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INFORMATION THAT COULD BE USEFULLY GATHERED AROUND BYCATCH MITIGATION EQUIPMENT AND THEIR APPLICATION, DURING HIGH SEAS TRANSHIPMENT PROCESSES

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Paper prepared by the Secretariat

Purpose

1. The purpose of this paper is to respond to the task for the Secretariat to consider what information could usefully be gathered around bycatch mitigation equipment and their application during transshipment processes and to provide a report to TCC14 (TCC13 Summary Report paragraph 337).

Background

2. At TCC13, a presentation was made by Birdlife International of paper *Piloting Data Collection through Transshipment Monitoring as an Opportunity for Monitoring the Implementation of The WCPFC Seabird CMM (WCPFC-TCC13-2017-OP01)*. The paper proposed that observers, when they are deployed on carrier vessels to monitor high seas transshipments, could also be tasked to gather information to assist in checking and verifying the use of bycatch mitigation equipment, including for seabirds. In making the proposal Birdlife acknowledged that it may not always be safe for observers to move between transshipping vessels. Further it was proposed that some data could still be usefully gathered from the carrier vessel, for example by the observer taking stern photos of longline vessels to verify the presence of tori poles. Birdlife also noted that IOTC will be commencing the implementation of a trial pilot transshipment data gathering project, for deployment of seabird mitigation equipment. For ease of reference, the substantive part of that proposal is enclosed as **Attachment 1**.
3. At WCPFC14, the Commission in endorsing the TCC13 Summary Report, approved the TCC recommendation that the Secretariat be tasked to consider what information could usefully be gathered around bycatch mitigation equipment and application, during transshipment processes, and to forward these to TCC14 for consideration to be incorporated into the transshipment process (TCC13 Summary Report paragraph 337). This paper responds to this task.

Current framework for observing high seas transshipment monitoring

4. The rules governing high seas transshipment activities can be found in CMM 2009-06 *Conservation and Management Measure for the Regulation of Transshipment*. These include the requirement that flag CCMs are expected to ensure, that where a high seas transshipment activity is permitted to occur, that a minimum of one Regional Observer Programme (ROP) observer must observe the activity. Usually a ROP observer is deployed on the receiving vessel, usually the carrier, to monitor high seas transshipment activities (paragraph 13).
5. The expected duties of the ROP observers during high seas transshipment events, is in paragraphs 14, 15 and 16 of CMM 2009-06. It states:
 - “14. *Observers shall monitor implementation of this Measure and confirm to the extent possible that the transshipped quantities of fish are consistent with other information available to the observer, which may include:*
 - a. the catch reported in the WCPFC Transshipment Declaration;*
 - b. data in catch and effort logsheets, including catch and effort logsheets reported to coastal States for fish taken in waters of such coastal States;*
 - c. vessel position data; and*
 - d. the intended port of landing.*
 15. *Observers shall have full access to both the unloading and the receiving vessel in order to ensure that proper verification of catches can occur. The Commission shall develop guidelines for the safety of observers in moving between vessels as part of the ROP.*
 16. *Receiving vessels shall only receive product from one unloading vessel at a time for each observer that is available to monitor the transshipment.”*
6. The Commission has adopted and refined minimum required ROP data fields setting out the data and information that ROP observers are expected to collect when they are deployed to observe longline and purse-seine vessel trips in the Convention Area.¹ However, to date the Commission has not similarly prescribed the minimum data fields that ROP observers are expected to collect when they are deployed to monitor high seas transshipment activities. Consequently, the data and information that are collected by ROP observers deployed on carrier vessels involved in high seas transshipments, are often only available to the national or subregional ROP observer programme that deploys the observer. It should also be noted that presently the Commissions minimum required ROP data fields do not explicitly specify requirements for submission of photographs or images, they only relate to the submission of data fields.

¹ The Scientific Services Provider, regularly provides annual reports to SC and TCC, on the completeness of ROP data received by the Commission, where ROP observers were deployed on purse seine vessels and longline vessels in the WCPO (eg WCPFC-SC14-2018-ST-IP02). The Secretariat, with support from the Scientific Services Provider, has also provided annual reporting about whether minimum required ROP observer coverage rates were achieved on purse seine fleets and longline fleets during the previous calendar year (eg WCPFC-TCC14-2018-RP02).

Discussion

7. Initially early in the implementation of CMM 2009-06, the Secretariat did receive copies of some ROP observers' diaries for some placements on carrier vessels. Since 2011, and in response to requests from some CCMs, the Secretariat has published on the WCPFC website, a set of guideline forms that could be considered by ROP observer programmes when developing their monitoring programmes for transshipment activities, including in high seas waters.² However, because carrier vessels involved in high seas transshipment, may be involved in in-port transshipments on the same trip, the Secretariat understands that some CCMs have expressed that only the data related to high seas waters that may be collected by the ROP observers should be provided to the Secretariat. Noting that there is not yet formal agreement on minimum ROP data fields for when high seas transshipments are observed, the Secretariat has not pursued submissions of data or information from ROP observer programmes for carrier vessel placements.
8. In the absence of regular flows of standardized ROP data related to high seas transshipment activities, the Secretariat's annual reporting to TCC has necessarily focused on confirming whether flag CCMs appear to have met their high seas transshipment ROP observer requirements. This is completed by the Secretariat checking whether the high seas transshipment declarations received by the Secretariat did have a ROP observer deployed on at least the carrier vessel, for 100% of all high seas transshipment events that were reported to the Secretariat.
9. The ERandEMWG at its recent meeting held in August 2018, has commenced discussions on how E-monitoring technologies could benefit the work of members and the Commission in supporting the objectives and implementation of the Commission. During the discussions, some CCMs suggested that ERandEMWG could consider the application of E-monitoring (and/or observers) on carrier vessels to verify if transshipments are taking place and collect associated data.
10. The Secretariat understands that SPC and FFA are presently working on the development of training courses and minimum data fields for Pacific Island observer programmes to collect whilst deployed on carrier vessels operating in the Convention Area, including when involved in in-port and high seas transshipments.
11. The absence of the Commission having defined a set of minimum ROP required data fields for observers to collect when monitoring high seas transshipment activities, does constrain consideration being given now as to whether additional data and photos about bycatch mitigation equipment, could be collected by ROP observers whilst they are deployed to monitor high seas transshipments. However, the recent developments noted above may provide opportunities for further consideration of these matters soon.
12. TCC14 is invited to note the paper.

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² The guideline published by the Secretariat that maybe considered by ROP observer programmes when developing their monitoring programmes for transshipment activities, including in high seas waters:= Form FC1 - Fish Carrier General Description; Form FC2 - Observer At Sea Transshipment Report; Form FC3 - Catch Destination Form (access from <https://www.wcpfc.int/regional-observer-programme>)

Excerpt from *Piloting Data Collection through Transshipment Monitoring as an Opportunity for Monitoring the Implementation of The WCPFC Seabird CMM (WCPFC-TCC13-2017-OP01)*.

“Recognising that the primary duties of the transshipment observer is to monitor the transshipping activities, but that this may include accessing data in logbooks, we propose that observers be mandated to collect, as part of their regular inspection duties during transshipment events, the following information. We acknowledge, however, that it may not always be possible to collect some or any of these images. The collection should therefore be done on the basis of whenever practical and possible:

1. Stern shots: Photos of the stern of the vessel (also showing vessel name/identifying features) to ascertain the nature of any bird-scaring line poles (or ‘Tori poles’), to estimate the attachment height above sea level and whether the pole is sufficiently robust to support a BSL(Bird Scaring Line) with 100 m aerial extent during setting operations
2. Night setting: 10-15 photographs taken at random, of non-consecutive pages of logbooks from the past three months, to check for fishing effort south of 30 N, whether or not gear was set at night;
3. Line weighting: Photos of a subset of fishing gear (in baskets, coils or boxes) to check if vessels are using line weighting or not
4. Bird scaring lines: Where possible, photos of bird-scaring lines if any are present/visible

At a minimum, for each relevant transshipment event there should be a digital photograph taken of the stern of the vessel. We note that some longline vessels move from southern (or Northern) latitudes (where fishing requires that CMM 2015-03 is implemented) towards the tropics, but also note that some longliners may never operate south of 30°S or north of 23°N. For example, there is little purpose in collecting stern shots of transshipment events in the tropical Pacific Ocean, where vessels are unlikely ever to have implemented CMM 2015-03. A pragmatic discussion is needed as to when observers should attempt to collect this information.

The agencies responsible for managing the observer scheme should establish a simple data management protocol to allow digital images and other information to be stored in association with other relevant details of each vessel inspected, ready for any analyses which might be requested by SC, TCC or the Commission.

It is noted that a level of expertise is required to assess line weighting and bird scaring line features that might be present in photographs, we suggest that WCPFC Secretariat consider how best to establish a mechanism to share the information with participants of the Scientific Committee with seabird expertise, or other seabird bycatch experts, intersessionally. The purpose is to have experts capture and analyse data appropriately and to prepare a report on which measures and how much they are used by the various fleets, to be presented annually to the Scientific Committee, either by the expert(s) or by the Secretariat in association with the experts.

We believe such data would provide a useful complement to existing data-collecting processes (primarily the Regional Observer Programme for scientific observers). Data from scientific observers and logbooks, and responses to specific calls for data from WCPFC, should remain the primary sources of information for assessing the use and effectiveness of various seabird bycatch mitigation measures.” ---