

The logo for the South Pacific Regional Fisheries Management Organisation (SPRFMO) is a blue rectangular banner with a repeating pattern of fish swimming to the right. The text "South Pacific Regional Fisheries Management Organisation" is written in white, bold, sans-serif font across the banner.

South Pacific Regional Fisheries Management Organisation

**1st Meeting of the Compliance and Technical Committee,
Manta, Ecuador: 27 - 31 January 2014**

CTC-01-12

**Proposal for a SPRFMO Conservation Measure for the Establishment of the
Vessel Monitoring System in the SPRMFO Convention Area**

European Union

CMM XXX

Conservation and management measure for the establishment of the Vessel Monitoring System in the SPRMFO Convention Area

The Commission of the South Pacific Regional Fisheries Management Organisation;

Recalling the relevant provisions of the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean, in particular Articles 25.1 (c) and 27.1 (a);

Noting the importance of the vessel monitoring system as a tool to effectively support the principles and measures for the conservation and management of highly migratory species within the Convention Area;

Mindful of the rights and obligations of Commission Members and Cooperating Non-Members in promoting the effective implementation of conservation and management measures adopted by the Commission;

Further mindful of the key principles upon which the vessel monitoring system is based, including the confidentiality and security of information handled by the system, and its efficiency, cost-effectiveness and flexibility.

ADOPTS the following conservation measure to provide for the implementation of the SPRFMO Vessel Monitoring System (Commission VMS):

A COMMISSION VMS.

1. The system shall commence to be activated [1 January XXX], in the area of the Convention Area as defined in Article 5 of the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean.

DEFINITIONS

2. For the purposes of interpreting and implementing these procedures, the following definitions shall apply:

- a. "Convention" means the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean;
- b. "Convention Area" means the Area to which this Convention applies in accordance with Article 5;
- c. "Commission" means the Commission of the South Pacific Regional Fisheries Management Organisation established by Article 6;

- d. Automatic location communicator (ALC) means a near real-time satellite position fixing transceiver

APPLICABILITY

3. The Commission VMS shall apply to all fishing vessels as defined in Article 1, paragraph 1 h) of the Convention.
4. Any CCM may request, for the Commission's consideration and approval, that waters under its national jurisdiction be included within the area covered by the Commission VMS. Necessary expenses incurred in the inclusion of such area into the Commission VMS shall be borne by the CCM which made the request.

NATURE AND SPECIFICATION OF THE COMMISSION VMS

5. The Commission VMS shall be a stand-alone system developed in and administered by the SPRFMO Secretariat of WCPFC under the guidance of the Commission.
6. All fishing vessels shall report VMS data to the Commission's Secretariat via their Flag State Fisheries Monitoring Centres (FMC), in line with paragraph 1 c) of Article 25 of the Convention, or;
7. In case the Flag State does not operate a FMC for their vessels fishing in the Convention area, fishing vessels shall report directly to the SPRFMO Secretariat. The conditions for this direct transmission, namely the specifications of the ALCs, shall be defined by the Commission.
8. The Commission shall develop rules and procedures for the operation of the Commission VMS, including, *inter alia*:
 - a. vessel reporting, including the specifications of the data required, its format and reporting frequencies;
 - b. rules on polling;
 - c. ALC failure alternates;
 - d. cost recovery;
 - e. cost sharing;
 - f. measures to prevent tampering; and
 - g. obligations and roles of fishing vessels, CCMs and the Commission Secretariat.
9. Security standards of the Commission VMS data shall be developed by the Commission, consistent with the SPRFMO Information Security Policy.
10. All CCM fishing vessels required to report to the Commission VMS shall use a functioning ALC that complies with the Commission's minimum standards for ALCs.

11. The minimum standards for ALCs used in the Commission VMS are appended at Annex 1.

MANUAL REPORTING

12. In the event of failure of automatic reporting, the Commission should develop clear guidelines and templates for manual reporting along the following principles:

1. The Secretariat shall request that vessels should start manual reporting case of non-reception of two consecutive position reports .
2. Frequency of manual reporting should be of six hours with hourly basis details
3. Permanence at sea under manual reporting should be limited to thirty days after which the Flag State should order the fishing vessel to immediately cease fishing, stow all fishing gear, and return to port to repair the VMS.
4. Flag states should inspect any of their flagged vessels which have had three events of non-reporting per year.
5. Manual reporting shall be forwarded to the Secretariat by the vessel or by the Flag FMC by e-mail or fax.

13. In the event that the Secretariat has not, for 48 consecutive hours, received the relevant data transmissions, it will notify the Flag State and require an explanation. After 5 further working days without explanation the Secretariat will inform the Commission.

Annex 1**Draft Minimum Standards for Automatic Location Communicators (ALCs) used in the Commission Vessel Monitoring System**

Pursuant to Article 25.1 (c) of the SPRFMO Convention), the Commission hereby establishes the following minimum standards for ALCs:

1. The ALC shall automatically and independently of any intervention on the vessel communicate the following data:
 - a. ALC static unique identifier;
 - b. the current geographical position (latitude and longitude) of the vessel; and
 - c. the date and time (expressed in Universal Time Constant [UTC]) of the fixing of the position of the vessel in paragraph 1 (a) above.
2. The data referred to in paragraphs 1 (b) and 1 (c) shall be obtained from a satellite-based positioning system.
3. ALCs fitted to fishing vessels must be capable of transmitting data referred to in paragraph 1, hourly.
4. The data referred to paragraph 1 shall be received by the Commission within 90 minutes of being generated by the ALC, under normal operating conditions.
5. ALCs fitted to fishing vessels must be protected so as to preserve the security and integrity of data referred to in paragraph 1.
6. Storage of information within the ALC must be safe, secure and integrated under normal operating conditions.
7. It must not be reasonably possible for anyone other than the monitoring authority to alter any of that authority's data stored in the ALC, including the frequency of position reporting to that authority.
8. Any features built into the ALC or terminal software to assist with servicing shall not allow unauthorized access to any areas of the ALC that could potentially compromise the operation of the VMS.
9. ALCs shall be installed on vessels in accordance with their manufacturer's specifications and applicable standards.
10. Under normal satellite navigation operating conditions, positions derived from the data forwarded must be accurate to within 100 square metres Distance Root Mean Squared (DRMS), (i.e. 98% of the positions must be within this range).
11. The ALC and/or forwarding service provider must be able to support the ability for data to be sent to multiple independent destinations.

12. The satellite navigation decoder and transmitter shall be fully integrated and housed in the same tamper-proof physical enclosure.