

Western Central Pacific Fisheries Commission

REGIONAL OBSERVER PROGRAMME

Tuna RFMO Meeting
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- The Commission Regional Observer Programme (ROP) is guided by two sets of rules
 - 1) Convention
 - 2) Conservation and Management Measures (CMMs)

Convention

■ Article 28 of the Convention states

1. The Commission shall develop a regional observer programme 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 (CMMs) adopted by the Commission .

Goals of the Programme

The programme shall

- provide a sufficient level of coverage, currently 100% for purse seiners (2400 trips) and targeting 5% for larger longliners for 2012 (800-1000 trips).
- ensure that the Commission receives appropriate data and information on catch levels and related matters.

ROP shall be:

- **Organized in a flexible manner;**
- **Consists of independent and impartial observers authorized by the Secretariat; and**
- **Be cost effective and coordinated with existing regional, sub-regional and national observer programmes to avoid duplication;**
- **Training and certification of observers and providers will occur in accordance with uniform procedures**

Observer Activity

- **Observers shall:**
 - collect catch data and other scientific data,
 - monitor the implementation of conservation and management measures adopted by the Commission and
 - report their findings in accordance with procedures to be developed by the Commission

The Regional Observer Programme will:

- consider science, technical, compliance-related, practical and economic elements of the fishery.
- list tasks for ROP observers for each fishery
- develop standard and harmonized procedures for observer data collection, reporting formats, placement and debriefing procedures.
- adopt standardised procedures for certification of training, observer programmes and observers by 2012.

Conservation and Management Measure on the Regional Observer Programme CMM 2007-01

The Key Regulating Rules for the ROP along with Data Rules

The ROP is defined as including fishing vessels authorized to fish in the Convention Area in accordance with the Commission's Conservation and Management Measures 2007-01 that:

- fish exclusively on the high seas in the Convention Area, and
- fish on the high seas and in waters under the jurisdiction of one or more coastal States
- Fish in the waters under the national jurisdiction of two or more coastal States.

CMM 2007- 01 - guidelines on functions and the roles of the:

- **Commission Secretariat - (Pohnpei FSM)**
- **Coastal States - (Country with a coast line in the Convention area)**
- **Flag States - (Countries who have fishing vessels registered and flagged in their country) –**
- **ROP Observer's**
- **Vessel Captains**
- **Vessel Crew**

ROLE OF THE SECRETARIAT

- Compile and Maintain manuals;
- Ensure national and sub-regional programmes maintain standards;
- Monitor observer trainers and observer training courses;
- Address data and monitoring requirements of the Commission's CMMs;
- Certify and authorise observer providers and observers for the ROP

- **Collect, compile, store and disseminate data generated by the ROP in accordance with procedures adopted by the Commission;**
- **Administer observers for special situations as directed by the Commission;**
- **Develop Safety policies and procedures for observers.**
- **Audit ROP observer programmes to ensure standards are maintained.**
- **Collect, store and make available manual documentation from other observer programmes**

ROP OBSERVERS' RIGHTS

- Full access to and use of all facilities and equipment of the vessel
- Full access to the vessel's records including its logs and documentation
- Access to and use of communications equipment
- Access to additional equipment, if present, to facilitate the work of the observer
- Access to the working deck during net or line retrieval and to specimens

- **Notice by the vessel captain of at least fifteen (15) minutes before hauling or setting**
- **Access to food, accommodations, medical facilities, and sanitary facilities of a reasonable standard**
- **The provision of adequate space on the bridge or other designated area for clerical work and adequate space on the deck for observer duties**
- **Freedom to carry out their duties without being assaulted, obstructed, resisted, delayed, intimidated or interfered with in the performance of their duties**

- being capable of performing the duties set out by the Commission
- acceptance and compliance with agreed confidentiality rules
- maintenance of independence and impartiality at all times
- compliance with the ROP protocols for observers
- compliance with the laws and regulations of the country that exercises jurisdiction over the vessel
- respecting the hierarchy and general rules of behavior

- **performance of duties in a manner that does not unduly interfere with the lawful operations of the vessel**
- familiarity with the emergency procedures aboard the vessel
- **communicating regularly with the vessel captain on relevant observer issues**
- observance of ethnic traditions of the crew and customs of the flag State of the vessel
- **adherence to the ROP Code of Conduct for observers**
- promptly writing and submitting reports to the Commission or national programme

RIGHTS OF VESSEL OPERATORS AND CAPTAINS

- Expectation that a reasonable period of prior notice of the placement of an ROP observer shall be given.
- 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.
- Timely notification from the observer provider on completion of the observer's trip of any

- Giving notice to the ROP observer at least fifteen (15) minutes before the start of a set or haul onboard, unless the observer specifically requests not to be notified.
- Ability to conduct lawful operations of the vessel without undue interference due to the observer's presence
- 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.

OPERATOR /CAPTAIN RESPONSIBILITIES

- Accepting onboard the vessel any person identified as an observer under the ROP when required by the Commission.
- 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.
- Assisting the ROP observer to safely embark and disembark the vessel at an agreed upon place and time.

- **Allow ROP observer full access to the vessel's records including vessel logs and documentation.**
- Allowing reasonable access to navigational equipment, charts and radios.
- **Permit access to additional equipment, if present, to facilitate the work of the ROP observer.**
- Allow and assist the ROP observer to remove and store samples from the catch.
- **Allow and assist the ROP observer to carry out all duties safely.**

- The provision to the ROP observer 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
- The provision to the ROP observer, while onboard the vessel, insurance coverage for the duration of the observer's time onboard the vessel
- Allow and assist full access to and use of all facilities and equipment of the vessel that the observer may determine is necessary to carry out his or her duties...
- 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.

CREW RIGHTS

- Expectation that the ROP observer will comply with the general rules of behavior, hierarchy, and laws and regulations of the CCM that exercises jurisdiction over the vessel.
- Expectation that a reasonable period of prior notice of the placement of a ROP observer shall be given by the Captain.
- Reasonable expectation of privacy in crew personal areas.
- 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.

CREW RESPONSIBILITIES

- **Do not assault, obstruct, resist, intimidate, influence, or interfere with the ROP observer or impede or delay observer duties.**
- **Comply with regulations and procedures established under the Convention and national rules and regulations**
- **Allow and assist in safety and full access to and use of all facilities and equipment of the vessel necessary to carry out his or her duties.**
- **Allow Observers to take samples for their work**

Other Relevant CMMs

- CMMs that will have an effect on the observers roles and duties when they are on a vessel
 - CMM 2007-02 – VMS activity verification
 - CMM 2007-04 – Seabird mitigation
 - CMM 2008-01 – Bigeye and Yellowfin
 - CMM 2008-03 - Sea Turtles
 - CMM 2009-02 – FADs and Catch Retention
 - CMM 2009-04 – Sharks
 - CMM 2009-06 – Transhipment

THE END

