



SPRFMO

4th Meeting of the Compliance and Technical Committee  
Adelaide, Australia, 14 to 16 January 2017

CTC4-Doc04

Report of the SPRFMO Observer Programme Working Group (OPWG)

*Micheal Tosatto (United States of America)*

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**U.S. DEPARTMENT OF COMMERCE**  
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Johanne Fischer  
Executive Secretary  
SPRFMO Secretariat  
P.O. Box 3797  
Wellington 6140  
New Zealand

DEC 20 2016

Dear Dr. Fischer:

**SUBJECT: Report from the SPRFMO Observer Programme Working Group**

According to the Terms of Reference for the SPRFMO Observer Programme Working Group (OPWG TOR), I am submitting the attached report back regarding the progress of the work of the OPWG for the consideration of the 2017 Meeting of the Compliance and Technical Committee. The report consists of two parts; a report describing the work of the OPWG based on the timeline in the TOR and a brief summary of the draft Conservation and Management Measure as progressed through the fourth revision.

The OPWG participants provided significant and in many cases, conflicting input on the fourth revision of the draft CMM. Because of that, and with the wishes of the OPWG, I am not providing a fifth revision at this time. I want to take this final opportunity to thank the OPWG participants for their efforts over the intercession and I look forward to joining you all at the upcoming annual meetings in Adelaide, Australia.

Please circulate this document to all Members and CNCPs.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. D. Tosatto".

Michael D. Tosatto  
Regional Administrator

Enclosure



## **SPRFMO Observer Programme Working Group (OPWG) Chair's Report**

The following is a summary of the work completed by the Observer Programme Working Group (OPWG) over the past year:

- The OPWG was formed with participation from Australia, Chile, China, Ecuador, European Union, Korea, Liberia, New Zealand, Peru, Russia, Chinese Taipei and the United States.
- The Secretariat established OPWG forum web pages on the secure section of the SPRFMO website for use of the OPWG participants to facilitate discussions and progress on work. Work was conducted through this forum as well as through e-mail exchange. The Secretariat assisted the OPWG chair to ensure all OPWG members received all communications of the group.
- The Chair followed the terms of reference (TOR), making only slight adjustments as described below. The Chair circulated a letter to the OPWG in March proposing that the task items listed in the TOR were best handled if separated into three categories: (1) items that should be addressed in the initial conservation and management measure (CMM); (2) operational procedures that could be better addressed once the CMM is adopted; and (3) best practices for implementation of the program. The Chair proposed placing priority on the development of the CMM and circulated an outline for the CMM.
- OPWG participants provided comments indicating that they were generally supportive of the Chair's proposed approach and separation of the task items in the TOR into these three categories.
- The Chair circulated the first draft of the CMM for the SPRFMO Observer Programme on April 28, 2016, and participants in the OPWG provided substantive comment on the first draft of the CMM.
- The Chair circulated a second draft of the CMM for the SPRFMO Observer Programme on July 15, 2016. Along with this second draft, the Chair provided information on how comments from the OPWG participants had been addressed in the second draft and identified items that the Chair believed needed further discussion by the OPWG.
- The Chair also circulated to the OPWG a draft letter for submission to the Scientific Committee (SC) requesting input on specific matters, as well as a proposal for the continued work of the OPWG that slightly modified the process detailed in the TOR.
- Participants of the OPWG generally agreed with the approach for the OPWG's continued work outlined in the Chair's July 15, 2016 letter and also approved the draft letter to the SC.
- The Chair submitted the letter to the SC as well as the draft CMM for the SPRFMO Observer Program for the SC's review and consideration at its fourth meeting.
- OPWG participants and the SC provided comments on the draft CMM. The SC comments and recommendations on the draft CMM were included in the 4<sup>th</sup> Report of the SC.
- On October 24, 2016, the Chair proposed a revised timeframe for circulating the next draft of the CMM, in order to take into consideration the SC's recommendations and all comments received.

- The Chair circulated the fourth draft of the CMM to the OPWG on November 18, 2016. Included in the draft CMM, the Chair provided a short summary of the CMM and explained how earlier comments had been addressed.
- As described in the TOR, the Chair requested input from the OPWG as to whether the OPWG should provide a draft of the CMM to the Compliance and Technical Committee (CTC) or just report to the CTC regarding the progress of the OPWG's work.
- OPWG participants provided significant and in some cases, conflicting comments on the fourth draft of the CMM and some stated that a report of the work of the OPWG should be provided to the CTC.
- The Chair is submitting this report to the CTC, along with a brief summary of the CMM to document the progress through the fourth revision.

## Draft Conservation and Management Measure for the SPRFMO Observer Programme

This is a short summary of the draft CMM through the fourth revision. As developed so far, this draft CMM provides the basic framework for the SPRFMO Observer Programme (OP). Since this draft CMM provides only a basic framework for the SPRFMO OP, it is envisioned that at a minimum, accompanying documents would need to be developed that further describe the full accreditation process and standards, and that describe the operational procedures and best practices for participating observer programs. Among items for future discussion are:

- The full role and responsibilities of the Secretariat to operationalize this framework.
- Funding needed for the Secretariat's role and responsibilities
- Access to observer data by vessel operators
- Consequences for non-compliance

The SPRFMO OP will primarily consists of independent and impartial human observers sourced from accredited observer providers. This draft CMM may leave open the potential for replacing human observers with electronic technology at a later time. Guided by Article 28 of the Convention, this draft CMM describes an OP that will support both compliance and scientific functions of the Commission. The core obligation of members and CNCPs is to deploy accredited observers at the required level of coverage to collect the required information and forward it to the Commission. The observers can come from a variety of sources; a national program, a regional program, a non-member state program, a commercial vendor, etc. but the requirement is that the provider must be accredited by the Commission. This draft CMM would apply to all fishing vessels as defined by the Convention (i.e. catchers and transshipment vessels).

Where necessary, this draft CMM has incorporated the definitions, objectives and requirements of the Convention (principally Article 28) and other adopted CMMs (principally CMM 4.02, among others). This draft CMM tries, to the extent possible, to focus on placing the observer program requirements in a single CMM. In some cases, when possible, text from adopted CMMs is duplicated. In other cases, text is nearly duplicated with improvements recommended by OPWG participants. In still other cases, the existing requirements, such as the detailed lists of what information is collected in each fishery and the data standards were just incorporated by reference. Where the OPWG felt it necessary, this draft CMM provides additional requirements, such as the rights and responsibilities of observers and vessel operators. This draft CMM provides a timeline for analysis to determine the appropriate levels of observer coverage and coverage metrics for all SPRFMO fisheries.

As an initial step, this draft CMM establishes a minimal interim accreditation process, administered by the Secretariat while the work is done to develop the final accreditation process (including to determine the role of the Secretariat in that process) and provides a deadline for that work. Finalizing this accreditation process would require the development of the minimum standards for training, qualification, debriefing, equipment and safety, etc., for observer programmes.