



**Intersessional Working Group
Regional Observer Programme
Pohnpei, Federated States of Micronesia
24-26 September 2007**

SUMMARY RECORD

OPENING OF THE MEETING

1. The Executive Director welcomed participants to the Inter-sessional Working Group for the Regional Observer Programme (IWG-ROP), 24-25 September 2007. He reviewed activities that had been undertaken electronically during 2007 to support the work of the IWG-ROP using the guidance provided in Conservation and Management Measure 2006-07 adopted at the Third Regular Session of the Commission, 11-15 December 2006 at Apia, Samoa.

2. Participants included representatives from Australia, Canada, Federated States of Micronesia, Fiji, Japan, Kiribati, Republic of Korea, Marshall Islands, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Philippines, Samoa, Solomon Islands, Chinese Taipei, Tokelau, Tonga, Tuvalu and the United States of America. The Secretariat of the Pacific Community Oceanic Fisheries Programme (SPC-OFP), the Pacific Islands Forum Fisheries Agency and WCPFC Secretariat also attended. A list of meeting participants is included at Attachment A.

APPOINTMENT OF CHAIR AND RAPPORTEURS

3. Dr Charles Karnella (USA) was selected to chair the IWG. The Secretariat provided rapporteuring services.

ADOPTION OF AGENDA

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

EXISTING ARRANGEMENTS AND DECISIONS

5. The Executive Director provided a brief overview of the development of the ROP that started in the Multilateral High Level Conference and had since been progressed through two sessions of the Technical and Compliance Committee (TCC) and two sessions of the Scientific Committee (SC). He focused on elements of the hybrid arrangement adopted at the Second Regular Session of the Commission in 2005.

6. The IWG noted that the meeting was not an opportunity to re-negotiate already agreed decisions relating to the basic structure and elements of the ROP and that, as the ROP had been identified as one of the priorities of the Commission for implementation, it should not be delayed nor the purpose diluted.

7. The IWG recalled that the hybrid model will involve the use of existing national and sub-regional programmes that use independent and impartial observers to realize the objectives of the ROP in the Convention Area. The model includes financial support for an administrative function within the Secretariat.

DEVELOPMENT OF THE ROP

Elements of the ToR identified in CMM-2006-07

8. Although the meeting was appreciative of the significant amount of preliminary information provided and document development undertaken by the Secretariat during the year to assist the IWG consider each item described in the Terms of Reference (ToR) contained in CMM-2006-07 it acknowledged that the current 2-day IWG was insufficient time to adequately consider all items. The IWG agreed that of the 16 items listed in the ToR the following items from paragraph 2 of CMM-2006-07 would benefit from priority consideration by the IWG: i), ii), iii), iv), ix), xi), xiii) and xv).

9. In reviewing these priority items, the IWG agreed the following principles would apply:

- i) cost effectiveness;
- ii) consistency of standards with those of existing regional, sub-regional and national programmes;
- iii) flexibility;
- iv) standardized data security; and
- v) avoidance of unnecessary duplication through the use of systems, standards and procedures that are already in existence in the region to the extent possible.

10. The IWG considered that the draft CMM presented in WCPFC/IWG-ROP/2007-04 provided a useful vehicle to consider these items. Without prejudice to further discussion in TCC or the Commission, the IWG agreed to forward the resulting revised draft to the TCC for further consideration (Attachment C). All elements of Annex A and B were discussed and amended during the meeting and, although the majority of participants agreed to revisions, consensus could not be reached on all items. Japan, Korea and Chinese Taipei stated that their concerns need to be addressed in existing or additional parts of the draft CMM, and alternative parts of the draft CMM may be presented if necessary.

Draft ROP documents

11. The IWG reviewed Appendix A of WCPFC IWG-ROP 2007-09 as a basis for identifying fisheries in the Convention Area to be monitored under the ROP as implementation progresses. Noting the need to identify vessels that may be required to accept observers under the ROP, as provided for in Article 28(4 and 5), the IWG considered the design of a table that would assist in reporting vessel monitoring undertaken under the ROP (Appendix D). The IWG agreed that additional information is required to populate a table that would support a process to agree to phased implementation for the ROP and that this additional information include vessel size. Further, the IWG also identified merit in considering fisheries, measures and areas as elements for prioritizing implementation processes. The IWG agreed to recommend to the Commission that SC and TCC use Column 1 and 2 of Appendix A as a starting point to complete the table and recommended CCMs provide information as called for in Article 28(4 and 5).

12. The meeting also noted the recommendations of the Second Regular Session of the Scientific Committee relating to level of observer coverage and data collection requirements of the ROP (paragraphs 194 to 201 SC2 Summary Report). While some participants considered the recommendations of the Scientific Committee together with compliance issues identified by TCC would provide a good basis for considering matters such as coverage other participants considered that such other matters as logistical, administrative issues, also be taken into account in developing the ROP including achieving the levels of coverage adopted by the Commission. The IWG agreed that the TCC would also need to identify areas of coverage for the ROP.

Cost issues and financial arrangements

13. It was noted by some participants that observers are already successfully deployed on small vessels, including on the high seas. However, some participants noted that observer deployment will present logistical and financial challenges particularly for small vessels. The₂

IWG noted that the identification of the fisheries to be covered (above at paragraph 11) would provide an opportunity to give consideration to such sectors.

14. In considering Annex A of the draft CMM relating to the responsibilities of the observer the IWG discussed liability issues related to carrying an observer, for example in the event of lost fishing time that might result of the premature return of an observer to port. It was agreed that this was an important issue that requires further consideration. Some participants suggested this should be explicitly accommodated in Annex A while others were of the view this should be addressed in arrangements with observer providers which may be required to take out adequate insurance to cover such situations.

15. The IWG considered that costs would be influenced by the implementation schedule for each element of the ROP and the observer coverage rate set for each fishery and vice versa. Participants from the FFA membership noted that the guidelines for the ROP had been known to all WCPFC members since the adoption of the Convention text. Further, national and sub-regional observer programmes have been successfully implemented by small island developing States in the Convention Area for purse seine fisheries and longline fisheries, both within and beyond EEZs, for many years under bilateral and multilateral agreements. While 20% coverage is not unusual some of these programmes achieve 100% coverage. Other participants expressed concern that as observers covering high seas are not necessarily the same as those in EEZs and other existing fisheries outside of the Pacific Islands region would require considerable time to be able to fully participate in the ROP. In considering the number of vessels that might be required to accept observers from the ROP the IWG noted that while the WCPFC Record of Fishing Vessels provided information on vessels authorized to fish in the Convention Area information was lacking on the number of vessels active in the Convention Area and which of those vessels that each member of the Commission shall ensure are prepared to accept an observer placement as provided for in Article 28(4 and 5). The IWG recommends that the Commission request that CCMs provide this information.

16. The IWG noted that the costs associated with the deployment of observers, including decisions relating to the defrayment of costs, will require further consideration by the Commission.

Work plan

17. The IWG noted that WCPFC4 will adopt a conservation and management measure for the ROP and that WCPFC/IWG-ROP/2007-07 provided guidance on the phased development of the administrative and technical elements necessary to support the ROP.

18. The IWG discussed phased implementation options that ranged from a start in 2008 to a start-up period in 2010/11 with completion of the phase in period by 2012 to 2014.

19. Options tabled for consideration included the need to use 2008 and 2009 to further elaborate the various documents called for in CMM-2006-07 while simultaneously starting voluntary implementation up to 2010. Japan suggested that, from 2010, WCPFC members would work towards achieving a target percentage of perhaps 5% for the major fisheries as decided by the Commission in the period up to 2014.

20. The majority expressed the view that implementation should occur much sooner and looked to begin the programme in 2008. The IWG considered that a phased implementation schedule should identify periodic milestones that serve as a measure towards achieving the coverage target for each fishery agreed by the Commission. It was also noted that some existing national and sub-regional programmes could contribute to the ROP on a voluntary basis almost immediately and that the implementation plan should accommodate this and that the standards used by these programmes could be a basis for moving the ROP forward.

21. The majority of participants considered that a phased implementation of the ROP could commence in 2008 together with the further development of the administrative and technical components of the ROP. At the same time, it was suggested that those CCMs in a position to do so would start contributing their observer national and sub-regional programme data to the ROP on a voluntary basis starting in 2008. Most participants agreed that the coverage level of 5% recommended by the Scientific Committee should be the minimum target although some delegations noted that the TCC may modify this coverage rate.

22. Japan considered that, as many areas of difference still existed, voluntary implementation in 2008 was premature, and invited other CCMs of the Commission to submit their written suggestions for phased implementation to the Commission through the Secretariat.

23. The IWG also noted that data management may initially be supported through the existing service agreement with SPC-OPF and also be subject to the Commission's data management rules. Costs associated with that would require further consideration.

IDENTIFY POLICY ISSUES FOR WCPFC4

Identification of issues

24. Policy issues identified during the work of the IWG throughout the year will be referred to the Commission by individual CCMs concerned.

CMM for the ROP

25. The IWG referred the draft CMM for the ROP presented at Attachment C to TCC3 for further consideration.

OTHER MATTERS

26. The IWG recommends to the Commission that:

- as the IWG was unable to complete all of the tasks outlined in the TOR it be tasked with continuing its work in 2008 in accordance with the ToR and process identified in CMM-2006-07. WCPFC4 may provide further direction in relation to the on-going work of the IWG; and
- the documentation provided to the IWG be maintained as working papers (WCPFC IWG-ROP/2007/05, 06, 07, 09 and 10) and continue to be used as a basis for the work of the IWG.

ADOPTION OF SUMMARY REPORT AND RECOMMENDATIONS

27. This Summary Report was adopted by the IWG.

CLOSING OF THE MEETING

28. The IWG meeting closed on Wednesday 26th September.



**Intersessional Working Group
Regional Observer Programme
Pohnpei, Federated States of Micronesia
24-25 September 2007**

List of Participants

AUSTRALIA

Simon Veitch

Manager
International Fisheries
Department of Agriculture
Fisheries and Forestry
P.O Box 858
Canberra ACT 2601
Ph: (612) 6272-4643
simon.veitch@daff.gov.au

Lara Santana

Senior Policy Officer
International Fisheries
Department of Agriculture
Fisheries and Forestry
P.O Box 858
Canberra ACT 2601
Ph: (612) 6272-5715
Fax: (612) 6272-4875
lara.santana@daff.gov.au

CANADA

Wendell Sanford

Director
Oceans and Environment Law
Foreign Affairs and International Trade Canada
125 Sussex Drive
Ottawa, Ontario K1A 0G2
Ph: (613) 992-2104
Fax: (613) 992-6843
wendell.sanford@international.gc.ca

FEDERATED STATES OF MICRONESIA

Bernard Thoulag

Executive Director
NORMA
P.O Box PS 122
Palikir, Pohnpei 96941
Ph: +691-320-2700 Fax: +691-320-2383
Bernardt@mma.fm/mmafish@mail.fm

Patricia Jack

NORMA
P.O Box PS 122
Palikir, Pohnpei 96941
Ph: +691-320-2700 Fax: +691-320-2383
norma@mail.fm

Matthew Chigiyal
NORMA
P.O Box PS 122
Palikir, Pohnpei 96941
Ph: +691-320-2700/ Fax: +691-320-2383
norma@mail.fm

FIJI

George Madden
Fisheries Licensing Officer
P.O Box 2218
Government Buildings
Suva
Ph: (679) 3301611
Fax: (679) 3318769
joji_madden@yahoo.com

Deleted: Gadden

Jone Amoe
Ministry of Fisheries and Forests
P.O Box 2218
Government Buildings
Suva
Ph: (679) 3301611
Fax: (679) 3318769
fishfinderfj@gmail.com

JAPAN

Hideo Inomata
Assistant Director
Fisheries Agency
1-2-1 Kasumigaseki
Chiyoda-ky, Tokyo 100-8907
Ph: 81-3-352-8459 Fax: 81-3-3502-0571
hideo_inomata@nm.maff.go.jp

Yukito Narisawa
Fisheries Agency of Japan
1-2-1 Kasumigaseki
Chiyoda-ky, Tokyo 100-8907
Ph: 81-3-6744-2364 Fax: 81-3-3595-7332
yukito_narisawa@nm.maff.go.jp

Masashi Kiyota
Chief, Ecological Related Species Section
National Research Institute of Far Seas Fisheries
5-7-1, Orido, Shimizu-ku
Shizuoka, 424-8633 Japan
Ph: 81-54-336-6000

Fax: 81-54-335-9642

kiyo@affrc.go.jp

Shuya Nakatsuka

Assistant Director

Fisheries Agency of Japan

1-2-1 Kasumigaseki

Chiyoda-ky, Tokyo 100-8907

Ph: 81-3-3502-8459 Fax: 81-3-3502-0571

shuya_nakatsuka@nm.maff.go.jp

Minoru Honda

Executive Secretary

Japan Far Seas Purse Seine Fishing Association

Shonan Bldg. 6F, 14-10, Ginza 1-Chome,

Chuo-Ku Tokyo

Ph: 81-3-3564-2315

Fax: 81-3-3564-2317

honda@kaimaki.or.jp

Kusuyoshi Miki

Vice-President

Japan Tuna Fisheries Cooperative Association

31-1, EITAI 2-Chome

Koutou-Ku Tokyo 135-0034

Ph: 81-3-5646-2382

Fax: 81-3-5646-2652

gyojyo@japantuna.or.jp

Hisao Masuko

Director

Japan Tuna Fisheries Cooperative Association

31-1, EITAI 2-Chome

Koutou-Ku Tokyo 135-0034

Ph: 81-3-5646-2382

Fax: 81-3-5646-2652

masuko@japantuna.or.jp

Masaaki Nakamura

Advisor

Managing Director

Japan Tuna Fisheries Cooperative Association

31-1, EITAI 2-Chome

Koutou-Ku Tokyo 135-0034

Ph: 81-3-5646-2382

Fax: 81-3-5646-2652

nakamura@japantuna.or.jp

Takashi Shibata

Cubic-i-Ltd

Bluebell bldg. 7F, 2-15-9 Nishi- Gotanda

Shinagawa-ku
Tokyo 141-0031 Japan
Ph: 81-3-3779-5506
Fax: 81-3-3779-5783
shibata@cubic-i.co.jp

Masamichi Motoyama
National Ocean Tuna Fishery Association
Consultant
CO-OP BLDG, 7F 1-1-12
Chiyoda-ku, Tokyo Japan 101-8503
Ph: 03(3294)9634
Fax: 03(3294)9607

Akihiko Yatsuzuka
Manager
National Offshore Tuna Fisheries Association
Of Japan
Tohan No.3
1-3-1 Uchikanda
Chiyoda-Ku, Japan
Ph: +81-3-3295-3721
Fax: +81-3-3295-3740
yatsuzuka@kinkatsukyo.or.jp

Naomichi Suzuki
Overseas Fishery Cooperation Foundation of Japan
P.O Box 2112
Kolonias, Pohnpei
Ph: (691) 320-3386
ofcfffsm@mail.fm

Nobuo Lopez
Overseas Fishery Cooperation Foundation of Japan
P.O Box 2112
Kolonias, Pohnpei
Ph: (691) 320-3386
ofcfffsm@mail.fm

REPUBLIC OF KOREA

Chiguk Ahn
Deputy Director of International Coop
Ministry of Maritime Affairs and Fisheries
Ph: 82-2-3674-6994
Fax: 82-2-3674-6996
chiguka62@yahoo.com

MARSHALL ISLANDS

Glen Joseph

Director
Marshall Islands Marine Resources Authority
P.O Box 860
Majuro, RMI
Ph: (692) 625- 8262
gjoseph@mimra.com

Berry Muller

Chief Fisheries Officer, Oceanic Division
Marshall Islands Marine Resource Authority
P.O Box 860
Majuro, RMI
Ph: (692) 625-8262
Fax: (692) 625-5447
bmuller@mimra.com

NEW ZEALAND

David Marx

Ministry of Fisheries
Senior International Advisor
P.O Box 1020
Wellington, New Zealand
Ph: 0064-4-819-4231
david.marx@fish.govt.nz

NIUE

James Tafatu

Principal Fisheries Officer
Niue Government
P.O Box 74
Alofi, Niue
Ph: (683) 4302
jtafatu@yahoo.com

PALAU

Nannette D. Malsol

Fisheries Law Compliance Officer
Ministry of Resources & Development
P.O Box 117
Koror, Palau 96940
Ph: (680) 488-3125
tunapal@palaunet.com

Kathleen Sisor

Fisheries Licensing and Revenue Officer
Ministry of Resources & Development
P.O Box 117
Koror, Palau 96940

Ph: (680) 488-3125
katzpma@palaunet.com

PAPUA NEW GUINEA

Noan Pakop

Manager, Monitoring Control Surveillance
National Fisheries Authority
P.O Box 2016
Port Moresby, PNG
Ph: (675) 3090444 Fax: (675) 320-2061
npakop@fisheries.gov.pg

Ludwig Kumoru

Manager, Tuna Fisheries
National Fisheries Authority-Papua New Guinea
P.O Box 2016
Port Moresby, NCD, PNG
Ph: (675) 309-0444 Fax: (675) 320-2031
lkumoru@fisheries.gov.pg

PHILIPPINES

Noel C. Barut

Chief, Marine Fisheries Research and Environment Division
Bureau of Fisheries and Aquatic Resources
National Fisheries Research and Development Institute
940 Kayumanggi Bldg. I
Quezon Avenue, Quezon City 1103
Philippines
Ph: (6 32) 372-5063
noel_c_barut@yahoo.com

Sandra Victoria R. Arcamo

Chief Fisheries Resources Management Division
Bureau of Fisheries & Aquatic Resources
PCA Annex Bldg., Commonwealth Ave.,
Quezon City
Ph: (632) 929-4894 Fax:(632) 929-4894
sandyarcamo@yahoo.com

SAMOA

Antonio P. Mulipola

Assistant CEO
Fisheries Division
Ministry of Agriculture and Fisheries
P.O Box 1874
Apia, Samoa
Ph: (685) 23863/ 20369
Fax: (685) 24292

apmulipola@lesamoa.net

SOLOMON ISLANDS

Derick Suimae

Fisheries Observer Coordinator
Ministry of Fisheries and Marine Resources
P.O Box G13
Honiara, Solomon Islands
Ph: 38730
dsuimae@yahoo.com.au

Hudson Wakio

Data Coordinator
MFMR
P.O Box G13
Honiara, Solomon Islands
Ph: (677) 38730
h_wakio@yahoo.com.au

CHINESE TAIPEI

Wei-Yang Liu

Assistant Director
Fisheries Development Council International
19, Lane 113, Roosevelt Rd,
Sec. 4, Taipei, Taiwan
Ph: 886-2-33436132
Fax: 886-2-33436268
weiyang@msl.f.a.gov.tw

Tien-Hsiang Tsai

Chief of Pacific Island Fisheries
Fisheries Agency of Taiwan
2, ChaoChow St., Taipei, Taiwan
Ph: 886-2-33436119
Fax: 886-2-33436268
ted@msl.f.a.gov.tw

Kuo-Nan Chung

Specialist
Fisheries Agency of Taiwan
2, ChaoChow St., Taipei, Taiwan
Ph: 886-2-33436115
Fax: 886-2-33436268
kuonan@msl.f.a.gov.tw

Charles C P Lee

Secretary
Taiwan Tuna Association
3F-2, No. 2, Yungang Central 1st Rd., Cianjhen District

Kaohsiung City, Taiwan
Ph: 886-7-841-9606
Fax-886-7-831-3304
charles@tuna.org.tw

Chia-Chi Fu

Secretary
Oversea Fisheries Development Council
19, Lane 113. Roosevelt Rd,
Sec.4, Taipei, Taiwan
Ph: 886-2-2738-1522
Fax: 886-2-2738-4329
joseph@ofdc.org.tw

Chih-Kuo Chia

Officer
Coast Guard Administration
296. Jsom-Lung Road Sec 3,
Taipei, Taiwan
Ph: 886-2-22399712 Fax: 886-2-22399713
zenocck@cga.gov.tw

Yen-Ching Chao

Officer, Department of Treaty and Legal Affairs
Ministry of Foreign Affairs
Republic of China
2, Kaitakelan Blvd
Taipei, Taiwan
Ph: 886-2-23121161 Fax: 886-23121161
yechao@mofa.gov.tw

TOKELAU

Sangalofa Clark

Consultant to Tokelau
85 Innes Rd,
St. Albans, Christchurch 8052
New Zealand

TONGA

Vilimo Fakalolo

Principal Fisheries Officer
Department of Fisheries
Box 871
Nukualofa, Tonga
Ph: (676) 21399/27799
Fax: (679) 23891/23730
vilimof@tongafish.gov.to

Guan Oon

Managing Director, ARGOS
Suite 706, 1 Queens Road
Melbourne, VIC 3004
Ph: 61-3-9863-9650
Fax: 61-3-9863-9675
guan@clsargos.com.au

TUVALU**Samasoni Finikaso**

Director for Fisheries
Ministry of Natural Resources and Environment
Funafuti, Tuvalu
Ph: (688) 20836
Fax: (688)20346
safin07@yahoo.com

UNITED STATES OF AMERICA**William L. Robinson**

Regional Administrator
U.S. Dept. Commerce, NOAA Fisheries Service
Pacific Islands Regional Office
1601 Kapiolani Blvd., Suite 1110
Honolulu, Hawaii 96814
Ph: 1 (808) 944-2280
bill.robinson@noaa.gov

Raymond Clarke

Fisheries Biologist
U.S. Dept. Commerce, NOAA Fisheries Service
Pacific Islands Regional Office
1601 Kapiolani Blvd., Suite 1110
Honolulu, Hawaii 96814
Ph: 1 (808) 944-2205 Fax: 1(808) 973-2941
raymond.clarke@noaa.gov

Alexa Cole

Senior Enforcement Attorney
U.S. Dept. Commerce, NOAA USEC
1601 Kapiolani Blvd, Suite 1110
Honolulu, HI 96814
Ph: 1(808) 944-2167 Fax: 1(808) 973-2941
alexa.cole@noaa.gov

Tom Graham

Program Analyst, PIRO
US Dept. Commerce, NOAA Fisheries Service
Pacific Islands Regional Office
1601 Kapiolani Blvd., Suite 1110

Honolulu, HI 96814
Ph: 1(808) 944-2219 Fax : 1(808) 973-2941
tom.graham@noaa.gov

Shepherd Grimes

Deputy Regional Counsel
US Dept. Commerce, NOAA Fisheries Service
Pacific Islands Regional Office
1601 Kapiolani Blvd., Suite 1110
Honolulu, HI 96814
Ph: 1(808) 944-2166 Fax: 1(808) 973-2941
shepherd.grimes@noaa.gov

Dr. Charles Karnella

International Fisheries Coordinator, PIRO
US Dept. Commerce, NOAA Fisheries Service
Pacific Islands Regional Office
1601 Kapiolani Blvd., Suite 1110
Honolulu, HI 96814
Ph: (808) 944-2206
Fax: (808) 973-2941
charles.karnella@noaa.gov

Holly Koehler

Senior Foreign Affairs Officer
U.S. Dept. of State
Office of Marine Conservation
2201 C. Street NW, Room 2758
Washington, D.C. 20520
Ph: 1 (202) 647-3010 Fax: (202) 736-7350
koehlerhr@state.gov

Paul Krampe

Executive Director
American Tunaboat Association
2535 Kettner Blve., Suite 3C1
San Diego, CA 92101
Ph: (619) 238-1838
Fax: (619) 238-1708
krampepaul@aol.com

Mr. Micheal McGowan

V/P Resourcing and Government Affairs
Bumble Bee
9655 Granite Ridge Drive, Suite 100
San Diego, CA 92123
Ph: (858) 715-4054
Fax: (858) 715-4354
Michael.mcgowan@bumblebee.com

Ms. Sarah McTee

Foreign Affairs Officer
U.S. Dept. of State
Office of Marine Conservation
2201 C. Street NW, Room 2758
Washington, D.C. 20520
Ph: (202) 647-3941
Fax: (202)736-7350
mcteesa@state.gov

Mr. Kevin Painter

Special Agent
U.S. Dept. Commerce, NOAA
Office of Law Enforcement
P.O Box 5229
Pago, Pago, AS 96799
Territory of the USA
Ph: (684) 633-7629
Fax: (684) 633-7630
kevin.painter@noaa.gov

Mrs. Randi Parks Thomas

Vice-President, Tuna
National Fisheries Institute
7917 Jones Branch Drive, Suite 700
McLean, VA 22102
Ph: (703) 752-8895
Fax: (703) 752-7583
rthomas@nfi.org

Nicole Le Boeuf

International Fisheries Biologist
NOAA Fisheries
Office of International Affairs
1315 East-West Highway
Silverspring, MD 20912
Ph: (301) 713- 9090
Fax: (301) 713-9106
nicole.leboeuf@noaa.gov

Linda M. Paul

Executive Director for Aquatics
Hawaii Audubon Society
815 Pahumele Place
Kailua, HI 96734
Ph: (808) 262-6859
Fax: (808) 263-7728
linpaul@aloha.net

VANUATU

Tony Taleo
Tuna Data Manager
Fisheries Department
VMB 9045, Port Vila
Ph: (678) 55560/23119/27244
ttaleo@gmail.com

OBSERVERS

FORUM FISHERIES AGENCY

Dr. Transform Aqorau
Deputy Director General
P.O Box 629
Honiara, Solomon Islands
Ph: (677) 21124
Fax: (677) 23995
transform.aqorau@ffa.int

Michael Ferris
Director Fisheries Operations
P.O Box 629
Honiara, Solomon Islands
Ph: (677) 21124
Fax: (677) 23995
michael.ferris@ffa.int

Lamiller Pawut
Surveillance Operations Officer
P.O Box 629
Honiara, Solomon Islands
Ph: (677) 21124 Fax: (677) 23995
lamiller.pawut@ffa.int

Timothy Park
Manager Observer Program
P.O Box 629
Honiara, Solomon Islands
Ph: (677) 21124
Fax: (677) 23995
timothy.park@ffa.int

Kaburoro Ruaia
Manager Treaties Administration
P.O Box 629
Honiara, Solomon Islands
Ph: (677) 21124
Fax: (677) 23995

kaburoro.ruaia@ffa.int

Apolosi Turaganivalu

Compliance Policy Adviser

P.O Box 629

Honiara, Solomon Islands

Ph: (677) 21124

Fax: (677) 23995

apolosi.turaganivalu@ffa.int

Lara Manarangi-Trott

WCPFC Liaison Officer, Email:

P.O Box 629

Honiara, Solomon Islands

Ph: (677) 21124

Fax: (677) 23995

lara.manarangi-trott@ffa.int

Anton Jimwereiy

PNA Coordinator

P.O Box 629

Honiara, Solomon Islands

Ph: (677) 21124

Fax: (677) 23995

anton.jimwereiy@ffa.int

Les Clark, Consultant

P.O Box 629

Honiara, Solomon Islands

Ph: (677) 21124

Fax: (677) 23995

les@rayfishresearch.com

GREENPEACE

Lagi Toribau

Green Peace

Private Mail Bag

Suva, Fiji

Ph: (679) 3312861

Fax: (679) 3312784

lagi.toribau@fj.greenpeace.org

***SECRETARIAT OF THE PACIFIC
COMMUNITY (SPC)***

Tim Lawson

Principal Fisheries Scientist (Statistics)
BP D5, Noumea Cedex
New Caledonia
Ph: (687) 260146
Fax: (687) 263818
TimL@spc.int

Peter Sharples

Port Sampling and Observer Coordinator
Oceanic Fisheries programme
Secretariat of the Pacific Community Community
BP D5, Noumea Cedex
New Caledonia
Ph: (687) 260146
Fax: (687) 263818
peterbs@spc.int

SECRETARIAT

Andrew Wright

Executive Director
Observer Programme Coordinator
P.O Box 2356
Kolonias, Pohnpei 986941
Federated States of Micronesia
Ph: (691)320-1992/1993
Fax: (691) 320-1108
dreww@mail.fm

Andrew Richards

Compliance Manager
P.O Box 2356
Kolonias, Pohnpei 986941
Federated States of Micronesia
Ph: (691)320-1992/1993
Fax: (691) 320-1108
andrewr@mail.fm

SungKwon Soh

Science Manager
P.O Box 2356
Kolonias, Pohnpei 986941
Federated States of Micronesia

Ph: (691)320-1992/1993

Fax: (691) 320-1108

Karls@mail.fm

Karl Staisch

Observer Programme Coordinator

P.O Box 2356

Kolonia, Pohnpei 986941

Federated States of Micronesia

Ph: (691)320-1992/1993

Fax: (691) 320-1108

karls@mail.fm

Martin Tsamenyi

Adviser

Centre for Maritime Policy

University of Wollongong

Normfield Avenue

Wollongong, NSW 2522

Ph: 61-2-42213224

Fax: 61-2-42215544

Shelley Clark

Rapporteur

Imperial College London

1675 Sasame – kami

Kawane – cho

Shizuoka, Japan 428-0211

Ph: +81 547 54 0275

Fax: +81 547 54 0275

shelley.clarke@imperial.ac.uk

Glenn Hurry

Chairman of the Commission

Managing Director

Australian Fisheries Management Authority

P.O Box 7051

Canberra ACT 2610

Ph: (61)-2-6225-5555

glenn.hurry@afma.gov.au

Herolyn Movick

Office Manager

P.O Box 2356

Kolonia, Pohnpei 96941

Federated States of Micronesia

herolynm@mail.fm



**Intersessional Working Group
Regional Observer Programme
Pohnpei, Federated States of Micronesia
24-25 September 2007**

AGENDA

- 1. OPENING OF THE MEETING**
- 2. APPOINTMENT OF CHAIR AND RAPORTEURS**
- 3. ADOPTION OF AGENDA**
- 4. EXISTING ARRANGEMENTS AND DECISIONS**
 1. Review of the hybrid arrangement
 - Sub-regional observer arrangements
 - National observer programmes
 2. WCPFC3 decisions (CMM-2006-07)
- 5. DEVELOPMENT OF THE ROP**
 - 1) Elements of the ToR identified in CMM-2006-07
 - 2) Draft ROP documents
 - 3) Cost issues and financial arrangements
 - 4) Minimum standards for observer data (SC3)
 - 5) Roles in the ROP
 - Commission
 - Subsidiary bodies
 - Secretariat
 - 6) Work plan
- 6. IDENTIFY POLICY ISSUES FOR WCPFC4**
 - 1) Identification of issues
 - 2) CMM for the ROP
- 7. OTHER MATTERS**
- 8. ADOPTION OF SUMMAR REPORT AND RECOMMENDATIONS**
- 9. CLOSING OF THE MEETING**



**Inter-sessional Working Group
Regional Observer Programme
24-25 September 2007**

Pohnpei, Federated States of Micronesia

**[DRAFT CONSERVATION AND MANAGEMENT MEASURE FOR THE
REGIONAL OBSERVER PROGRAMME**

9/25/2007 20:37 PM

The Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean;

Recalling Article 28(1) of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPF Convention) which requires the Commission to develop a regional observer programme to, among other things, collect verified catch data, and to monitor the implementation of the conservation and management measures adopted by the Commission;

Further recalling Article 28(7) of the WCPF Convention which requires the Commission to develop procedures and guidelines for the operation of the regional observer programme;

Cognizant of Conservation and Management Measure 2006-07 which established the procedures to develop the WCPFC Regional Observer Programme;

Adopts, in accordance with Article 10 of the WCPFC Convention the following Conservation and Management Measure for the establishment of the WCPFC Regional Observer Programme (Commission ROP).

Establishment of the Commission ROP

1. There is hereby established the Commission ROP which shall be coordinated by the Secretariat of the Commission.
2. The Secretariat of the Commission shall provide an annual report to the Commission with regard to the Commission ROP and on other matters relevant to the efficient operation of the programme.

Objectives of the Commission ROP

3. The objectives of the Commission ROP shall be to collect verified catch data, other scientific data and additional information related to the fishery from the Convention Area and to monitor the implementation of the conservation and management measures adopted by the Commission.

Scope of the Commission ROP

4. The Commission ROP shall apply to the following categories of fishing vessels authorized to fish in the Convention Area in accordance with the Commission's Conservation and Management Measures 2004-01:

- i) vessels fishing exclusively on the high seas in the Convention Area; and
- ii) vessels fishing on the high seas and in waters under the jurisdiction of one or more coastal States and vessels fishing in the waters under the national jurisdiction of two or more coastal states.

Functions of Observers

5. The functions of observers operating under the Commission ROP shall include collecting catch data and other scientific data, monitoring the implementation of the conservation and management measures adopted by the Commission and any additional information related to the fishery that may be approved by the Commission. When a vessel is operating on the same fishing trip both in waters under the national jurisdiction of its flag State and in the adjacent high seas, an observer placed under the Commission ROP shall not undertake any of these functions in waters under national jurisdiction of the flag State without the consent of the flag State.

Obligations of CCMs of the Commission

[6. Each CCM of the Commission shall ensure that fishing vessels fishing 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 Commission ROP if required by the Commission.

7. Each CCM of the Commission shall ensure that it doesn't place a vessel flying its flag on the authorized vessel list that is not prepared to accept a ROP observer.]

8. Each CCM of the Commission shall be responsible for meeting the level of observer coverage as set by the Commission.

[9. CCMs shall be free to source observers for their vessels from either the national observer programmes of other CCMs or from sub-regional programmes.]

Role of the Commission and its subsidiary bodies

[10. The Commission shall, through its subsidiary bodies within their respective mandates, monitor and supervise the implementation of the ROP, develop the priorities and objectives of the ROP, and assess the results of the ROP. The Commission may provide further direction concerning the operation of the ROP, as necessary. The Commission shall ensure the administration and coordination of the ROP is adequately resourced. The Commission may enter into contracts for the provision of the ROP.]

Role of the Secretariat

11. Consistent with Article 15(4), the role of the Secretariat will be to:

- a) coordinate ROP activities, including, *inter alia*:
 - i) maintaining the ROP Manual and the ROP Observer Workbook;
 - ii) so that existing national programmes and sub-regional programmes participating in the ROP maintain standards as adopted by the Commission;
 - iii) receiving communications and providing reports on the ROP's operation to the Commission (and its subsidiary bodies); including target and achieved coverage levels;
 - iv) coordinating ROP activities with other RFMOs as directed and appropriate;
 - v) facilitating the use of authorized observers in the ROP;
 - vi) monitoring observer trainers and observer training courses for ROP observers to promote the maintenance of standards adopted by the Commission;
 - vii) that the ROP addresses the data and monitoring requirements of the Commission's CMMs; and
 - viii) that appropriate information and data for the monitoring of the implementation of CMMs as adopted by the Commission are collected, compiled, stored and disseminated by the ROP in accordance with procedures adopted by the Commission;
 - ix) managing and administering observers for special situations as directed by the Commission; and
 - x) to support staff necessary to effectively administer the ROP.
- b) authorise observer providers to the ROP.

Role of coastal States

12. Each CCM shall nominate a WCPFC National Observer Coordinator, who shall be the contact point on matters related to the ROP.

Guiding Principles for Operation of the Commission ROP

13. The Commission ROP shall operate in accordance with the following principles:

i). The Commission ROP shall consist of independent and impartial observers qualified in accordance with criteria approved by the Commission;

ii) Vessels that operate [principally] in coastal waters, but [occasionally] venture on to the [adjacent] high seas or into the waters under the jurisdiction of a neighboring State, if they so agree, may carry observers of their own nationality provided those observers have been authorized by the Secretariat¹

iii). The Commission ROP shall be organized in a flexible manner which takes into account the nature of the fishery from the Convention Area and any other relevant factors the Commission may consider appropriate;

iv). To ensure cost effectiveness and to avoid duplication, the Commission's ROP shall be coordinated, to the maximum extent possible, with other regional, sub-regional and national observer programmes; and to this extent, the Commission may enter into contracts or appropriate arrangements for the provision of the regional observer programme.

v). the Commission ROP shall provide a sufficient level of coverage as approved by the Commission to ensure that the Commission receives appropriate data and information on catch levels and any additional information related to the fisheries within the Convention Area, taking into account the characteristics of the fisheries;

vi). Observers shall not unduly interfere with the lawful operations of the vessel and in carrying out their duties shall give due consideration to the operational requirements of the vessel and to the extent practicable minimize disruption to the operation of vessels fishing in the Convention Area; Observers shall comply with the Guidelines in **Annex A** – Guidelines for the rights and responsibilities of observers.

vii). The Commission ROP shall be operated to ensure that observers shall not be unduly obstructed in the discharge of their duties. To this extent, CCMs of the Commission shall ensure that vessel operators comply with the Guidelines in **Annex B** - Guidelines for the rights and responsibilities of vessel operators, captains and crew.

viii) The Commission ROP shall ensure the security and confidentiality of non-aggregated data and other information which the Commission deems to be of a

¹ Refer to the Summary Report of TCC2, paragraph 54 ii) ["the need to integrate existing national and regional observer programmes into the Commission programme and] "to allow CCMs to continue to deploy national observers on vessels that principally operate in coastal waters and that occasionally extend their fishing operations on to the high seas."

confidential nature; the release of data and other information collected by the Commission ROP shall be in accordance with guidelines set out in the Commission's Rules and Procedures for Access to, and Dissemination of, Data Compiled by the Commission.

[ix) Any data collected under the Commission ROP on a vessel bearing the flag of a CCM in addition to the Commission will be provided to that CCM in a disaggregated form.]

Annex A

Guidelines on the Rights and Responsibilities of Observers:

In accordance with Annex III Article 3, and article 28 of the Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific. The following guidelines for the Rights and Responsibilities of Observers shall apply to observers placed on a vessel under the Commission ROP.

1. The rights of observers shall include:

- a) Full access to and use of all facilities and equipment of the vessel which the observer may determine is necessary to carry out his or her duties, including full access to the bridge, fish on board, and areas which may be used to hold, process, weigh, and store fish.
- b) Full access to the vessel's records including its logs and documentation for the purpose of records inspection and copying, reasonable access to navigational equipment, charts and radios, and reasonable access to other information relating to fishing.
- c) Access to and use of communications equipment and personnel, upon request, for entry, transmission, and receipt of work related data or information.
- d) Access to additional equipment, if present, to facilitate the work of the observer while on board the vessel, such as high powered binoculars, electronic means of communication, etc.
- e) Access to the working deck during net or line retrieval and to specimens (alive or dead) in order to collect and remove samples.
- f) Notice by the vessel captain of at least fifteen (15) minutes before hauling or setting procedures, unless the observer specifically requests not to be notified.
- g) 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.

- h) The provision of adequate space on the bridge or other designated area for clerical work and adequate space on the deck for observer duties.
- i) Freedom to carry out their duties without being assaulted, obstructed, resisted, delayed, intimidated or interfered with in the performance of their duties.

2. The responsibilities of observers shall include:

- a) being capable of performing the duties set out by the Commission
- b) acceptance and compliance with agreed confidentiality rules and procedures with respect to the fishing operations of the vessels and of the vessel owners
- c) Maintenance of independence and impartiality at all times while on duty in the ROP.
- d) Compliance with the ROP protocols for observers carrying out ROP duties on board a vessel.
- e) Compliance with the laws and regulations of the CCM that exercises jurisdiction over the vessel.
- f) Respecting the hierarchy and general rules of behaviour that apply to all vessel personnel.
- g) Performance of duties in a manner that does not unduly interfere with the lawful operations of the vessel and in carrying out their functions they shall give due consideration to the operational requirements of the vessel and shall communicate regularly with the captain or master of the vessel.
- h) Familiarity with the emergency procedures aboard the vessel, including the locations of life rafts, fire extinguishers, and first aid kits.
- i) Communicating regularly with the vessel captain on relevant observer issues and duties.
- j) Observance of ethnic traditions of the crew and customs of the flag State of the vessel
- k) Adherence to the ROP Code of Conduct for observers.
- l) [Explain to the vessel captain, observer duties relevant to appropriate measures adopted by the Commission.]
- m) Promptly writing and submitting reports to the Commission or national programme in accordance with procedures adopted by the Commission.

Annex B

Guidelines on the Rights and Responsibilities of Vessel Operators, Captain and Crew.

In accordance with Annex III Article 3, and article 28 of the Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific. The following Guidelines on the Rights and Responsibilities of Vessel Operators, Captain and Crew shall apply when an observer is placed under the Commission ROP.

RIGHTS AND RESPONSIBILITIES OF VESSEL OPERATORS AND CAPTAINS

1. The rights of vessel operators and captains shall include:

- a) Expectation that a reasonable period of prior notice of the placement of an ROP observer shall be given.
- b) Expectation that the observer will comply with the general rules of behavior, hierarchy, and laws and regulations of the CCM of the Commission that exercises jurisdiction over the vessel.
- c) Timely notification from the observer provider on completion of the observer's trip of any comments regarding the vessel operations. The captain shall have the opportunity to review and comment on the observer's report, and shall have the right to include additional information deemed relevant or a personal statement.
- d) Ability to conduct lawful operations of the vessel without undue interference due to the observer's presence and performance of necessary duties.
- e) Ability to assign, at his or her discretion, a vessel crew member to accompany the observer when the observer is carrying out duties in hazardous areas.

2. The responsibilities of vessel operators and captains shall include:

- a) Accepting on board the vessel any person identified as an observer under the ROP when required by the Commission
- b) Informing the crew of the timing of the ROP observer boarding as well as their rights and responsibilities when an ROP observer boards the vessel.
- c) Assisting the ROP observer to safely embark and disembark the vessel at an agreed place and time.
- d) Giving notice to the ROP observer at least fifteen (15) minutes before the start of a set or haul on board, unless the observer specifically requests not to be notified.
- e) Allow and assist the ROP observer to carry out all duties safely.
- f) Allowing ROP observer full access to the vessel's records including vessel logs and documentation for the purpose of records inspection and copying,
- g) Allowing reasonable access to navigational equipment, charts and radios, and reasonable access to other information relating to fishing.

- h) Permitting access to additional equipment, if present, to facilitate the work of the ROP observer while on board the vessel, such as high powered binoculars, electronic means of communication, etc.
- i) Allow and assist the ROP observer to remove and store samples from the catch.
- j) The provision to the ROP observer, while on board the vessel, at no expense to the observer or the ROP observer's provider or government, with food, accommodation, adequate sanitary amenities, and medical facilities of a reasonable standard equivalent to those normally available to an officer on board the vessel.
- k) The provision to the ROP observer, while on board the vessel, insurance coverage for the duration of the observer's time on board the vessel.
- l) Allow and assist full access to and use of all facilities and equipment of the vessel which the observer may determine is necessary to carry out his or her duties, including full access to the bridge, fish on board, and areas which may be used to hold, process, weigh, and store fish. .
- m) Ensuring the ROP observer is not assaulted, obstructed, resisted, delayed, intimidated, interfered with, influenced, bribed or is attempted to be bribed in the performance of their duties.

RIGHTS AND RESPONSIBILITIES OF VESSEL CREW

3. The rights of vessel crew shall include:

- a) Expectation that the ROP observer will comply with the general rules of behaviour, hierarchy, and laws and regulations of the CCM that exercises jurisdiction over the vessel.
- b) Expectation that a reasonable period of prior notice of the placement of a ROP observer shall be given by the Captain.
- c) Reasonable expectation of privacy in crew personal areas.
- d) Ability to carry out duties associated with normal fishing operations without undue interference due to the ROP observer's presence and performance of their necessary duties.

4. The responsibilities of the vessel crew shall include:

- a) Not assaulting, obstructing, resisting, intimidating, influencing, or interfering with the ROP observer or impeding or delaying observer duties.
- b) Compliance with regulations and procedures established under the Convention and other guidelines, regulations, or conditions established by the CCM that exercises jurisdiction over the vessel.
- c) Allowing and assisting full access to and use of all facilities and equipment of the vessel which the observer may determine is necessary to carry out his or her duties, including full access to the bridge, fish on board, and areas which may be used to hold, process, weigh, and store fish.
- d) Allow and assist the ROP observer to carry out all duties safely
- e) Allow and assist the ROP observer to remove and store samples from the catch.

- f) Compliance with directions given by the vessel captain with respect to the ROP observers duties.]



**Intersessional Working Group
Regional Observer Programme
Pohnpei, Federated States of Micronesia
24-26 September 2007**

**TABLE TO ASSIST IN REPORTING VESSEL MONITORING UNDERTAKEN
UNDER THE ROP**

Gear Type	Flag	Sector	Catch and Effort				Observer coverage		Implementation status
			# of vessels active	# trips	Fishing days/hooks set	Tonnes	Year	Rate	