



**TECHNICAL AND COMPLIANCE COMMITTEE**  
**Eleventh Regular Session**  
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**REVIEW OF ROP-TAG RECOMMENDATIONS**

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**WCPFC-TCC11-2015-18**  
**27 August 2015**

**Purpose**

1. This paper presents for TCC11 consideration an update on the review of the recommendations of the ROP-TAG. TCC11 is invited to discuss this priority project specific task which was included in the approved TCC workplan 2013-2015.

**Background**

2. ROP-TAG commenced in 2012 under the terms of reference that were approved by WCPFC8. In accordance with the TOR a list of items was developed that required operational input from the ROP-TAG.

3. At TCC8 the ROP-TAG presented a paper TCC8 2012-14 that provided updates on the intersessional ROP –TAG discussions, on a list of issues which were under discussion by the group. TCC8 recommended as follows “*TCC8 recommended to WCPFC9 that the ROP-TAG continue its work under the current terms of reference until March 2014*”.

4. A final report of the ROP-TAG was provided to TCC9 (WCPFC-TCC9-2013\_rev1). The table that follows provides the list of the ROP-TAG recommendations to TCC9, and notes on the progress of their consideration and as appropriate approval by the Commission. Some issues have been further progressed by the IWG-ROP4 meeting (held in mid-2015), and others were concluded at the relevant TCC session. No ROP-TAG recommendations appear to be outstanding.

5. The paper is provided to assist TCC11 with its consideration of this project priority specific task.

ROP-TAG recommendation - WCPFC-TCC9-2013-14_Rev	TCC/IWG-ROP4/WCPFC outcome	Secretariat comment
<p><b>Recommendation: TCC9 agree that:</b></p> <ol style="list-style-type: none"> <li>1. WCPFC will develop a <b><u>Observer ID Card</u></b> for use by ROP observers.</li> <li>2. <b>Observer ID cards used for identification of an ROP observer must include the WCPFC logo;</b></li> <li>3. <b>ROP Observer ID cards have and show a unique regional number for each ROP observer; with unique regional numbers to be issued and managed by the WCPFC Secretariat;</b></li> </ol>	<p>WCPFC11 endorsed the guidelines for minimum required information for the ROP identification cards. The IWG-ROP was being asked to review, and provide as appropriate, recommendations on the guidelines.</p> <p>The IWG-ROP4 agreed to recommend that:</p> <ol style="list-style-type: none"> <li>i. the currently agreed WCPFC Guidelines for Observer Identification Cards should continue as guidelines in the ROP;</li> <li>ii. an observer ID card should be required for participant programmes in the ROP; and</li> <li>iii. the Secretariat should provide assistance to those national observer programmes authorised to be part of the ROP, which need assistance in developing and obtaining observer ID cards for their observers.</li> </ol>	<p>IWG-ROP4 recommendations cover this</p>
<p><b>Recommendation: TCC9 agree that:</b></p> <ol style="list-style-type: none"> <li>4. <b>TCC9 directs the WCPFC Secretariat to develop and circulate prior to TCC10 a paper on a Minimum Standard in relation to mechanisms on how to prevent and stop misconduct of observers. Comments should be provided and the paper adjusted and then presented for discussion and endorsement at TCC10.</b></li> </ol>	<p>WCPFC11 agreed the IWG-ROP4 to discuss the suggested mechanisms to Prevent and Deter Alcohol related misconduct of Observers (Ref: WCPFC11 Summary Report para 489 (i) and Attachment M).</p> <p>12. The IWG-ROP agreed to recommend the suggested mechanisms (Table 1 of WCPFC-2015-IWG-ROP4-05) as Guidelines for national and subregional programmes. (Attachment 4)</p> <p>13. IWG-ROP also agreed that it would be a helpful procedure to ensure that an individual vessels policy on alcohol consumption during a trip was clarified at the time of observer placement.</p>	<p>IWG-ROP4 recommendations cover this</p>

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	14. IWG-ROP recognised there may be merit in observer programmes considering a form that provides a mechanism for vessels to report back to the observer programme on the behaviour of an observer following the end of a trip.	
<p><b>Recommendation: TCC9 agree that:</b></p> <p>5. The WCPFC Secretariat will develop a reporting mechanism for fish carriers to notify the Secretariat of their transshipping and any other intentions prior to operating in the Convention area.</p> <p>6. Observer providers must inform the Secretariat when an observer from their programme is placed on a fish carrier.</p>	<p>WCPFC11 agreed that the IWG-ROP should discuss and provide direction on proposed transshipment notification rules.</p> <p>The IWG-ROP supported in principle that the Commission consider adopting the proposed amendments to CMM 2009-06, to establish additional reporting requirements for receiving vessels operating in the Convention Area. (Attachment 5)</p> <p>24. The IWG-ROP recommended as guidelines a suggested format for reporting to the Secretariat (Attachment 6).</p> <p>25. The IWG-ROP noted that the TCC may have some editorial suggestions to the proposal in Attachment 5, and recommended that these should also be considered by the Commission, as deemed appropriate.</p>	IWG-ROP4 recommendations cover this
<p><b>Recommendation: TCC9 agree that:</b></p> <p>7. Observer Providers and flag States of vessels; supply on a regular basis to the WCPFC Secretariat, ROP placement and disembarkation information of observers.</p> <p>8. All observer data collected by ROP observers must be sent to the Commission data provider. (SPC) or to the Commission Secretariat.</p>	<p>TCC10 had requested the IWG-ROP to encourage discussion to develop processes to facilitate the provision of data, including observer reports, from the observer providers and placement information from flag States, and to discuss and provide guidance on a more precise understanding of the responsibilities of the flag State in CMM 2007-01 Attachment K Annex C Paragraph 4.</p> <p>The IWG-ROP4 participants noted that there are a variety of arrangements for provision of observer data to the</p>	IWG-ROP4 recommendations cover this

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	<p>Commission. The participants also noted that there has been improvement in the flows of observer data to the Commission in recent years, but that additional efforts are still needed.</p> <p>38. IWG-ROP participants noted that it was possible that electronic technologies, particularly electronic reporting, could provide improvements to the timeliness of ROP data flows into the Commission.</p> <p>39. IWG-ROP recommended that flag CCMs and observer providers should cooperate to ensure timely access to ROP data and provision of the ROP data to the Commission.</p>	
<p><b>Recommendation: TCC9 agree that:</b></p> <p><b>9. purse seine vessels will reconfigure cabin allocation as soon as practical, so there is a single person cabin available for use by all ROP observers;</b></p> <p><b>10. female observers on a purse seine vessel with an all-male crew must be accommodated in a single person cabin;</b></p> <p><b>11. purse seine vessels will reconfigure toilet and shower facilities as soon as practical so there is female only toilet and shower facilities when on board;</b></p> <p><b>12. if a cabin assigned to a female observer does not have its own toilet and shower facilities that can be provided for the exclusive use of the observer, then the scheduling of the use of shower facilities must be established and made clear to all members of the crew and the observer;</b></p>	<p>188. Some CCMs noted that CMM 2007-01 provides guidelines on the rights and responsibilities of observers and states that “access to food, accommodations, medical facilities, and sanitary facilities of a reasonable standard equivalent to those normally available to an officer on board the vessel”. Therefore, ROP-TAG recommendations that exceed standards normally available to an officer on board the vessel are not supported.</p> <p>189. The Executive Director noted that the standard from CMM 2007-01 is drawn directly from Annex III Article 3 and Article 28 of the WCPFC Convention text and that the ROP-TAG recommendation might, depending on circumstances, result in either a higher or lower standard than that required by the Convention and CMM 2007-01.</p> <p>190. The WCPFC ROP Coordinator informed TCC9 that due to the potential for mistreatment of observers this issue is of great concern to many of the ROP observer coordinators and should be given careful attention.</p>	<p>Discussed at TCC9, no further progress/tasking agreed</p>

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<p><b>13. long line and other gear type vessels accommodating observers, especially female observers, should make available a single person cabin; if this is not possible due to the configuration of the vessel or its size; female observers should only be considered where adequate privacy, including toilet and shower facilities can be guaranteed. The observer provider will make the decision on the adequacy of the facilities for the placement.</b></p>	<p>191. TCC9 did not reach consensus on the issue of accommodation and onboard facilitation of female observers.</p>	
<p><b>Recommendation: TCC9 agree that:</b></p> <p><b>14. ROP observers must inform the providers in the port which the vessel is heading at least 72 hrs before arrival in the port. Information to be supplied should include;</b></p> <ul style="list-style-type: none"> <li>• <b>scheduled date and time of arrival;</b></li> <li>• <b>whether observer will stay on vessel for another trip (trip must be approved by provider of the observer);</b></li> <li>• <b>requirements that the observer may wish to have assistance, such as pickups, accommodation, flights, etc;</b></li> </ul>	<p>192. On the issue of communication by observers prior to arriving in foreign and/or home ports, some CCMs considered this would be better left as a guideline rather than a binding element of the ROP.</p>	<p>Discussed at TCC9, no further progress/tasking agreed</p>
<p><b>Recommendation: TCC9 agree that:</b></p> <p><b>15. All observer programmes authorised to be part of the ROP will send to the Commission Secretariat as soon as practical the names of trained observers,</b></p>	<p>20. The IWG-ROP also recommended that previous commission decisions setting out the process for the Commission to be kept informed by ROP observer programmes of their lists of authorised observers should be implemented. In particular, it was recommended that:</p>	<p>Agreed by TCC9 and WCPFC10, and IWG-ROP4</p>

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<p>who have been trained and qualified to operate as an observer in the ROP;</p> <p>16. All observer programmes authorised to be part of the ROP must inform the Commission Secretariat of the status of their active observer list at least every 3 months. i.e. Feb, May, Aug, Nov and Feb</p> <p>17. Observer removed from an active observer list of a national programme for serious breaches of their Code of Conduct or for other reasons, must be informed to the Commission Secretariat as soon as practical, when the observer is deactivated.</p>	<p>i. All observer programmes authorised to be part of the ROP will send to the Commission Secretariat as soon as practical the names of those individuals who have been trained and qualified to operate as an observer in the ROP.</p> <p>ii. All observer programmes authorised to be part of the ROP must inform the Commission Secretariat of the status of their active observer list at least every 3 months, e.g. February, May, August, November, February, etc.</p> <p>iii. Observers removed from an active observer list of a national programme for serious breaches of their Code of Conduct or for other reasons, must be informed to the Commission Secretariat as soon as practical, when the observer is deactivated.</p>	<p>recommendations cover this</p>
<p><b>Recommendation: TCC9 agree that:</b></p> <p>18. The Commission task the Secretariat with contracting a qualified consultant on the issues of observer corruption, to look at all types of corruption including black mail, bribery and extortion and report the findings and offer solutions as appropriate to TCC10 and WCPFC11.</p>	<p>204. TCC9 agreed that responses from members about how to best deal with corruption issues, such as those involving blackmail, bribery and extortion, should be tabled for discussion at TCC10.</p> <p>ROP annual report 2014 considers the outcome of findings.</p>	<p>Discussed at TCC9/TCC10 no further progress/tasking agreed</p>
<p><b>Recommendation: TCC9 agree that</b></p> <p>19. The Commission Secretariat will prepares and produces a “Handbook of WCPFC Conservation Management Measures” (CMMs) relevant to on board fisheries observers; CMM</p>	<p>206. TCC9 recommended that WCPFC10 task the Secretariat with preparing a “Handbook of WCPFC Conservation Management Measures” (CMMs) relevant to onboard fisheries observers and updating it on an annual basis.</p> <p>164. TCC10 recommended to WCPFC11 that it task the Secretariat to produce a ROP observer-specific CMM booklet commencing in 2015. TCC10 recommends that this ROP</p>	<p>Covered by WCPFC11 decisions</p>

<b>ROP-TAG recommendation - WCPFC-TCC9-2013-14_Rev</b>	<b>TCC/IWG-ROP4/WCPFC outcome</b>	<b>Secretariat comment</b>
<b>Handbook to be updated on an annual basis.</b>	Observer CMM booklet, should be updated on a yearly basis. Based on requests from ROP authorized observer programmes, the Secretariat should arrange for the printing and distribution of the ROP-focussed Observer CMM booklet. An electronic version of the observer-specific CMM booklet and a booklet containing a complete set of current CMMs should also be made available on the WCPFC public website for download.	