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**REVISIONS TO CMM 2011-02 CONSERVATION AND MANAGEMENT MEASURE FOR
COMMISSION VMS**

WCPFC11-2014-DP02
1 November 2014

Paper submitted by the United States of America

**Revisions to Conservation and Management Measure 2011-02
Commission Vessel Monitoring System**

**Proposal by the United States of America
to the
Eleventh Regular Session of the Western and Central Pacific Fisheries Commission**

October 30, 2014

Explanatory note:

The attached proposal would revise CMM 2011-02 on the Commission VMS to reflect WCPFC9's endorsement (paragraph 285 of the report of WCPFC9) of the Northern Committee members' commitment to implement the VMS in the northwest quadrant of the Convention Area (paragraph 44 of the report of NC8), and would fulfil TCC10's recommendation that the CMM be revised accordingly (paragraph 99 of the draft report of TCC10).

Expected impacts of the proposal on SIDSs and PTs:

The findings below are based on fact that the proposal merely incorporates into the CMM a Commission decision that has already been made; in other words, it is a non-substantive proposal.

a. Who is required to implement the proposal?

All CCMs with vessels required to participate in the Commission VMS.

b. Which CCMs would this proposal impact and in what way(s) and what proportion?

No CCMs would be impacted.

c. Are there linkages with other proposals or instruments in other regional fisheries management organizations or international organizations that reduce the burden of implementation?

None known.

d. Does the proposal affect development opportunities for SIDS?

No.

e. Does the proposal affect SIDS domestic access to resources and development aspirations?

No.

f. What resources, including financial and human capacity, are needed by SIDS to implement the proposal?

None.

g. What mitigation measures are included in the proposal?

None.

h. What assistance mechanisms and associated timeframe, including training and financial support, are included in the proposal to avoid a disproportionate burden on SIDS?

None.

COMMISSION VESSEL MONITORING SYSTEM¹

Conservation and Management Measure 2014-xx02

The Western and Central Pacific Fisheries Commission (WCPFC),

Recalling the relevant provisions of the Convention, in particular Articles 3 and 24 (8), (9) and (10);

Noting the importance of the vessel monitoring system as a tool to effectively support the principles and measures for the conservation and management of highly migratory species within the Convention Area;

Mindful of the rights and obligations of Commission Members, Cooperating Non-Members and participating Territories (CCMs) in promoting the effective implementation of conservation and management measures adopted by the Commission;

Further mindful of the key principles upon which the vessel monitoring system is based, including the confidentiality and security of information handled by the system, and its efficiency, cost-effectiveness and flexibility.

Noting that WCPFC9 endorsed the Northern Committee members' commitment to implement VMS in the area north of 20° N and west of 175° E by 31 December 2013.

Adopts, in accordance with Article 10 of the WCPFC Convention the following process relating to the implementation of the WCPFC Vessel Monitoring System (Commission VMS):

1. A Commission VMS.
2. The system ~~shall commence, to be activated~~ **was activated and became fully applicable on** 1 January 2008, in the area of the Convention Area south of 20°N, and east of 175°E in the area of the Convention Area north of 20°N.
3. With respect to the area of the Convention Area north of 20°N and west of 175°E, the system ~~was activated and became fully applicable 31 December 2013~~ **will be activated at a date to be determined by the Commission.**
4. ~~Any fishing vessels fishing for highly migratory fish stocks on the high seas within the areas of the Convention Area described in para 2 above that move into the area north of 20°N and west of 175°E shall keep their ALCs activated and continue to report to the Commission in accordance with this Conservation and Management Measure.~~

54. Definitions

¹ By adoption of this CMM (CMM-~~2014~~2014-02xx) the Commission rescinds CMM-~~2007~~2011-02 which has been revised and replaced.

(a) Automatic location communicator (ALC) means a near real-time satellite position fixing transmitter;

(b) FFA Secretariat means the Secretariat of the Pacific Islands Forum Fisheries Agency based at Honiara, Solomon Islands;

(c) FFA VMS means the vessel monitoring system developed, managed and operated by the FFA Secretariat and members of the Pacific Islands Forum Fisheries Agency;

65. Applicability

(a) The Commission VMS shall apply to all fishing vessels that fish for highly migratory fish stocks on the high seas within the Convention Area.

(b) It shall apply to all vessels in excess of 24 metres in length with an activation date of 1 January 2008, and it shall apply to all vessels 24 metres in length or less with an activation date of 1 January 2009.

(c) Any CCM may request, for the Commission's consideration and approval, that waters under its national jurisdiction be included within the area covered by the Commission VMS. Necessary expenses incurred in the inclusion of such area into the Commission VMS shall be borne by the CCM which made the request.

76. Nature and specification of the Commission VMS

(a) The Commission VMS shall be a stand-alone system:

- developed in and administered by the Secretariat of WCPFC under the guidance of the Commission, which receives data directly from fishing vessels operating on the high seas in the Convention Area; and
- with the added capability that it can accept VMS data forwarded from the FFA VMS, so that the fishing vessels operating on the high seas in the Convention Area will have the option to report data via the FFA VMS.

(b) The Commission shall develop rules and procedures for the operation of the Commission VMS, including, *inter alia*:

- vessel reporting, including the specifications of the data required, its format and reporting frequencies;
- rules on polling;
- ALC failure alternates;
- cost recovery;
- cost sharing;
- measures to prevent tampering; and
- obligations and roles of fishing vessels, CCMs, the FFA Secretariat and the Commission Secretariat.

(c) Security standards of the Commission VMS data shall be developed by the Commission, consistent with the WCPFC Information Security Policy.

(d) All CCM fishing vessels required to report to the Commission VMS shall use a functioning ALC that complies with the Commission's minimum standards for ALCs.

(e) The minimum standards for ALCs used in the Commission VMS are appended at Annex 1.

| ~~87.~~ In establishing such standards, specifications and procedures, the Commission shall take into account the characteristics of traditional fishing vessels from developing States.

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| 98. Obligation of CCMs

(a) Each flag CCM shall ensure that fishing vessels on the high seas in the Convention Area comply with the requirements established by the Commission for the purposes of the Commission VMS and are equipped with ALCs that shall communicate such data as determined by the Commission.

(b) CCMs shall cooperate to ensure compatibility between national and high seas VMSs.

| ~~109.~~ Review

After two years of implementation, the Commission shall conduct a review of the implementation of this Conservation and Management Measure and consider further improvements to the system as required.

Draft Minimum Standards for Automatic Location Communicators (ALCs) used in the Commission Vessel Monitoring System

Pursuant to Article 24 (8) of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (Convention), the Commission hereby establishes the following minimum standards for ALCs:

1. The ALC shall automatically and independently of any intervention on the vessel communicate the following data:
 - (i) ALC static unique identifier;
 - (ii) the current geographical position (latitude and longitude) of the vessel; and (iii) the date and time (expressed in Universal Time Constant [UTC]) of the fixing of the position of the vessel in para 1 (ii) above.
2. The data referred to in paras 1 (ii) and 1 (iii) shall be obtained from a satellite-based positioning system.
3. ALCs fitted to fishing vessels must be capable of transmitting data referred to in para 1, hourly.
4. The data referred to para 1 shall be received by the Commission within 90 minutes of being generated by the ALC, under normal operating conditions.
5. ALCs fitted to fishing vessels must be protected so as to preserve the security and integrity of data referred to in para 1.
6. Storage of information within the ALC must be safe, secure and integrated under normal operating conditions.
7. It must not be reasonably possible for anyone other than the monitoring authority to alter any of that authority's data stored in the ALC, including the frequency of position reporting to that authority.
8. Any features built into the ALC or terminal software to assist with servicing shall not allow unauthorized access to any areas of the ALC that could potentially compromise the operation of the VMS.
9. ALCs shall be installed on vessels in accordance with their manufacturer's specifications and applicable standards.
10. Under normal satellite navigation operating conditions, positions derived from the data forwarded must be accurate to within 100 square metres Distance Root Mean Squared (DRMS), (i.e. 98% of the positions must be within this range).
11. The ALC and/or forwarding service provider must be able to support the ability for data to be sent to multiple independent destinations.
12. The satellite navigation decoder and transmitter shall be fully integrated and housed in the same tamper-proof physical enclosure.