EBCD WORKING GROUP (eBCD-TWG)

SUMMARY REPORT - 2016

Introduction

This serves as a general report to the Commission on the overall status of eBCD system development and implementation and the associated activities of the eBCD Technical Working Group (TWG) undertaken in 2016. It does not detail specific technical issues discussed by the TWG which can be found in the relevant TWG meeting reports and their annexes (appended). The full list of technical issues and their status can also be found in the eBCD technical matrix made available to TWG members.

It does play particular attention to the most recent discussions of the TWG with regard to:

- General state of play of system development and implementation,
- Use of paper and self-reporting systems,
- System support and user assistance,
- Contractual issues including future financing of the system, and;
- Future role of the TWG.

Throughout 2016 the TWG met on 5 occasions, the main objectivities and discussion points of the meetings are detailed:

Date	Place	Objectives and main discussions points
25-27 January 2016	ICCAT Secretariat	- Prioritization of core development items in light of the implementation provisions laid down in Rec. [15-10]
15-16 April 2016	ICCAT Secretariat	- Assessment of system readiness and associated reporting to the Commission - Issues relating to system financing including system hosting and support
19 July 2016 22 July 2016	Sapporo, Japan	- State of play of recent system development - Discussion on issues with relevance to IMM - Issues relating to system financing including system hosting and support - Specific issues related to CPC implementation and raised by TRAGSA
7-8 September 2016	ICCAT Secretariat	- System state of play including development of core items - Prioritisation of secondary issues - Settlement of issues raised by TRAGSA - Reporting to the Commission on future role of TWG and system financing

TWG meetings were attended by representatives of Algeria, Canada, EU, Japan, Morocco, Tunisia, United States, the ICCAT Secretariat and TRAGSA (with the exception of the meetings in Japan).

1. General state of play of system development and resolution of technical issues

The activities of the TWG throughout 2016 were largely driven and oriented on the provisions of Rec. [15-10], in particular on the implementation schedule and associated tasks afforded to the TWG as laid down in paragraph 2.

In general, a positive implementation was reported by Group members with no major difficulties experienced or precluding system use.

The main technical discussions were related to the development and implementation of 'core' items given their necessity for system use.

Core issues were prioritised in the January meeting and their implementation tracked and assessed in April in order that an assessment of system readiness could be undertaken as required by paragraph 2 of Rec. [15-10].

As communicated in ICCAT Circular #2274/16 and reported to the Integrated Monitoring Measures (IMM) Working group in July, the TWG's advice on system readiness noted that, although core functionalities had been developed, delays in the development of some functionalities and their availability for testing resulted in the possibility to use paper through 30 June for bluefin not destined for farms, provided Parties so notified the Secretariat in accordance with the terms of Rec. [15-10]. Afterwards, paper BCDs shall no longer be accepted except in the limited circumstances specified in paragraph 6 of Rec. [15-10].

The technical discussions of the TWG since July has focussed more on prioritisation of issues considered secondary by the TWG or specific issues or questions requiring guidance from the TWG (by CPCs and TRAGSA). During these discussions, the TWG noted that there are still several pending functionalities that are important for enhancing the operation and utility of the system and that work on these should continue.

The TWG noted at its September meeting that there were several issues that had been raised that touched on the question of the scope of the eBCD system and that, until these matters were resolved by the Commission, any additional action that might be needed by the TWG, the Secretariat, and/or Tragsa was not possible. Specifically, the TWG needs direction from the Commission on the following issues:

(a) Should canned bluefin tuna be included in the eBCD system;
(b) Should a functionality be developed that allows for the voluntary uploading of recreational catch data;
(c) Should there be a clearer connection between the product weight listed on a re-export certificate and how much of that weight came from each of the underlying BCDs associated with that re-export certificate. Currently, Rec [11-20] only requires that a re-export certificate include the numbers of all underlying BCDs and the total weight of the shipment to be re-exported. Weights on re-export certificates are not broken down with individual pieces associated with a relevant underlying BCD when more than one BCD is associated with the re-export certificate. Without such a clear connection, the system cannot know when the total amount of an underlying BCD has been re-exported, which limits traceability and could create a loophole in the system. Adjustment of the eBCD to require this kind of tracking would require amendment to Rec [11-20].
(d) Should conversion factors and/or fattening rates be uploaded in eBCD system and, if so, which eBCD section (e.g., catch, trade, etc.) should it apply to. In principle, developing such a functionality could help assess quota consumption and potentially assist in comparing catch amounts against farmed and traded amounts. Difficulties include that conversion factors do not exist for all product types and cannot be developed for some (e.g., head meat, fin meat, kebobs). Furthermore, SCRS has not yet made available agreed fattening rates for farmed fish.

The TWG noted that the Commission should decide how comprehensive in scope they wish the eBCD system to be.

2. Use of paper and self-reporting system

The use of paper BCDs has been extensively discussed given the importance of ensuring a common understanding of the relevant provisions of para 6c of Rec.[15-10]. Furthermore, how such procedures are accommodated in the system and, where applicable, facilitated by the Secretariat was also discussed.

On the request and guidance of the TWG, the Secretariat developed a system/table on the eBCD pages of the ICCAT website facilitating the recording of the technical difficulties and the use of paper (i.e. BCDs concerned, justification, etc.) by the Secretariat based on information sent by CPCs.

In parallel, the Secretariat was asked to analyse and develop a more detailed page allowing the direct posting of information by CPCs (e.g., at weekend when the Secretariat is closed).

To support these systems, the TWG discussed and agreed accompanying procedures and responsibilities including the conversion of the information initially included in paper BCDs to eBCD. These stated that:

- all cases preventing system access would first be dealt with at the CPC level,
- if such issue(s) cannot be resolved, they would subsequently be channeled by CPC Administrators to TRAGSA for investigation,
- following confirmation by TRAGSA (or not) that a specific issue indeed precludes system use the CPC administrator would communicate to the ICCAT Secretariat as soon as possible,
- the ICCAT Secretariat would post this information on the ICCAT website and/or it could be directly reported by the CPC on the self-reporting section of the website.

The TWG later discussed the information posted by some CPC with a view to providing solutions to technical problems and a return to eBCD as soon as possible. In parallel, the Secretariat was requested to follow up with CPCs concerned and communicate the feedback with a view to understanding better the types and nature of difficulties being experienced.

Despite having discussed and developed interim self-reporting procedures, the TWG considered in its September 2016 meeting that consideration of the issue was needed by the Commission in November in light of the existing notification requirements of Rec. 15-10. To assist Commission consideration of this issue, the TWG further elaborated a possible approach to self-reporting, which is appended in Annex 1.

In order to support such procedures, it was agreed that the list of BCD contact points provided in para 30 of Rec. [11-20] should be updated in the context of eBCD. Such contacts would be able to communicate with the Secretariat in addition to CPC Administrators in the above mentioned procedures. In this regard, the Secretariat sent a circular to all CPCs requesting eBCD contact points.

The Secretariat was also requested to facilitate the transmission of information and associated access to the eBCD system to ICCAT non-members (NCP) in the framework of the provisions laid down by para 5(i) of Rec. [15-10].

3. System support

The consortium responsible for the development, support and hosting of the eBCD system is composed of TRAGSA and Server Labs. While Server Labs provides 24/7 (24 hours a day, 7 days a week) support for system hosting on the Amazon cloud, the contract with the consortium was initially limited to European business hours.

With this in mind and taking into account the different time zones and scope of potential trade activities, the TWG agreed in their April meeting that TRAGSA would need to be available to provide as close to 24/7 support as possible, at least in the short to medium term during the transition to full implementation when the number of potential issues could be at its highest. The TWG subsequently requested the Secretariat to explore options with TRAGSA in order that a decision could be made on the most cost effective and suitable support option. The Secretariat was also asked to explore the utilization of the required resources from the Working Capital Fund following the decision of STACFAD in the 2015 Annual Meeting.

In light of the timing of E-BFT purse seine fishery and the full transition to eBCD, it was decided that a 24/7 support protocol would be sufficient until 30 June 2016. During the July TWG meeting and in light of ongoing caging and farming activities in the fishery, this support time frame was subsequently extended to 30 September 2016 and then again during the last TWG meeting in September to 30 November 2016, albeit at slightly lower time overage of 16/7.

The Executive Secretary informed the TWG that such requests would be followed up with the Chair of STACFAD prior to making the contractual adjustments with TRAGSA.

The financial impact of an extension was noted by the TWG; nonetheless, it was considered necessary in light of ongoing system development and fishing activities.

The TWG noted that the cost of having such a piecemeal approach may not be sustainable and encouraged the Commission to take up this matter in order that a more suitable long-term mechanism could be agreed.

Regarding the technical details related to the implementation of the support service provided, the number and nature of requests provided by TRAGSA (i.e. phone calls, emails, resolutions) can be found in the report provided by TRAGSA and appended to the July 2016 TWG meeting report.

4. Contractual issues including future financing of the system

Following the approval of the extension by the Commission to retain TRAGSA and ensure the continuation of system development in accordance with Rec. [13-07] the contract was extended to cover activities throughout 2016. It will expire on the 31 December 2016 and the support element, as detailed above, on 30 November 2016.

Subsequently, in view of

(a)   on-going development of 'secondary' tasks,
(b)   development and changes needed to the system in light of adjustments to ICCAT conservation and management measures, and
(c)   ongoing system hosting and support,

a suitable solution would need to be found in order to support/finance the above activities either with the TRAGSA consortium or through another mechanism.

At the early stages of eBCD development, the TWG considered a number of options for future system financing and support. Following some proposals from members, these discussions were deferred pending a fully functional eBCD system. Although not explored in detail these included:

1. An eBCD document or other user-based fee to be collected on generation of each eBCD, although it was noted that this could result in an inequitable distribution of costs.

2. working capital fund, although it was noted that this option was likely not suitable in the long term for covering ongoing support and maintenance costs

3. main budget, which was seen as perhaps the most straightforward approach for ensuring long term funding needs were covered - recognizing that system costs would be spread amongst all members.

4. An eBCD fund managed by the ICCAT Secretariat contributed to by those CPCs based on catch and/or trade (or based on other parameters), although it was noted that the ICCAT Convention may not include flexibility to assess contributions in a manner different than that provided for in the Madrid Protocol. Without a firm legal basis to assess special contributions, some CPCs could have difficulty providing funding to support the system over the long term.

5. As point 3 but with contributions based on an initial registration fee applicable for all users together with a variable component (e.g., based on BFT quantity).

The financial breakdown and baseline information on the annual cost to maintain, host/support the system as well as the average number of users are available when considering the most suitable approach.

There were limited discussions in recent TWG meetings on system financing; however, there was a preference for extending the existing arrangement at least to cover remaining development work.

It was also noted that any user pays mechanism would create internal legal issues for some CPCs and that such approaches may not be possible even as a longer term solution. Furthermore, such an approach would likely require entering into a contract with a service provider to collect fees (such as paypal). The legal

liabilities for ICCAT associated with such activities, such as if credit card information gets compromised, should be explored as should what protections would exist for users.   Establishing whether or not ICCAT as an organization has a legal personality to enter into a contract for this purpose also should be looked at if this option is to be seriously considered.

Notwithstanding the views of STACAFD and the Commission, the TWG view was, therefore, that the general ICCAT budget could be used at least for the forthcoming year (2017) until such time as development work has been completed and a suitable future financing approach can be discussed and agreed.

5. Future role of the TWG

Notwithstanding the decisions of the Commission, the TWG felt that the group would need to remain in place at least through the next year [2017] and probably beyond to ensure the steering of future development work and provide a technical discussion/resolution forum; however, the group may not need to meet as frequently as in the past. One or two meetings per year could be sufficient in the future.