordinated Universal Time (UTC), Pohnpei Standard Time, local time, etc.) should be indicated in the boarding and/or potential violation report.
11. Media imagery should be recorded in a conventional or standard file format and wherever possible, with maximum resolution and minimal compression. Example file formats include JPEG, RAW, and TIFF for photography and MP4 and AVI formats for video recording.
12. To the extent possible, metadata² should be recorded and preserved within the media files documented by inspectors, in case it is required for evidentiary purposes by the flag CCM. This metadata may often be embedded within files as EXIF data.

Photography and Video Recording

13. Wherever practicable, photograph or video record evidence in situ, or in place, prior to removal or movement of item.
14. Inspectors recording photographic or video evidence should attempt to use a systematic approach to evidence collection in order to support comprehensive, credible, and clear documentation of potential evidence (i.e. systematic and not random documentation of catch holds).
15. Depending on the nature of the evidence being documented, a systematic approach to the documentation of individual spaces or items may also be warranted in order to document the context or relation of evidence aboard a vessel. This may involve sequenced recording that transitions from wide-angle view to mid-range view and finally a close-up detailed view.

Media Files

16. Inspectors shall not intentionally alter, edit or manipulate media evidence in any manner that could distort or misrepresent the evidence. If imagery enhancements are performed, it should be documented within the report.
17. Whenever possible, all original media files should be maintained by the inspection authority and not deleted until the flag CCM has finalized their investigation, or files have been transmitted to their authorities.

² Metadata is data that often specifies additional details about file creation, such as date and time, modification history, camera type, geographic coordinates, and other relevant data.

~~18. Inspectors should maintain the original file names associated with the media files.~~

COMMENTS

Japan suggests deleting paragraph 18 because maintaining the original file names may hinder the efficient work of the inspecting authorities, particularly in non-English-speaking CCMs. Inspectors in those CCMs put the file name usually in their original languages. The file name should be changed to English name, when the file needs to be submitted to different CCMs.

Inspector Documentation and Reporting

~~19. Wherever practicable, inspectors should document the following aspects of photographic and video collection activities:~~

- ~~a. device or equipment details~~
- ~~b. name of photographer/videographer~~
- ~~c. date and time~~
- ~~d. description and location of imagery and/or subject~~
- ~~e. file details.~~

COMMENTS

Japan suggests deleting paragraph 19 because we do not believe recording information listed in this paragraph will contribute to achieving the HSBI objectives, particularly item a (device or equipment details) and b (name of photographer/videographer). Japan consider that this information may be partially covered by preserving metadata, as described in paragraph 12.

20. The creation and transmittal of media collection (photographic, video, or any combination) logs is widely accepted as a best practice to support legal admissibility, clear reporting, and establish chain of custody for media evidence collection supporting judicial or administrative proceedings.
21. Boarding and/or potential violation reports transmitted to the flag state should include details and/or descriptions of any necessary context relating to media evidence submitted within the report that is not otherwise self-evident. This may include such details as the location, subject, relationship or significance of the evidence depicted in the media. Reference to specific media files affording key evidence within the report may support clearer interpretation of evidence.

Dissemination of Media Evidence to Flag State

22. The submission of annotated photograph or media to the flag CCM is generally a useful aid to support in the interpretation of media with evidentiary value and understanding context. Providing access to both annotated and original media formats is encouraged.
23. If media evidence, such as photographs, are transmitted to the flag CCM within a document other than the original file format, such as PDF or Word, the inspection authority should take additional steps to either transmit the original media files in original formats or make them available upon request. Ensuring access to full resolution and original media evidence may support analysis and evidentiary standards.

24. The transmission of large media evidence files – such as video footage or extensive photo collections – may not be feasible via the official HSBI email contact points designated by the Secretariat due to bandwidth limitations associated with e-mail servers. Therefore, the use of cloud-based servers may be warranted to facilitate the exchange of larger media files between CCMs. Wherever possible, security features such as password protection, end-to-end encryption or e-mail-specific access links should be used to ensure the confidentiality and protection of such sensitive data.
25. Additional transmission mediums, such as the potential use of the Secretariat's HSBI notification portal or Case Compliance File System (CCFS), should be assessed for the potential ability to deliver this capability of file sharing between CCMs.