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**REPORT ON THE ADMINISTRATION OF THE WCPFC DATA ACCESS RULES
AND PROCEDURES**

WCPFC9-2012-IP05
16 November 2012

Paper prepared by the Secretariat

1. The WCPFC has adopted two sets of Rules and Procedures for the Protection, Access to and Dissemination of WCPFC data:

- 2007 Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the Commission; (2007 data RaP)
- 2009 Rules and Procedures for the Protection, Access to, and Dissemination of High Seas Non-Public Domain Data and Information Compiled by the Commission for the Purpose of Monitoring, Control or Surveillance (MCS) Activities and the Access to and Dissemination of High Seas VMS Data for Scientific Purposes. (2009 MCS data RaP)

This paper reports on the administration of these two sets of data RaP by the Secretariat, and includes updates from WCPFC-2012-TCC8-IP05.

Register of Authorised MCS Entities and Personnel

2. In accordance with paragraph 12 of 2009 MCS data RaP, the Secretariat is required to maintain a register of Authorised MCS Entities and Personnel. This register is based on the notifications that members and participating territories have made to the Secretariat. This register is maintained on the WCPFC website, within the CCM secure section (and records are also kept on the WCPFC MCS Information Management System). Access to WCPFC non-public domain data

3. At WCPFC8, the Secretariat advised the Commission of the internal procedures that the WCPFC has or will be implementing commencing in 2012, in response to some of the concerns raised about VMS data integrity at TCC7 (WCPFC8-2011-IP07). As a further update to confirm that the internal WCPFC Secretariat Information Security Committee has been established, and has met regularly since WCPFC8. Work is currently underway to review, document and check current WCPFC Information Security controls and procedures.

Table 1 provides a summary of the notifications with the date of the most recent update to the register.

Access to WCPFC non-public domain data

3. At WCPFC8, the Secretariat advised the Commission of the internal procedures that the WCPFC has or will be implementing commencing in 2012, in response to some of the concerns raised about VMS data integrity at TCC7 (WCPFC8-2011-IP07). As a further update to confirm that the internal WCPFC Secretariat Information Security Committee has been established, and has met regularly since WCPFC8. Work is currently underway to review, document and check current WCPFC Information Security controls and procedures.

Table 1. Summary of notifications for the Register of Authorised MCS Entities and Personnel

Member or Territory	Description	Date of most recent update
Australia	Australian MCS and Management Entities	12 June 2010
Cook Islands	Cook Islands MCS Entities Revised	29 October 2011
European Union	EU MCS Entity and Management Entity for WCPFC Data and VMS	18 May 2010
Federated States of Micronesia	FSM MCS Entity and Management Entity for WCPFC Data and VMS	24 October 2012
French Polynesia	French Polynesia MCS Entity Update	11 October 2011
Japan	Japan MCS Entity for VMS	3 August 2011
Kiribati	Kiribati MCS Entity	1 August 2012
Republic of Korea	The Republic of Korea Authorised MCS Entity for WCPFC Data and VMS	12 December 2011
Nauru	updated Nauru MCS Authority	16 April 2012
New Caledonia	New Caledonia MCS Entity	29 June 2011
New Zealand (including Tokelau)	NZ Authorized MCS Entity for WCPFC Data and VMS, including Tokelau	2 March 2010 30 August 2012
Niue	Niue's MCS Entity	7 November 2012
Palau	Palau MCS Entities Update	20 July 2012
Philippines	Philippine MCS Entity for VMS	3 August 2011
Solomon Islands	Solomon Islands MCS Entities	9 November 2012
Chinese Taipei	Chinese Taipei MCS Entities for Access of Non Public Domain Data	20 April 2012
Tonga	Tonga MCS entities	24 August 2012
Tuvalu	Tuvalu MCS Entity and Personnel for Receipt of Non-Public Domain Data	6 November 2012
United States of America	USA MCS Entity and Management Entity for VMS and Management	12 Oct 2011

4. All WCPFC data information requests that are received must first be reviewed and an analysis completed using the internal “WCPFC data request consideration form”. Staff and service providers have been advised that WCPFC non-public domain data can be disseminated only in accordance with the 2007 data RaP and 2009 MCS data RaP, and following the approval of the Executive Director. Copies of the approved “WCPFC data consideration request forms”, original request and implementation instructions are kept on the WCPFC Information Management System. A copy of the internal WCPFC data request consideration form was provided in WCPFC-2012-TCC8-IP05 as Annex 1. The Secretariat intends to implement this form as a component of the WCPFC IMS in the near future, and has some proposed enhancements to the IMS and website which are intended to assist the Secretariat more efficiently managing, documenting and implementing requests for non-public domain MCS information.

5. A register is required to be maintained by the Secretariat in accordance with paragraph 18 of the 2007 data RaP to record access to all WCPFC non-public domain data. This register is currently a work in progress, and the latest draft is provided in Annex 1.

6. The WCPFC Information Management System is hosted on Microsoft Sharepoint and located at the WCPFC Headquarters in Pohnpei. The IMS is increasingly being utilized by the Secretariat for recording requests, related correspondence and implementation of WCPFC non-public domain data requests. In 2012, the Secretariat has received and processed almost thirty separate requests from Members for specific WCPFC data, some of which related to multiple types of WCPFC non-public domain data. These requests for WCPFC non-public domain data appear to be becoming more elaborate, for example for particular MCS information related to a particular geographical area, or which involved vessels or nationals of the Member. Some of these requests are for information that is held to date. Often requests ask that new information meeting these criteria are provided to the Member on an ongoing basis.

7. For WCPFC VMS data requests, once approved, the implementation of these requests is relatively simple now that the 100nm high seas buffer zones around EEZ areas have been defined. SPC-OFP has undertaken to define 100nm high seas buffer zones around EEZs as a searchable area within the WCPFC ROP database system. However, for other WCPFC MCS information such as High Seas Boarding and Inspection Reports and High Seas Transshipment Notices and Declarations, the limitations of the current WCPFC IMS and the ability of the Secretariat to fully implement these 2012 requests have become apparent. The Secretariat, and SPC-OFP acting under instructions from WCPFC, have made best efforts to respond to data requests in a timely manner, and where possible to implement these as soon as practicable.

Members and Participating Territory access to WCPFC VMS data

8. Table 2 lists all the WCPFC client CCM logins which have been established within the WCPFC VMS system, for accessing WCPFC VMS data through SmartTrac software. Table 3 lists the dates that WCPFC VMS data have been accessed in accordance with paragraphs 19 -25 of the 2009 MCS data RaP.

9. WCPFC client CCM logins are the currently preferred method of providing access with WCPFC VMS data on an ongoing basis to CCM nominated MCS personnel, and is an attempt to

make best efforts to utilize the WCPFC VMS system to the fullest extent. Recognizing that the SmartTrac view has some current limitations, particularly in terms of data extraction for specific MCS operations or for further investigations of a vessels activity, the Secretariat has maintained the option for CCMs to request as required, positions of vessels extracted from the WCPFC VMS database, and provided in a spreadsheet and google-earth view. The Secretariat is currently working with the WCPFC VMS Service Provider to automate some of the more routine and regular data requests, which will hopefully reduce the need for routine work by VMS staff after hours.

Table 2. List of WCPFC client CCM logins for the WCPFC VMS system (current and previous)

	To view flagged vessels in high seas WCPFC area	100nm high seas buffer around EEZ	EHSP SMA	EEZ
Australia	Y	Y		
China	Y			
Cook Islands	Y	Y#	Y	Y
European Union	Y			
Federated States of Micronesia	Y	Y#		
Fiji	Y			
French Polynesia	Y	Only for specified dates	Y	
Japan	Y			
Kiribati	Y	Y#	Y	
Republic of Korea	Y			
Nauru	Y	Y#		
New Caledonia	Y			
New Zealand (incl Tokelau)	Y	Y		Y
Niue	Y	Y#		(active 1 Jan 2013)
Palau	Y	# Only for specified dates		
Philippines	Y			
Chinese Taipei	Y			
Tonga	Y	Y#		
Tuvalu	Y	Only for specified dates		
United States of America	Y	Y		
Vanuatu	Y			
FFA Regional Surveillance Centre	Access as a nominated MCS entity where noted # above			

Table 3. List of CCMs that have accessed high seas VMS data for specific geographic areas, including 100nm high seas buffer and with a MCS presence in the high seas

(* refers to ongoing 100nm high seas buffer activation)

	2010	2011	2012
Australia		1 Oct - *	
Cook Islands	22 June – 22 Dec	(EHSP)1 July -	25 Apr - * 7-16 Nov
Federated States of Micronesia		10-24 Apr 13 May -* 1- 14 Aug	7 May – 20 Jun 23 Jul 7-16 Nov
French Polynesia	14-24 June 4-13 Aug 17 Aug – 2 Sept 2 Nov	(EHSP)1 July -	23 Oct – 31 Dec
Japan			18 Oct – 21 Dec
Kiribati		(EHSP)1 July -	23 July - * 7-16 Nov
Nauru		14 Aug 26 May – 31 Dec	25 Apr - * 7-16 Nov
Niue			16 Nov -*
New Caledonia		5 – 17 Jul 3-13 Nov 4-8 Nov 6-11 Nov	13-24 Feb 5-18 Mar 7-20 Jul 11-16 Nov
New Zealand	9 Apr -* 26 May – 10 June 7-10 June 20 – 29 July 2 Aug – 11 Aug 9 – 13 Aug 7-15 Nov	16-20 Jan 21-25 Feb 18 May – 10 Jun 1 Jul – 19 Jul 21-24 Aug 18-23 Sept	19-23 Mar
Palau	12 – 23 Aug	1- 14 Aug 1-16 Nov	15-27 Apr 23 Jul – 5 Aug 7-16 Nov
Papua New Guinea	12 – 23 Aug		
Solomon Islands			
Chinese Taipei		16 Sept – 20 Oct	20 May – 5 Jun 6 Jun – 20 Jul 21 Jul – 15 Aug 16 Aug - 30 Sept 1 Oct – 24 Oct
Kingdom of Tonga			6 Sept - * 7-16 Nov
Tuvalu	4-19 Nov		
United States of America	15 Sept -* 25 Oct - 15 Nov	22 Jul – 1 Nov 2 Sept – 1 Nov	6-8 Apr 6-9 Apr 12-15 Apr 18-25 Apr 25-27 Apr 30 Apr – 9 May

Members and Participating Territory access to other WCPFC data which were approved or actioned in 2012, as at 16 November 2012.

9. Table 4 lists other WCPFC data requests which were approved or actioned in 2012. At the time of writing, the Secretariat was facilitating discussions between a coastal State Member and a flag Member to clarify a data request.

Table 4. List of other WCPFC data requests which were approved or actioned in 2012

	ROP DATA (para 19 data RaP, and para 14-15 MCS data RaP)
European Union	ROP data for EU vessels (request from 2011, actioned in 2012)
Federated States of Micronesia	ROP data for FSM vessels ROP data for FSM EEZ and 100nm high seas
Nauru	ROP data for Nauru EEZ and 100nm high seas
New Zealand	ROP data for NZ vessels
Niue	ROP data for Niue EEZ and 100nm high seas
Solomon Islands	
Tonga	ROP data for Tonga EEZ and 100nm high seas

	HSBI REPORTS (para 17-18 MCS data RaP)
Australia	HSBI Reports submitted by Members (100nm high seas around Australia EEZ or involving Australia vessels or Australia nationals)
Federated States of Micronesia	HSBI Reports submitted by Contracting Parties (100nm high seas around FSM EEZ or involving FSM vessels or FSM nationals)
France	HSBI Reports submitted by France
Niue	HSBI Reports submitted by Contracting Parties (100nm high seas around Niue EEZ or involving Niue vessels or Niue nationals)
Tonga	HSBI Reports submitted by Contracting Parties (100nm high seas around Tonga EEZ or involving Tonga vessels or Tonga nationals)
United States	HSBI Reports submitted by Members

	HIGH SEAS TRANSSHIPMENT notices or declarations (para 26 MCS data RaP)
Cook Islands	In specified area of High seas related to or during the period 7-16Nov 2012
Federated States of Micronesia	High Seas notices or declarations submitted by Contracting Parties (100nm high seas around FSM EEZ or involving FSM vessels or FSM nationals) In specified area of High seas related to or during the period 7-16Nov 2012
Kiribati	In specified area of High seas related to or during the period 7-16Nov 2012
Niue	High Seas notices or declarations submitted by Contracting Parties (100nm high seas around Niue's EEZ or involving Niue vessels or Niue nationals)
Nauru	For a specific vessel, 1 – 19 Nov 2012 In specified area of High seas related to or during the period 7-16Nov 2012
Palau	In specified area of High seas related to or during the period 7-16Nov 2012
Tonga	High Seas notices or declarations submitted by Contracting Parties (100nm high seas around Tonga EEZ or involving Tonga vessels or Tonga nationals) In specified area of High seas related to or during the period 7-16Nov 2012

Report on paragraph 44 of MCS data RaP in Part 2 Annual Reporting covering 2011 activities

10. Members and Territories are required in accordance with paragraph 44 of the MCS data RaP on their implementation of the WCPFC data RaP in respect of data that they have accessed in the previous year or which was retained and not destroyed. TCC8 has recommended the inclusion of a suggested format for reporting as part of the Annual Report Part 2 template for 2013. As at 17 September 2012 the following CCMs had provided a report on paragraph 55 in 2012 Annual Report Part 2 received by the Secretariat:

- Australia
- European Union
- Federated States of Micronesia
- French Polynesia
- Republic of Korea
- Nauru
- New Zealand
- Chinese Taipei
- United States

Register of Access to WCPFC data by persons duly authorised by the Executive Director, within the WCPFC Secretariat and Service Providers, as well as Officers of the Commission. (as at 16 November 2012)

The following register is being maintained in accordance with paragraph 18 of the **2007 Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the Commission**, which states...

4.3 Access to Non-Public Domain data by the Staff of the Secretariat, the WCPFC Service Providers, and Officers of the Commission and its Subsidiary Bodies

18. Persons duly authorised by the Executive Director, within the WCPFC secretariat and service providers, including scientific experts engaged under Article 13 of the Convention, shall have access to the data necessary to perform their WCPFC duties. Officers of the Commission and its subsidiary bodies shall have access to the data necessary to perform their WCPFC duties. All such persons shall sign a Confidentiality Agreement with the Executive Director and maintain the data security standards of the Commission in respect of data to which they have access. The Executive Director shall maintain a Register of all such persons (including the purpose for which they require access to the data) and make the Register available to a CCM on written request.

This Register is currently a work in progress, and not at the level of individuals in all instances.

There are general categories of access to WCPFC data by WCPFC staff and service providers. In accordance with paragraph 18 of 2007 data RaP, all Secretariat staff, including short term individuals working with the Secretariat, eg interns and temporary data entry staff, have been required to sign a confidentiality agreement as a condition of their working with the Commission. Service providers have a confidentiality agreement according to

Executive Director: access to all WCPFC non-public domain data

ITC Manager: full access for administration and maintenance of the systems and data, including VMS data at Guam site for purpose of checking redundancy back-up.

- Access by contractor BMC for service support as required for WCPFC duties
- Access by contractor Eighty Options for service support to the WCPFC website as required for WCPFC duties

WCPFC MCS staff and service providers

- access to VMS data through the Commission VMS smart-track system and also WCPFC VMS data through Sydney (no access to Guam site)
 - VMS Manager
 - VMS Operations Officer 1 and 2
 - Compliance Manager
 - Compliance Officer
 - ROP Coordinator
 - ROP Data Quality Officer
 - WCPFC VMS Service Provider: Absolute/Pole Star (on behalf of FFA)
- Eastern High Seas Special Management Area
 - VMS Manager
 - VMS Operations Officer 1 and 2
 - Compliance Manager

- Access to WCPFC ROP data
 - ROP Coordinator
 - ROP Data Quality Officer
 - Compliance Manager
 - SPC-OPF ROP data staff

- WCPFC MCS Information Management System: discard report, transshipment reports, HSBI reports, CMM reporting and correspondence, WCPFC Record of Fishing Vessels and Interim Register, Access to Compliance Monitoring Report drafts, provisional reports and correspondence
 - VMS Manager
 - VMS Operations Officer 1 and 2
 - Compliance Manager
 - Legal Adviser
 - Compliance Officer
 - ROP Coordinator
 - ROP Data Quality Officer
 - Administrative Data Entry Assistant
 - Interns assisting with Compliance Monitoring Reports and Transshipment data entry and analysis in 2011 and 2012
 - Temporary data entry contractors (assisting with Transshipment and catch discard data entry in 2012);
 - WCPFC IMS developer and technical support: Taz-E

- Access to WCPFC catch and effort data through CES
 - Science Manager
 - Assistant Science Manager
 - Compliance Manager
 - VMS Manager
 - ROP Coordinator
 - ROP Data Quality Officer

WCPFC Interns

Confidentiality agreement were signed and they may have had access to WCPFC non-public domain data information, greater than what they would have as national representatives to WCPFC, during the period of their internship:

- 2009: Ms Rhea Moss – United States
- 2010: Ms Pamela Maru – Cook Islands
- 2011: Ms Rachel French - Australia
- 2011: Mr JongKwan Ahn – Republic of Korea
- 2011: Ms Ingo Unterweger - Germany
- 2011: Mrs Rhea Moss-Christian – Federated States of Micronesia
- 2011: Mr Joseph Fu – Chinese Taipei
- 2011: Ms Aurelie Buthod-Garcon - France
- 2012: Mr Robert O’Conner – United States
- 2012: Ms Pamela Maru – Cook Islands
- 2012: Ms Kara Miller – United States
- 2012: Ms ’Ana Taholo – Kingdom of Tonga

SPC-OFP science and data management staff:

- access to WCPFC scientific data,
- access to WCPFC ROP data;
- access to VMS data for cross-verification of ROP and logsheets;
- access to VMS data one year old for science purposes; and
- access to maintain the data and science pages on the WCPFC website.

A summary of access to WCPFC non-public domain data and information is provided here:

Secure CCM section on the WCPFC website

The Commission has a secure web page that is accessible to Members for sensitive documents, non-public information for meetings or compliance information, such as Register of MCS entities and personnel Register, CNM applications and analyses, draft and Provisional IUU lists. Draft and Provisional Compliance Monitoring Reports and CCMs Annual Report Part 2, WCPFC Circulars, copies of Intersessional Working Group documentation (VMS-SWG and ROP-TAG)

The following have access:

- WCPFC staff;
- Office bearers of the WCPFC and Subsidiary Bodies;
- SPC-OFP staff working on behalf of the Commission;
- Each Member or Territory according to their request.

WCPFC Meeting Server

Has a similar set of users to the secure CCM section on the WCPFC, sometimes with different logins, to those used on the WCPFC website. These logins are probably what will be used by TCC8 participants to trial the Annual Report Part 2 online interface.

Eastern High Seas Pocket Special Management Area secure page on WCPFC website, WCPFC VMS data and manual entry and exit reports is in accordance with CMM 2010-02

- Limited WCPFC MCS staff
- MCS personnel of the EHSP-SMA Parties

High Seas Pocket 1 Special Management Area secure page on WCPFC website, summary list based on reports made by the Philippines in accordance with paragraph 7 of CMM 2011-01

- Limited WCPFC MCS staff
- Each Member or Territory according to their request

Direct Data Entry for WCPFC RFV

Login to the WCPFC Record of Fishing Vessels system, for CCMs to create and modify their vessel records on the Record of Fishing Vessels. This capability has been provided to all CCMs, but only six CCMs appear to be using this feature regularly (representing 74% of the vessels on the RFV).

WCPFC VMS Smart-trac access

Login and password management of the WCPFC VMS system is maintained outside the Secretariat, as part of the SLA for the WCPFC VMS – with instructions provided by the WCPFC VMS Manager. Logins for CCMs to view flagged vessels in the high seas of the WCPFC area, were enabled in accordance with CMM 2007-02 (now CMM 2011-02) *Commission VMS*, and the WCPFC Standards, Specifications and Procedures for the WCPFC VMS. Access by coastal CCMs to VMS data related to the 100nm high seas buffer around their EEZ, was enabled in accordance with an approved request under the 2009 data RaP.
