

---

**PREPARATORY CONFERENCE FOR THE COMMISSION FOR  
THE CONSERVATION AND MANAGEMENT OF HIGHLY  
MIGRATORY FISH STOCKS IN THE WESTERN AND  
CENTRAL PACIFIC**

Third session  
Manila, Philippines  
18 – 22 November 2002

WCPFC/PrepCon/21  
22 November 2002

---

**WORKING GROUP III: MONITORING, CONTROL AND SURVEILLANCE**

Summary report by the Chairman of the Working Group to the third session of  
the Preparatory Conference

1. Working Group III on Monitoring, Control and Surveillance (WG.III) held two meetings on 18 and 19 November 2002. The discussions of the Working Group were based on the terms of reference for WG.III as agreed at PrepCon II (WCPFC/PrepCon/13) and a working paper prepared by the Chairman of WG.III (WCPFC/PrepCon/WP.6).
2. WG.III discussed and adopted, with agreed modifications, the three documents set forth in WCPFC/PrepCon/WP.6, which are included as annexes to this report:
  - (a) Needs of the Commission with respect to MCS issues, which will form the core of the Working Group's agenda during the course of its deliberations (annex I);
  - (b) An indicative programme of work identifying, on a tentative basis, the issues to be addressed at each session of WG.III and the progress expected on those issues (annex II);
  - (c) Principal elements for a boarding and inspection scheme and the MCS component of the Commission's observer programme (annex III).

**I. NEEDS OF THE COMMISSION ON MCS ISSUES**

3. A list of the needs of the Commission with respect to MCS, as agreed by WG.III, is included as annex I. Each item contains a reference to the key article or articles of the Convention establishing the basis for the specific tasks. The Working Group recognized that the list of issues to be addressed was long and the time available to the Working Group was limited. As a result, it will be important for the Working Group to establish priorities for the conduct of its work at future sessions. To a certain extent, these priorities may be reflected in the indicative programme of work.

**II. INDICATIVE PROGRAMME OF WORK**

4. The indicative programme of work adopted by WG.III appears as annex II to the present report. The Working Group noted that this schedule was tentative and would need to be re-evaluated at each session based on the progress to date and the continuing priorities of the Working Group during the course of its deliberations.

### III. PRINCIPAL ELEMENTS OF A BOARDING AND INSPECTION SCHEME AND OBSERVER PROGRAMME

5. In accordance with its tasks and the indicative work programme, WG.III recognized the need to deliberate on two important MCS needs of the Commission that are a high priority to PrepCon participants. These are the elaboration of a boarding and inspection scheme and the MCS component of the Commission's observer programme. In this regard, WG.III adopted the principal elements for a boarding and inspection scheme and the principal elements for development of observer programmes, included in annex III of this report. WG.III recognized that the list of principal elements for a boarding and inspection scheme and the development of the observer programme are not exhaustive and that additional elements may be identified as discussions on these issues proceed.
6. During the consideration of these elements, several delegations requested that their views on both general and specific matters be reflected in the report of the meeting.
7. On boarding and inspection, there is a general need to ensure that the elaboration of this scheme is closely linked to the broader provisions of article 25 of the Convention, relating to compliance and enforcement. It was also noted that the boarding and inspection scheme is one part of a comprehensive programme for compliance and enforcement that will also include such matters as the observer programme, port state controls, a vessel monitoring system and other components.
8. An important aspect in the elaboration of this scheme will be guidelines governing the use of force. This matter is very sensitive and such guidelines must address the concerns of several delegations regarding the use of force. In particular, there was a general sense that the use of force be limited to situations where the safety of the vessel and members of the boarding and inspection party is threatened.
9. Several delegations expressed the view that the elaboration of a boarding and inspection scheme should also take into account the provisions of article 21, paragraph 18, of the UN Fish Stocks Agreement.
10. Further consideration must be given to the respective participation of Parties and Members of the Commission in the implementation of the boarding and inspection scheme.
11. On the MCS component of the Commission's observer programme, several delegations noted the importance of recognizing that the elements do not necessarily reflect all of the considerations that must be taken into account in the development of such a programme. These additional issues should be addressed as part of the effort to elaborate the observer programme, in cooperation with Working Group II.

### IV. NEXT STEPS

12. The indicative programme of work agreed by the WG.III provides that the next meeting should focus its efforts on the following items:
  - (a) elaboration of a draft boarding and inspection plan for substantive discussion;and,
  - (b) procedures for the Commission's vessel record.

Other issues that might be discussed, if time permits, include the observer programme, VMS, and vessel and gear markings.

13. In order to advance the discussions at the next session of the PrepCon to the maximum extent possible, WG.III requested the Chairman, with the assistance of the Secretariat and in consultation with interested delegations to prepare a draft outline of procedures for a boarding and inspection scheme. It was agreed that the draft outline would be circulated sufficiently in advance of the next session to allow for additional comments in a revised draft. That revised draft would then serve as the basis for substantive discussion at the next meeting of WG.III.

#### V. OTHER ISSUES

14. Calling special attention of the members to the urgency of the matter, the delegation of Japan presented information on the current status relating to IUU large-scale longline vessels which are estimated to be at least 100 vessels. Japan also stressed the necessity of taking every appropriate measure to prevent, deter and eliminate IUU fishing in the Convention Area because of the potential shift of IUU fishing vessels from other regions into the Convention Area. The report presented by Japan is available from the Interim Secretariat.

- - -

Annex I

**NEEDS OF THE COMMISSION ON MONITORING,  
CONTROL AND SURVEILLANCE**

1.	Define and establish the MCS component of the Commission's observer programme and develop such a programme consistent with the Convention (see attached draft elements in annex III).	Article 28
2.	Establish procedures for practical implementation of a boarding and inspection scheme (see attached draft elements in annex III).	Article 26
3.	Establish standards, specifications and procedures for the operation of a vessel monitoring system.	Articles 24 (8) and (9)
4.	Develop guidelines for regulating and monitoring transshipment.	Article 29
5.	Develop procedures for creation of the Commission vessel record and transmission of information by Commission members to the Commission.	Articles 24 (4) and 24 (7)
6.	Develop procedures for reviewing and assessing implementation of and compliance with conservation and management measures adopted by the Commission.	Articles 14, 23 and 25
7.	In cooperation with WG.II, develop catch and effort monitoring and verification schemes for catch data.	Article 10 (1) (d)
8.	Develop procedures for vessel and gear markings.	Articles 14 (2) (e) and 24 (5)
9.	Consideration of port State measures, and non-discriminatory trade measures.	Articles 27 and 27 (1)
10.	Consideration of guidelines for port inspections carried out by the port State.	Article 27 (2)
11.	Other issues as decided by WG.III or assigned to it by the PrepCon.	

- - -

## Annex II

### **WORKING GROUP III: TENTATIVE WORK PROGRAMME**

#### First Meeting

Discuss and, if possible adopt:

- Needs of the Commission with respect to MCS.
- Tentative work programme.
- Elements for boarding and inspection scheme and observer programmes.

Begin discussions (time permitting) on broader MCS issues. Wide-ranging discussion to include boarding and inspection, observers, VMS, transshipment, vessel registers, reporting requirements and other issues that participants may raise. Establish intersessional tasks for Chair and Secretariat.

#### Second Meeting

- Elaboration of draft boarding and inspection plan for substantive discussion.
- Establish procedures for the Commission's vessels record; authorisation to fish.
- Begin discussions (time permitting) on observer programme, VMS, vessel and gear markings.

#### Third Meeting

- Conclude discussions on boarding and inspection scheme.
- Adopt, if possible, draft boarding and inspection scheme to recommend to the Commission.
- Continue discussions on observer programme, VMS, vessel and gear marking.

#### Fourth Meeting

- Conclude discussions on observer programme, VMS and vessel and gear marking.
- Adopt recommendations on the above for the Commission.
- Begin discussions on monitoring of transshipment, port State inspections.

This tentative work programme will be re-evaluated on a periodic basis and modified as necessary.

-- --

## Annex III

### **A. PRINCIPAL ELEMENTS FOR A BOARDING AND INSPECTION SCHEME**

- Definition, scope and objectives of the boarding and inspection scheme;
- Vessels and personnel authorized to conduct boarding and inspection activities on the high seas in the Convention Area;
- Standardized training for enforcement personnel;
- Guidelines governing boarding and inspections procedures;
- Guidelines governing use of force;
- Mechanism for coordination between the Secretariat, enforcement authorities of parties involved in high seas boarding and inspection activities and enforcement authorities of the flag State; and between respective enforcement authorities of parties.

### **B. PRINCIPAL ELEMENTS FOR DEVELOPMENT OF OBSERVER PROGRAMMES**

- Parameters and guidelines for observer programme with respect to MCS functions;
- Guidelines to determine effective level of coverage (which could vary from fishery to fishery depending on the specific needs and priorities with respect to specific species, fleets, or geographic areas);
- Possible phase-in or incremental approach to Commission observer programme for various fleets and fisheries;
- Provisions regarding the deployment of observers on board various fleets;
- Guidelines for rights, duties and responsibilities of observers, captains and crew;
- Standardized observer training.

- - -