

COMM-03-WP-03 (15:40, 02 Feb 2015)

Terms of reference for the South Pacific Regional Fisheries Management Organization Working Group on Vessel Monitoring System

Background

The *Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean* (the Convention) was adopted on 14 Nov 2009 and entered into force on 24 August 2012. The objective of the Convention is the long term conservation and sustainable use of fishery resources in the South Pacific Ocean and the protection of the marine ecosystems in which the resources exist.

At SPRFMO2, recalling the relevant provisions of the Convention, in particular Articles 25(1)(c) and 27(1)(a), the Commission adopted CMM2.06 on the Establishment of the Vessel Monitoring System in the SPRFMO Convention Area. CMM2.06 sets out a framework for establishing an SPRFMO Commission Vessel Monitoring System (or VMS). Paragraph 3 of CMM2.06 provides that the purpose of the SPRFMO VMS should be to cost effectively continuously monitor the movements of fishing vessels authorized by flag States to fish in the SPRFMO Convention Area in order, *inter alia*, to support the implementation of SPRFMO CMMs.

Paragraph 9 of CMM2.06 provides that particular considerations shall be taken into account when developing rules and procedures for the operation of the VMS, including the draft Minimum Standards for Automatic Location Communicators (ALCs) used in the Commission VMS (as set out in Annex I) and:

- a. vessel reporting, including the specifications of the data required, its format and reporting frequencies;
- b. Automatic Location Communicators (ALCs) minimum standards, including automation standards and the specifications of the ALCs;
- c. rules on polling;
- d. ALC failure alternates;
- e. cost recovery;
- f. cost sharing; and
- g. measures to prevent tampering.
- h. obligations and roles of fishing vessels, Members, CNCPs and the Secretariat, and
- i. use and release of data for purposes within the scope of the Convention.

Establishment and functions of the CTC Working Group on VMS

At SPRFMO2, the Compliance and Technical Committee (CTC) recommended to the Commission that an intersessional working group be established to develop rules and procedures for the operation of the SPRFMO VMS, in accordance with the considerations outlined at paragraph 9 of CMM 2.06. The CTC1 report was adopted by the Commission but this work has not yet commenced. The Commission agrees that the responsibilities of the VMS Working Group (VMS-WG) will be expanded to those set out below. The VMS -WG's expanded mandate includes testing the market, during the intersessional period, to request and evaluate proposals from possible VMS providers for the three VMS options set out in paragraph 8 of CMM2.06 and make recommendations to CTC3 and the Commission at its fourth meeting.

The VMS -WG will be chaired by the Chair of the Compliance and Technical Committee and coordinated by the Executive Secretary of SPRFMO. The VMS-WG is open to all interested Members and CNCPs and will be comprised of one or more suitably qualified representatives from each Member and CNCP. Members and CNCPs must nominate their representatives to the Secretariat before 31 March 2015. Interested Members and CNCPs will need to ensure that the VMS-WG has sufficient technical expertise as well as expertise in project and contract management. If agreed by the VMS-WG, the Group may also invite experts including from other intergovernmental organisations who are working on VMS matters, such as the Commission for the Conservation of Antarctic Marine Living Resources, and relevant RFMOs. The VMS-WG will undertake its work electronically.

Responsibilities

1. The VMS -WG will identify the specific requirements of the SPRFMO VMS that will give effect to the objectives and considerations outlined in the Convention, and paragraph 3 of CMM 2.06.
2. The VMS-WG will develop evaluation criteria for the acquisition and implementation of a VMS system for the Monitoring Centre to be established at the SPRFMO Secretariat, taking into account the objectives and considerations outlined in the Convention, and paragraphs 3 and 9 of CMM 2.06 by [1 June 2015]. If considered desirable, the VMS-WG may draw from existing documents developed by other organizations to facilitate this work.
3. The VMS-WG will develop a Request for Proposal by [1 July 2015] for providing these VMS services on the basis of the evaluation criteria developed by the VMS-WG. If considered desirable, the VMS-WG may draw on existing documents developed by other organisations to facilitate this work.
4. The SPRFMO Executive Secretariat will use the Request for Proposal agreed by the VMS-WG to call for proposals. Costed proposals from interested VMS service providers will be due back to the Working Group by [1 September 2015].

5. The VMS Working Group will evaluate the proposals received and provide a report to the CTC at SPRFMO-4, for further consideration by the Commission, outlining a technical and fiscal analysis of the three best options. Each option will be evaluated to determine its ability to meet the objectives in paragraph 3 of CMM2.06 and the evaluation criteria.
6. The VMS-WG will develop the rules and procedures for the SPRFMO VMS according to paragraph 9 of CMM2.06. This work is to be undertaken in the intersessional period between SPRFMO-4 and SPRFMO-5.
7. These Terms of Reference will be reviewed at SPRFMO-4 to ensure their ongoing suitability.