
8TH MEETING OF THE COMPLIANCE AND TECHNICAL COMMITTEE (CTC)

21-23 January 2021

CTC 8 – Doc 10_Rev2

SPRFMO Observer Programme Implementation Report *Secretariat*

1. Background

Paragraph 45 of [CMM 16-2019 \(Observer Programme\)](#) requires that the Secretariat shall prepare a report on the implementation of the SPRFMO OP for presentation at each annual meeting of the CTC, using information from annual reports, observer data, and all other suitably documented and relevant information in its possession. This document represents the second of these implementation reports and summarises developments in the SPRFMO Observer Programme Implementation since the conclusion of the Commission's 2020 Annual Meeting.

The CTC is invited to:

- **Note** the contents of this paper and make any comments it deems appropriate.
- **Consider** whether to develop any recommendations in relation to the three final reports regarding SPRFMO Accreditation of the national Observer programmes for Australia, Chile and New Zealand.

2. CMM reporting requirements

2.1 Information on problems that have been encountered

No problems in implementation have been identified.

2.2 Recommendations for improving current standards and practices

The [8th Scientific Committee Meeting](#) made two specific recommendations relating to Observer Programmes and Observer data:

- With regards to Jumbo flying squid, the SC progressed several pieces of work in preparation for the full implementation of CMM 18-2020 on 1 January 2021. The SC **accepted** a draft Squid Jigging Observer Data Template¹ with minor modifications and **agreed** on a maturity schedule for the submission of consistent squid gonad maturity data on the Observer Data Template.
- Concerning VME encounters and spatial management, the SC agreed that the draft lists of VME taxa presented in [SC8-DW11](#) could be used to develop VME indicator taxa identification guides for use by observers on bottom fishing vessels and that an assessment of how ID guides could be developed **should be added to the work plan**². The Secretariat was requested to investigate whether this type of work could be coordinated through the ABNJ project³.

¹ FAC8-Doc06.2 notes that the SPRFMO database has also been upgraded to store this information which will be collected when CMM18-2020 is fully implemented on 1 January 2021.

² See COMM9-Doc06

³ The Secretariat provided input into the ABNJ process as of 11 December 2021 to address this issue.



2.3 Developments in observer programmes and observational methods

The “[Process for Tender Evaluation of the SPRFMO Observer Programme Accreditation Evaluator](#)” identified that the SPRFMO Commission would select the SPRFMO OP Accreditation Evaluator during its 8th Annual Meeting in January 2020 and authorise the Secretariat to commence contract negotiations with the successful provider on the basis of parameters set by the Commission. Paragraph 59 of the [COMM9-Report](#) noted that the Commission approved the selection of MRAG as the accreditation provider. Negotiation of the contract began in March 2020 and it was signed on 5 May 2020.

The Secretariat held an inception meeting with MRAG on 22 May 2020 which focused on the next steps and the operational aspects of the accreditation (working languages, scheduling for SPRFMO Members, confidentiality rules, document depository, administrative and supporting role of the Secretariat, etc). In letter G59-2020 the Secretariat requested those Members and CNCs looking for accreditation, particularly this year, to submit their points of contact which were then provided to MRAG so that the accreditation process could begin. Points of contact were received from Australia, Chile, New Zealand, and the European Union.

MRAG initiated the formal part of the accreditation process on 3 August 2020 with these Members. However, on 10 August 2020 the European Union informed MRAG that at that stage they did not intend to launch the exercise of accreditation for 2020 so the accreditation process proceeded for three Members during the latter part of 2020.

New Zealand were sent a preliminary report on 6 October 2020 and Australia on 12 ~~November~~^{October} 2020 ([which is not within the timeframe indicated in the Assessment Guidelines](#)). Chile were given preliminary feedback and engaged in further discussion to ensure that MRAG had all necessary information to make their assessment. Final Assessment Reports ([which required further pending final editing](#)) were provided to the Secretariat on 26 November 2020 (included as Annexes 1, 2 and 3 to this report). MRAG has also deposited copies of the assessment materials (all the relevant information and documentation to fulfil the standards provided for in Annex 3, including manuals, guides and training materials as specified in Paragraph 23 of [CMM 16-2019](#)) with the Secretariat where they have been archived. No issues have arisen in the relationship between MRAG and the Secretariat, and MRAG are very responsive to Secretariat communications.

2.4 Constraints to accreditation

As noted in paragraph 111 of the [COMM 7 Meeting report](#), “*relevant expenses for accreditation will be covered by the EU contribution of 150,000 Euros for the first year, and Members’ contributions will be requested after that period*”. The EU grant has enabled three Members to progress their accreditation this year. This has significantly facilitated the initial stages of the implementation of the SPRFMO Observer Programme, which will provide information essential for the Commission to adopt and implement effective and timely Conservation and Management Measures. For various reasons, including the COVID-19 pandemic, other Members chose to delay entering the accreditation process in the first year. The Secretariat has approached the EU regarding a possible extension of the grant that supports this important voluntary contribution.

Although three Members benefited from the EU’s voluntary contribution this year, the cost of accreditation may be a constraint on other Members seeking accreditation in future years.



2.5 Any identifiable problem or obstacle in fulfilling the objectives and purpose of this CMM

The Secretariat has received positive feedback from Members including in relation to the thoroughness of the process. However, feedback was also received querying whether the Draft preliminary report(s) provided under paragraph 27⁴ of the CMM were sufficiently clear in indicating whether the nominated national observer programmes met the minimum standards for accreditation. This led to considerable uncertainty as to whether the accreditation evaluations were in fact positive and whether accreditation would be able to be granted during the 2021⁵ annual meeting.

Paragraph 31 of [CMM 16-2019](#) requires the Accreditation Evaluator to submit the Final Evaluation Report to the Secretariat (only) no later than 60 days in advance of the next Commission meeting. What is not clear is how this final information should be presented to the Member concerned, the CTC and ultimately the Commission. This year the final reports are included into this document which becomes available 30 days before the meeting. Members are invited to provide guidance on any adjustments to this process that they wish to make.

Paragraph 32 CMM 16-2019 requires that after the Accreditation Evaluator has submitted a Final Evaluation Report to the Secretariat, the Commission shall decide whether to grant accreditation at its next meeting. However, as noted in paragraph 53 of [CMM 16-2019](#) Members and CNCPs may continue using their own non-accredited national observer programme to meet observer coverage requirements until 31 December 2023.

3. National programmes accredited under the SPRFMO Observer Programme

The Secretariat through the Implementation Reports submitted under the Convention and CMM 10-2020 (CMS) requested Members and CNCPs to identify in which year they were intending to begin the accreditation process of their National Observer Programmes. The results are summarised in the table below.

Timeline for Accreditation	Member/CNCP
Currently accredited	nil
Accreditation in progress	Australia, Chile, New Zealand
Within the forthcoming year	China, Ecuador, Korea, Chinese Taipei
Within the 2 forthcoming years	Cook Islands
Within the 2-5 forthcoming years	European Union, Panama, Peru, Russia
No plans to pursue accreditation	Cuba, Curaçao, Liberia, United States of America, Vanuatu
No Information Available	Faroe Islands

Note that a further four Members have expressed an interest in seeking accreditation in 2021.

⁴ Paragraph 27 also requires that the Draft Preliminary Evaluation Report is provided within 30 days following evaluation and bilateral consultation. The Secretariat does not have any evidence suggesting that this timeframe was not met.

⁵ This was further compounded by the effects of the Covid19 pandemic on the annual meeting agendas



This page is to be deleted when the annexes are attached as PDF

Annex 1 – Australia Accreditation Report

Annex 2 - Chile Accreditation Report

Annex 3 – New Zealand Accreditation Report



SPRFMO Observer Programme Accreditation Assessment



Final Assessment Report Australia

November 2020



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Introduction

The South Pacific Regional Fisheries Management Organisation (SPRFMO) is an inter-governmental organisation responsible for the long-term conservation and sustainable use of the fishery resources of the South Pacific Ocean and in so doing, safeguarding the marine ecosystems in which the resources occur. The SPRFMO Convention applies to the high seas of the South Pacific, covering about a fourth of the Earth's high seas areas.

Currently, the main commercial resources fished in the SPRFMO Convention Area are jack mackerel and jumbo flying squid in the Southeast Pacific and, to a much lesser degree, deep-sea species often associated with seamounts in the Southwest Pacific.

The Organisation consists of a Commission and a number of subsidiary bodies. The Commission currently has 15 Members (Australia, the Republic of Chile, People's Republic of China, the Cook Islands, the Republic of Cuba, the Republic of Ecuador, the European Union, the Kingdom of Denmark in respect of the Faroe Islands, the Republic of Korea, Australia, the Republic of Peru, the Russian Federation, Chinese Taipei, The United States of America and the Republic of Vanuatu). The Commission also has three Cooperating non-Contracting Parties (Curaçao, Republic of Liberia and Republic of Panama).

From 1st January 2024, SPRFMO Members and CNCPs shall only deploy observers from national observer programmes or service providers accredited under the SPRFMO Observer Programme. Observer programmes may be accredited under the SPRFMO Observer Programme for a maximum of 5 years before undergoing re-evaluation. This document, consistent with the process outlined in CMM 16-2019 (SPRFMO Observer Programme), provides the basis for the accreditation process and the collection of information required for that process.

This report is the final assessment report for Australia.

Accreditation Process

The accreditation process for Australia progressed as follows:

Proposed Date	Actions	Actual Date
Annual Commission Meeting	Members, CNCP or service provider provides notification of intention to be assessed.	14/02/2020
Within 30 days of Annual Commission Meeting	Assessor (MRAG Ltd) contacts each Member, CNCP or service provider and agrees a timetable for the assessment process (Starting at time T) and shares assessment guidelines.	03/08/2020
T + 0 days (Start of process)	Assessment process to begin with Member, CNCP or service provider.	29/08/2020
T + 14 days	Member, CNCP or service provider provides all required documentation to assessor, in country visits or online meetings take place to discuss information provided by Member, CNCP or service provider. Assessor may request additional documentation if substantive or essential information is missing	Various dates for confirmation until 04/11/2020
T + 28 days	Assessor receives additional documentation requested during assessment process and collates all materials	Various dates for confirmation until 04/11/2020
At least 100 days before Annual Commission Meeting	Assessor reviews all material and completes its preliminary evaluation. Following this Members, CNCPs and service providers will be offered 30 days for Bilateral consultations to ensure that they have an opportunity to provide additional information and corrections relevant to their evaluation	11/11/2020
60 days before Annual Commission Meeting	Assessor provides all Final Evaluation Reports including recommended conditions and incorporating feedback received on the preliminary evaluation.	26/11/2020
Annual Commission Meeting	The Commission evaluates all reports and recommendations and will decide whether to grant accreditation (including specified conditions).	23/01/2021

Summary of Evidence submitted

The table below summaries the documents provided by Australia that contain the evidence of conformance with the SPRFMO assessment requirements. The relevant sections of these documents should then be referenced within the main evaluation tables 1-13.

Table 1 Summary of documents submitted

#	Document Title	Please indicate which for which standards this document is used as evidence												
		1	2	3	4	5	6	7	8	9	10	11	12	13
1	Observer Program Manager Declaration	x												
2	Observer Contract extension - redacted	x	x											
3	Letter of Offer – redacted	x	x											
4	Declaration of Interests Form	x												
5	Declaration of Gifts and Benefits	x												
6	AFMA Conduct and Ethics Policy	x					x		x		x	x		
7	APS Values and Code of Conduct in Practice	x							x		x			
8	Observer Trip Debrief Template	x				x			x					
9	Observer Certificate Register		x	x	x									
10	AFMA Sea Safety Policy		x	x										
11	Pollution Report/MARPOL Form			x										
12	Vessel Activity Log						x							
13	Vessel Details Form						x							
14	Vessel Voyage Summary Form						x							
15	Wildlife Interaction Report Template						x							
16	Wildlife Abundance Form						x							
17	Wildlife Interaction Data Form						x							
18	Length Frequency Data Form						x							
19	Biological Data Form						x							
20	Catch composition data form						x							
21	Observer Safety Assessment report template						x						x	

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#	Document Title	Please indicate which for which standards this document is used as evidence												
		1	2	3	4	5	6	7	8	9	10	11	12	13
22	Observer data entry feedback form					x	x		x					
23	Purse seine gear form						x							
24	Conversion factor form						x							
25	Purse seine shot details form						x							
26	Observer Manager extract - redacted								x					
27	Trip Expense Workbook example								x					
28	Safety induction checklist									x			x	
29	Observer asset register									x				
30	Observer contact list												x	
31	AFMA Health and Safety Management Arrangements												x	
32	Hazard and Incident report form												x	
33	PGPA Operational Guidance Corporate Governance Policy													x
34	Handling misconduct: a human resource manager's guide	x	x								x			
35	Observer annual performance assessment - redacted					x								
36	Demersal and Midwater Trawl Manual for AFMA Observers 2020	x		x			x			x			x	
37	Observer Gear and Data Collection Manual for AFMA Observers 2020	x		x			x			x			x	
38	Administrative and Procedural Manual for AFMA Observers 2020	x		x			x			x	x		x	
39	Observer Program Manager CV					x								
40	Observer Program Coordinator CV					x								
41	72hr notice concession condition extract								x					
42	Additional Attachment 1 HR PowerPoint Presentation Dec 2019	x												
43	Additional Attachment 2 FW FV Voyager P high seas trip obligations SECUNCLASSIFIED			x										

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#	Document Title	Please indicate which for which standards this document is used as evidence												
		1	2	3	4	5	6	7	8	9	10	11	12	13
44	Additional Attachment 3 AFMA Handling Practices Guide			x										
45	Additional Attachment 4 SUPPLEMENTARY INSTRUCTIONS FOR ISLA EDEN VOYAGE 14			x										
46	Additional Attachment 5 Guidelines for Authorising Transshipping Activities in Commonwealth Fisheries October 2018						x							
47	Additional Attachment 6 AFMA ID Card (Front)							x						
48	Additional Attachment 7 AFMA ID Card (Back)							x						
49	Additional Attachment 8 HIMI Conditions 2019-20 November 2019 FINAL									x				
50	Additional Attachment 9 Screenshot of email re credit card expenditure July 2019									x				
51	Additional Attachment 10 VME Identification Guide - SIOFA and SPRFMO (1)			x			x							
52	Additional Attachment 11 Standard Operating Procedure x - extraction			x										
53	SPRFMO Trawl fishing Activity template 2020						x							
54	Vessel details form						x							
55	Vessel activity log						x							
56	Trawl shot form						x							
57	Trawl gear form						x							
58	Biological form						x							
59	Catch Composition Form						x							
60	Wildlife Interaction Form v1.1						x							
61	Wildlife Abundance form v1.1						x							
62	Trawl BRD Form v1.1						x							
63	Declaration of Gifts and benefits	x												
64	Voyage Summary Form					x								
65	Debrief Template					x								

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#	Document Title	Please indicate which for which standards this document is used as evidence												
		1	2	3	4	5	6	7	8	9	10	11	12	13
66	Antarctic Fisheries Manual for AFMA Observers			x										
67	Voyage Trip forms					x								
68	Trip Targets (Empress Pearl)					x								
69	Demersal longline gear form v1.1			x		x								
70	Longline shot mitigation form v1.1			x		x								
71	BRD form OB19051			x		x								

Scoring Tables – Interpretation

The scoring tables in the next section of the report provide feedback on the assessment of AUSTRALIA in meeting the required levels to meet the SPRFMO minimum standards. Each table consists of four columns:

Indicator number

Minimum Standard – The definition of the requirement to meet the minimum standard defined.

Pass / Fail – A simple indicator, colour coded green for “Pass”, red for “Fail”.

Comment / Condition / Reason for fail – Any additional comments from the assessment team on the element. These could include details of the condition’s, reasons for failing an element, that can be addressed before the final assessment, or for elements that have been passed the team could briefly highlight examples of good practice for other programmes to follow and highlight the particular sections of documents provided these can be found in. Document numbers are referenced in Table 1.

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
X.X	Observer programmes must XXX.	Pass	The requirements set out are clearly demonstrated in section 22 of document 3 and part 4 of document 4.

Executive Summary

Australian observers are supplied through the Australian Fisheries Management Authority (AFMA) an Australian Government agency that is responsible for the efficient management and sustainable use of fish resources on behalf of the Australian community. AFMA supplied all the materials for the assessment and these are based around their national training programme for fisheries observers in general with specific additions and modification for SPRFMO observer deployments as required.

Australia submitted their application for accreditation on 3rd August 2020. There were 71 supporting elements to the application, some applied to more than one of the accreditation criteria.

The assessment team found the materials supplied to be very comprehensive and covered all the elements required for accreditation. It was noted that while there were minor differences between the requirements for data collection under CMM 02-2020, data collected by Australian observers operating in the SPRFMO area were formatted to ensure they would meet the SPRFMO requirements requiring slight data transformations e.g. UTC time recording, but for training and consistency it is easier to record all observer programmes the same and just apply a conversion factor between the recorded time and the required time zone (Nate Meulenburg (AFMA), pers. Comm).

The following sections break down the materials submitted by Australia against the accreditation criteria with brief comments where appropriate.

We believe that the Australian programme meets all the requirements outlined in CMM 16-2019 and the Commission should consider it for accreditation.

1 Impartiality, independence and integrity

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
1.1	National observer programmes and service providers shall only deploy independent and impartial observers. This means that neither the national observer programme or service provider, as the case requires, nor the individual observers, have a direct financial interest, ownership or business links with vessels, processors, agents and retailers involved in the catching, taking, harvesting, transporting, processing or selling of fish or fish products.	Pass	<p>Declaration of Interests Form (4) requires declaration by observer of any conflict of interest, financial (e.g., shares) or other interests held. Shares documented in Annex A of (4). Signed declaration example provided (1).</p> <p>AFMA observers have been shown to be provided with annual training on the interpretation and implementation of the APS Code of Conduct (the driving code for independence and impartiality within Australian fisheries).</p> <p>This training is provided by AFMA's Workplace Group at the annual AFMA Observer Workshop. Details in PowerPoint Presentation. (42)</p>
1.2a	The national programme or service provider, and the individual observers: a) Shall not have a direct financial interest, other than the provision of observer services, in the fisheries under the purview of the Commission, including, but not limited to: i) any ownership, mortgage holder, or other secured interest in a vessel or processor involved in the catching, taking, harvesting or processing of fish; ii) any business selling supplies or services to any vessel or processor in the fishery; iii) any business purchasing raw or processed products from any vessel or processor in the fishery.	Pass	<p>Declaration of Interests Form (4) requires declaration by observer of any conflict of interest, financial (e.g., shares) or other interests held. Shares documented in Annex A of (4). Signed declaration example provided (1).</p>

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
1.2b	Shall not solicit or accept, directly or indirectly, any gratuity, gift, favour, entertainment, inordinate accommodation, loan or anything of monetary value from anyone who either conducts activities that are regulated by a Member or CNCP connected with its services or the Commission, or has interests that may be substantially affected by the performance or non-performance of the observer's official duties;	Pass	<p>Declaration of Gifts and Benefits (5) clearly states "in accordance with AFMA's Conduct and Ethics Policy, AFMA employees must not accept a gift or benefit if it could be perceived by the public, knowing the full facts, as intended or likely to cause individuals to undertake or influence their work in a particular way, or deviate from the proper course of duty.</p> <p>Any gifts or benefits which have a value less than \$50 must be declared to the Senior Manager, People, Capability and Engagement who will make a decision on their acceptance or disposal.</p> <p>Any gifts or benefits which have a value greater than \$50 or where there is an identified issue must be declared to the Chief Executive Officer who will make a decision on their acceptance or disposal."</p>
1.2c	Shall not serve as an observer on any vessel or at any processors owned or operated by a person who previously employed the observer in another capacity within the last three years (e.g., as a crew member)	Pass	<p>Submission states that "...to the knowledge of the current Observer Program Manager no observer that has left the program in the past three years has gone on to own, operate or crew any vessel or processor/s". During interviews the potential observers are asked to disclose interests with regard to fishing vessels (commercial fishing or observer) but does NOT require previous work to be disclosed.</p> <p>Potential observers are asked during the interview process whether they have any direct interests to commercial fishing or observer services to disclose. Potential candidates are also asked if they worked on or been employed by any entity with a commonwealth fishing concession within the past 12 months. AFMA have indicated during the course of the evaluation process that they will adjust the current protocol and AFMA observers will in future complete a declaration of their employment history for the past 3 years and not just 12 months.</p>

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
1.2d	Shall not solicit or accept employment as a crew member or an employee of a vessel or processor while employed by a national observer programme or service provider.	Pass	<p>AFMA's Conduct and Ethic's Policy 7) section 16 (Outside employment) details the rules for employment outside AFMA whilst under contract. This clearly states that while outside employment is possible in certain circumstances, no work for financial gain should be undertaken if it conflicts with the purposes of the Authority, which would include working as a crew member or an employee of a vessel or processor.</p> <p><i>Public Service Act 1999</i>¹ AFMA's Conduct and Ethics Policy. (7) sections 4 (Code of Conduct), 5 (Application of the Code of Conduct), 6 (Personal Behaviour), 7 (Professional Behaviour), 10 (Conflict of Interest) , 11 (Declaration of Shares), 12 (Gifts and Benefits) would impact this in addition to section 16 (Outside Employment).</p>

¹ <https://www.legislation.gov.au/Details/C2019C00057>

2 Observer Qualifications

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
2.1	The national observer programmes or service providers shall demonstrate that observers that are recruited into their programme have relevant education or technical training and/or experience for the fleets concerned; ability to meet the observer duties; no record of convictions calling into question the integrity of the observer or indicating a propensity towards violence; and the ability to obtain necessary documentation, including passports and visas	Pass	<p>Observer engagement is subject to certain conditions including satisfactory checks of citizenship, health and security. Prior to receiving an offer candidate are required to undertake (and pass/be granted) a police check and medical assessment (Pers. Comm. AFMA submission)</p> <p>Observers are contracted on a 3-year basis via an Australian Public Service casual contract - Observer Contract extension – redacted (2).</p> <p>Observers are fully trained by AFMA. Records of this are provided within Observer Certificate Register (9) including Certificate of Safety Training (2-day refresher every five years); Fire Safety; Remote/Marine First Aid; CPR; Medical Clearance and Official Passport.</p>

3 Observer Training

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
3.1	National observer programmes or service providers shall demonstrate that observers are adequately trained before their deployment. Training shall include all the elements outlined in Annex 3 of CMM-16-2019, and that data are being collected in line with the requirements set out in CMM 02-2020	Pass	<p>Training shall include the following:</p> <ol style="list-style-type: none"> 1. The relationship between fisheries science and fisheries management and the importance of data collection in this context; Stated in Administrative and Procedural manual for AMFA Observers (38); Introduction section 'Good fisheries management depends on having the best quality information available. This means collecting and providing information which is relevant, accurate and timely to fisheries managers and researchers' 2. The relevant provisions of the Convention and SPRFMO CMMs relevant to the functions and duties of observers; AFMA observers have access to all SPRFMO CMMs through the AFMA intranet and are required to download/review prior to departure. Pre-departure briefing is conducted via emails and telephone prior to every voyage (e.g. FW FV Voyager P high seas trip obligations) (43). Any additional required training would be conducted during this process (Pers. Comm. Australian submission). 3. Importance of observer programmes, including understanding the duties, rights, authority and responsibilities of observers; Presented in Stated in Administrative and Procedural manual for AMFA Observers (38); Observer Duties Overview 4. Safety at sea, including emergencies at sea, donning survival suits, use of safety equipment, use of radios, survival at sea, management of conflicts, and cold-water survival; Presented in AMFA Sea Safety Policy (10) and 'AFMA requires that observers undertake Certificate of Safety Training (COST) which includes sea survival and fire-fighting competencies' (Pers. Comm. AMFA submission). 5. First aid training, appropriate to working at-sea or in remote situations; Presented in AMFA Sea Safety Policy (10) and 'Observers also need to undertake Marine First Aid certification prior to deployment' (pers. Comm AMFA submission). 6. Species identification and record of species encountered at sea, including target and non-target species, protected species, seabirds, marine mammals, sea turtles, invertebrates indicating vulnerable marine ecosystems, et cetera; Presented in Observer Gear and Data Collection Manual (37). Key species ID guides supplied to observers include: AFMA observers are provided with a raft of resources to assist with species identification. Identification guides that are provided include (but not limited to):

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
			<ul style="list-style-type: none"> • VME ID Guide – SPRFMO and SIOFA Areas (see Attachment VME Identification Guide – SIOFA and SPRFMO - AFMA Observer Program, 2020) (51) • Smith’s Sea Fishes (Smith & Heemstra, 1986) • New Zealand Fish – A Complete Guide (Paulin et al, 1989) • Cephalopods of the World (FAO, 2014) • Sharks and Rays of Australia (Last & Stevens, 2009) • Fishes of Australia’s Southern Coast (Gomon <i>et al.</i>, 2008). <p>7. Knowledge of the different types and functioning of bycatch mitigation devices required by SPRFMO CMMs; Access to CMMs through AFAM Intranet that are required downloads. Presented in Observer Gear and Data Collection Manual (37); Section Bycatch Reduction Devices (BRs) & Mitigation</p> <p>8. Safe handling protocols to rehabilitate and release seabirds, marine mammals and sea turtles; AFMA handling practices guide for commonly caught bycatch species (44). Details the he main bycatch species groups caught in Commonwealth fisheries; measures to increase observer and crew safety and the correct and incorrect handling methods.</p> <p>9. Fishing vessel and fishing gear types relevant to SPRFMO; Presented in Observer Gear and Data Collection Manual (37).</p> <p>10. Techniques and procedures for estimating catch and species composition; Presented in Observer Gear and Data Collection Manual (37).</p> <p>11. Use and maintenance of sampling equipment including scales, callipers, et cetera; Presented in Observer Gear and Data Collection Manual (37).</p> <p>12. Sampling methodologies at sea, i.e., fish sampling, fish sexing, measuring and weighing techniques, specimen collection and storage, and sampling methodologies; Presented in Observer Gear and Data Collection Manual (37).</p> <p>13. Understand potential biases in sampling, how they arise and how they could be avoided; Presented in Observer Gear and Data Collection Manual (37); Random sampling methodology and Demersal and Midwater Trawl Fisheries Manual (36); Biological data collection.</p> <p>14. Preservation of samples for analysis; Preservation of otolith samples are presented in Observer Gear and Data Collection Manual (37). Conducted on a needs basis. Where required AFMA observers are trained in additional sampling techniques and the preservation of samples according to pre-determined specific research programs requested by external agencies or scientific committees. This training is provided through an annual workshop based environment and additional instructions. For example, in 2018, in sub-Antarctic fisheries, AFMA observers were required to collect</p>

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
			<p>genetic samples of Antarctic toothfish. Face to face training is provided at the annual workshop and instructions were provided in “SUPPLEMENTARY INSTRUCTIONS FOR ISLA EDEN VOYAGE 14” (45).</p> <p>15. Data collection codes and data collection formats; Codes used to standardise data are given in the relevant data collection forms Vessel Activity Log (12); Vessel Details Form (13); Length Frequency Data Form (18); Biological Data Form (19); Catch composition data form (20).</p> <p>16. Familiarity with catch logbooks and recordkeeping requirements to aid observers’ collection of data as required under SPRFMO CMMs; Training provided during pre-deployment training. (Australian written submission). Administrative and Procedural Manual for AFMA Observers 2020 details observers reporting through logbooks and necessitates the observer having a conversation during the voyage with the skipper about any issues and then reporting that back to the administration team post trip if there are any breaches of any CMMs (Australian Submission).</p> <p>17. Use of digital recorders or electronic notebooks; AMFA issues observers with digital video cameras and laptops (Pers. Comm. AMFA submission).</p> <p>18. Electronic equipment used for observer work and understanding their operation; AMFA issues observers with digital video cameras and laptops (Pers. Comm. AMFA submission).</p> <p>19. Use of electronic monitoring systems as a complement to their work, when applicable; Australian submission (Pers. Comm.) notes that training related to electronic monitoring systems is provided informally. A training session specifically on electronic monitoring is planned to be delivered at the December 2020 AFMA Observer Workshop.</p> <p>20. Verbal debriefing and report writing; Observer Trip Debrief Template (8) and Observer data entry feedback form (22) shows evidence of a comprehensive debriefing. Information extracted at debriefing is fed into an annual performance assessment as part of AFMA’s Performance and Development Scheme - Observer annual performance assessment – redacted (35)</p> <p>21. Training on relevant aspects of the International Convention for the Prevention of Pollution from Ships (MARPOL); Presented in Observer Gear and Data Collection Manual (37); Marine pollution section and Pollution form (11).</p>

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#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
3.2	Refresher training should be ongoing dependent on the qualification requirements. Relevant updates to CMMs and observer requirements should be communicated to observers before each deployment as part of the briefing process, for example in an updated manual	Pass	Observers are fully trained by AFMA. Records of this and dates of expiry are provided within Observer Certificate Register (9) including Certificate of Safety; Fire Safety; Remote/Marine First Aid; CPR; Medical Clearance and Official Passport.

4 Observer Trainers

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
4.1	National programmes or service providers shall demonstrate that observer trainers have the appropriate skills and have been authorised by that national programme or service provider to train observers	Pass	It is evident from the training material provided that Safety at Sae, first aid, firefighting and CPR refresher courses are run by external providers that must be accredited by their relevant professional bodies. ... 'Internal observer trainers are experienced in observer operations, and typically have a number of years in-field experience which provides them with the ability to utilise that experience to train field observers. Senior observers are also used to train and take new observers on short buddy trips as a method of on the job training' (pers. comm AFMA submission).

5 Briefing and Debriefing

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
5.1	National observer programmes or service providers shall demonstrate that there are systems for briefing and debriefing observers and communicating at any time with vessel captains.	Pass	<p>Observers are required to fulfil an Observer Safety Checklist – Safety Induction Checklist (28) but there is no evidence provided that there are systems in place for briefing observers</p> <p>All AFMA observers are provided with a pre-departure briefing prior to every deployment.</p> <p>Deployment briefings conducted by email and telephone.</p> <p>Specific information relevant to the deployment are outlined clearly, (i.e. SPRFMO requirements for biological sampling requirements). Previous deployment reports for the vessel and other required information are provided either at the observer's request or if it is deemed necessary.</p> <p>Observers have access to all up to date SPRFMO CMMs through the AFMA intranet and are required to download and review these prior to departure.</p> <p>(See FW FV Voyager P high seas trip obligations) (13)</p> <p>Observer Trip Debrief Template (8) and Observer data entry feedback form (22) shows evidence of a comprehensive data collection system for debriefing. Further, Hazard and Incident Form (32) gives evidence that any incidents that occurred during a deployment are recorded and reviewed.</p> <p>Information extracted at debriefing is fed into an annual performance assessment as part of AFMA's Performance and Development Scheme - Observer annual performance assessment – redacted (35)</p> <p>'Communication with vessel captains is not something routinely or typically done while the vessel is at sea, but is possible in some instances through sat phone, email, and occasionally other mechanisms' (Pers. Comm. AFMA submission)</p>

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#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
5.2	The briefing and debriefing process shall be conducted by properly trained personnel and shall ensure that observers and vessel captains clearly understand their respective roles and duties	Pass	Curriculum Vitae provided clearly demonstrate that personnel conducting the debriefing process possess sufficient knowledge and experience in observer management - Observer Program Manager CV (39), Observer Program Coordinator CV (40)

6 Data Validation Process

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
6.1	National observer programmes or service providers shall demonstrate that they have an observer data validation process in place. The data validation process shall be conducted by properly trained personnel and shall ensure that data and information collected by an observer are checked for discrepancies or inaccuracies that are corrected before the information is entered into a database or used for analysis.	Pass	Data checking and validation process clearly demonstrated by Observer data entry feedback form (22) with indication of who performed the checks (initials) and the date. '...data is checked for discrepancies or inaccuracies by the observer coordinator or a senior observer, with any issues clarified/rectified prior to being entered into databases or used for analysis. It is then provided to the data entry team. Where the data entry team identifies issues (i.e. incorrect format/code) this is able to be rectified prior to entry. AFMA also routinely works with people and organisations that utilise observer data to correct any historical discrepancies identified' (pers. comm. AFMA) Curriculum Vitae provided clearly demonstrate that personnel conducting data checks possess sufficient knowledge and experience in observer management - Observer Program Manager CV (39), Observer Program Coordinator CV (40)
6.2	The data validation process shall ensure that the data meet the standards laid out in Annex 3 of CMM-16-2019		
6.2a	a) A mechanism that allows scientific data to be stored and transferred to the national observer programme (or service provider) in a secure and confidential manner	Pass	Administrative and Procedural Manual for AFMA Observers 2020 (38) section on Data Confidentiality Agreements clearly states that 'All data collected by observers during deployment will be in accordance with the following guidelines: <ul style="list-style-type: none"> • Data obtained will be the property of AFMA and be held as secured and confidential data. The data will be entered and stored in AFMA's Observer database. Individual operators who have had observers on their vessels will have the right to a copy and use of all data collected in relation to their particular operations. • Observer collected data may be used to pursue AFMA's legislative responsibilities. • AFMA may provide observer collected data as required to other Commonwealth agencies involved in the fishery. Any agency using these data will be constrained by AFMA's confidentiality requirements. • Operators who have observers on board remain subject to normal fishery conditions and requirements and are subject to any action arising from offences detected separately from the records, reports or information of observers'
	b) Vessel information uniquely identifies the actual vessel from which the fishing occurred	Pass	Information that uniquely identifies the vessel (e.g., vessel name, registration number, international call sign) is collected within Vessel Details Form (13). 'AFMA's Observer Program uses the term "International Call Sign" in place of "Unique vessel identifier"' (pers. comm. AFMA submission).


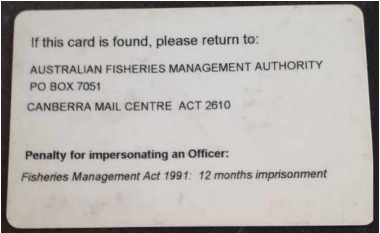
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#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
	c) Dates and times of fishing effort are included and internally consistent (for example an end time should be after a start time)	Pass	Dates and times of fishing effort (Date DD/MM/YY, Time (24hrs) are collected within the Vessel Activity Log (12). Times are recorded as UTC.
	d) Location of fishing is included and valid (for example, logical latitude/longitude combinations), internally consistent and entered in the correct units	Pass	Location of fishing (Latitude / Longitude ddd mm mm) is collected within the Vessel Activity Log (12)
	e) Effort data allows quantification of the amount of effort invested by the vessel, appropriate to the fishing method used, which is also identified	Pass	Vessel Activity Log (12) captures this information and Purse seine gear form (23) shows how data requirements for effort by different gear types are captured. The Observer Gear and Data Collection Manual for AFMA Observers 2020 (37) contains extensive information on gear types.
	f) Catch information identifies the fishery resource (to the species level where possible) and the quantity of that species retained or discarded. If used, species codes are accurate	Pass	Catch composition form (20) allows for information on species caught (ASFIS 3-Alpha codes), fate (retained discarded), process state etc to be captured for catch that is landed all at once and Biological data form (19) for gear types where the catch is landed piece by piece (i.e., gillnet, hook fisheries).
	g) Where biological or length information is collected for a fish, it is directly linked to the effort in which it was caught – including date and time, location, and fishing method information, and includes the methodology of data collection	Pass	Biological data is collected in Biological data form (19) which contains fields that allows for linkages to the effort in which it was caught. Length information is collected in Length frequency data form (18) which contains fields that allows for linkages to the effort in which it was caught. The Observer Gear and Data Collection Manual for AFMA Observers 2020 (37) contains extensive information on biological sampling methodologies.
	h) If the observer programme extends to transshipment and/or landings, then the amount and species of fishery resources transhipped/landed is quantified and recorded according to a standard methodology	Pass (N/A)	Currently, transshipment only happens “in rare circumstances in AFMA managed fisheries and Australian flagged vessels and no AFMA protocol exists for observers to monitor transshipment. AFMA’s Guidelines for Authorising Transshipping Activities in Commonwealth Fisheries “Guidelines for Authorising Transshipping Activities in Commonwealth Fisheries October 2018” (46) states that electronic monitoring and / or observer coverage may be necessary. In the event it is necessary to observe such an event and to ensure compliance with SPRFMO requirements standard protocols will be developed.
	i) Interaction data involving marine mammals, seabirds, reptiles and/or other species of concern identifies the individual species (where possible), the number of animals, fate (retained or released/discarded), life status if released (vigorous, alive, lethargic, dead), and the type of interaction (hook /line entanglement /	Pass	Wildlife Interaction Report Template (15), Wildlife Interaction Data Form (17) and Wildlife Abundance Form (16) together allow for the capture of interaction data involving marine mammals, seabirds, reptiles and/or other species of concern including; species name (scientific name), number of individuals, life status, fate, and type of interaction.

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#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
	warpstrike / net capture / other).		

7 Observer Identification Cards

#	Minimum Standard	Pass / Fail	Evidence Provided
7.1	National observer programmes or service providers shall provide observers with identification cards that include the full name of the observer, date of issue and expiration, the name of the national observer programme or service provider, a unique identifying number (if issued by the national observer programme or service provider) a passport style photo of the observer, an emergency phone number	Pass	<p>'AFMA does not currently provide observers with identification. Identification cards are in the process of being developed, with an anticipated delivery towards the end of 2020' (Pers. Comm. AFMA submission).</p> <p>Old AFMA Observer ID card – front (47) and back (48) are examples of an old / expired AFMA observer identification card.</p> <div style="display: flex; justify-content: space-around;">   </div> <p>The new cards that are being developed and issued that will look similar, with updated signature, photograph and card number. The authorising officer's position title will also be updated to Chief Executive Office. AFMA's Legal Services will also be consulted to ensure the correct/most appropriate mechanism under which to authorise the observer (i.e. the Fisheries Management Act 1991, the Fisheries Management Regulations 1992 or other). (Pers. Comm. Australian submission)</p>

8 Coordinating Observer Placements and Observer Deployments

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
8.1	National observer programmes or service providers shall demonstrate responsibility and capacity for the timely deployment of observers and will ensure that the selected observer receives all possible assistance during the entire length of their placements	Pass	<p>Requirements to carry observers for industry are clearly outlined by AFMA at https://www.afma.gov.au/fisheries-services/observer-services</p> <p>Observer coverage in a majority of AFMA is a percentage of effort (some 100%) The observer programme manager usually works with fishery managers to determine, in advance, how many days at sea will be required to meet that percentage, but for SPRFMO this is 100% and each trip will need to be fully covered. The observer coordinator then determines how, when and where to deploy observers to achieve that target in line with temporal and spatial needs.</p> <p>A minimum 72 hour notice period is normally required to inform a vessel they must carry an observer (41). Prior notice from an operator of an intended trip of 21 days is required for Southern Ocean trips (i.e. SPRFMO) deployments giving ample time to organise the deployment and observer.</p> <p>Observers are briefed and debriefed in accordance with requirements (i.e. opportunity to ensure assistance is provided before and after deployment.</p> <p>Observers are issued with Garmin InReach units (examples of issued units present in Observer Assets Report (29) logged with Serial Numbers and observer are required to maintain contact the programme managers / coordinators weekly. Independent two way assistance is therefore avail; able at any time and immediate emergency communication possible 24/7. Submission to the accreditation also notes that the programme “maintains regular contact with the observer after completion of the trip to ensure they are healthy and also to give information on further deployment or projects involving observers”.</p> <p>Full contact details list available for the programme including direct observer duty phone number. (Observer Contact List (30).</p>

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#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
8.2	National observer programmes or service providers shall have in place a protocol to replace an observer if the observer becomes unable to perform their duties.	Pass	<p>Accreditation submission states that there is no formal protocol in place. Observers are continually on standby should the scheduled observer become unavailable.</p> <p>For a trip with a mandatory observer requirement in the event that the observer needed to be replaced the vessel would be required to return to port to disembark the original observer and to embark a new observer. A period of 72 hours' notice is required to be given to the AFMA Observer Program prior to departure of the subsequent voyage.</p> <p>Sections 41 – 48 of the HIMI Conditions 2019-20 November 2019 Final (49) define the obligations on an operator in the HIMI fishery if an observer suffers an injury, illness, dies, is missing or presumed fallen overboard.</p>
8.3	National observer programmes or service providers shall also seek, to the extent possible, to avoid deploying a single observer on multiple consecutive trips on the same vessel	Pass	<p>Due to the nature of the trips and the size of the observer pool to select from this has not been possible, though records of previous deployments are available to check (Observer Management Spreadsheet (26)).</p> <p>It was noted in the accreditation submission that due to COVID-19 and the restrictions on movement around Australia and globally, AFMA has undertaken a risk assessment of observers being deployed on the same vessel for more than one trip. This risk assessment is primarily about the health and safety of the observer as all other elements of the program, including related to the independence of the observer and the vessels operation, remain in place. This would be considered a force majeure situation where health risks can override the risk of consecutive trips.</p>
8.4	It is the responsibility of a national observer programme or service provider to administer observer placements, to maintain the independence and impartiality of observers as described in this measure and ensure that all placements are administratively finalised as soon as practicable after the observers return to port. The national observer programme or service provider is expected to communicate with the observer regarding upcoming deployments, coordinate observer travel, and provide the necessary supplies for observer duties.	Pass	<p>The APS Code of Conduct, APS Values and AFMA Conduct and Ethics Policy require APS employees (including all fisheries observers) to be impartial, committed to service, accountable, respectful and ethical as required by the SPRFMO minimum standard.</p> <p>Deployment details are maintained in an Excel spreadsheet (26). All critical data maintained relating to each deployment and easily filtered for vessels, fishery or observer. There is no wait list for observers, observers are identified from the available pool based on location, skill, availability. As employees and not self-employed consultants all observers not deployed are effectively on standby.</p> <p>Observers debriefed on return by programme staff.</p>

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#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
			<p>(38) states that observers should book their own travel and accommodation to and from deployments if approved by the Observer Manager or Observer Coordinator. Specific agents provided for this and use an online portal. Separate cost centres for deployment and administrative tasks (medicals, training etc)</p> <p>Equipment register supplied, showing allocation of equipment to each observer (29).</p>

9 Observer Safety Equipment

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
9.1	National observer programmes or service providers must demonstrate that observers are provided with appropriate equipment, including safety equipment, which is in good working order, routinely checked and renewed to carry out their duties on board a vessel. Essential equipment includes a lifejacket, independent two-way communication device capable of sending and receiving voice or text communications, personal locator beacons (PLBs), immersion suits, hard hat, proper deck working boots or shoes, gloves and protective glasses (including sunglasses)	Pass	<p>Lifejacket (not clear on list of issued equipment, but vessel safety checks ensure these are present in sufficient numbers on vessel and the observer knows their locations as well as life rafts, flares etc) though indicated that observers are required to purchase some items e.g., boots, clothing and lifejacket on official credit card.</p> <p>Independent two-way communication device capable of sending and receiving voice or text communications (InReach issued to each observer). (38 – Observer Gear and AFMA Property)</p> <p>Personal locator beacons (PLBs), EPIRD issued to observers. (38 – Observer Gear and AFMA Property)</p> <p>(38 – Observer Gear and AFMA Property) states that “Observers are supplied with or are required to acquire the necessary gear to carry out their duties”, therefore it is assumed for SPRFMO deployments this will include Immersion suits, hard hat, proper deck working boots or shoes, gloves and protective glasses (including sunglasses. These are either supplied or bought on credit card by observers and then registered on asset register. (38 – Observer Gear and AFMA Property)</p> <p>Equipment logged on asset register (29) with dates of issue / expiry dates.</p>

10 Responding to Allegations of Observer Misconduct

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
10.1	National observer programmes or service providers must establish procedures for preventing, investigating, and reporting on the misconduct of observers, in coordination with observers, vessel captains, and relevant Members and CNCPs	Pass	<p>AFMA’s People, Capability and Engagement group provide services in the areas of assessing grievances and misconduct. Advice regarding handling misconduct is contained within the Australian Public Service Commission’s <i>Handling Misconduct: a human resource manager’s guide</i>. (Accreditation submission)</p> <p>Clear procedure for observers reporting suspected breaches of acceptable behaviour by another observer. This is through training and through training manuals (38 “Administrative and Procedural Manual for AFMA Observers 2020”).</p> <p>Reporting on observers by vessel captains, and relevant Members and CNCPs would be considered a breach by the observer of AFMA Conduct and Ethics Policy (6 – sections 5, 6 and 7 and reported as described in section 22 using AFMA’s Procedures for Reporting Breaches of the APS Code of Conduct² and investigated as outlined in section 23 through AFMA’s Procedures for determining whether an employee has breached the APS Code of Conduct³) and the APS Values and Code of Conduct in Practice (7).</p>

² <https://www.afma.gov.au/sites/default/files/uploads/2014/04/Reporting-Breaches-of-the-Code-of-Conduct-2014.pdf>

³ <https://www.apsc.gov.au/procedures-determining-breaches-code-conduct-and-determining-sanction>

11 Dispute Settlement

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
11.1	National observer programmes or service providers shall demonstrate the existence of a dispute resolution process fair to all parties that provides a process to resolve issues through appropriate means including facilitation and mediation	Pass	<p>Observer / Programme based complaint:</p> <p>From an observer versus vessel dispute with vessel or internal to the programme situation then the <i>Public Interest Disclosure Act 2013</i>⁴ is the legal framework for under which any breaches of the APS Code of Conduct (6) has been breached. .</p> <p>Observers would be protected when reporting on a vessel, or within a programme. As the Public Interest Disclosure Act 2013 only allows current or former 'public officials to make a disclosure. i.e. observers or programme staff would be included as Australian Government public servants, it is not clear what would happen if a vessel owner, master or crew member wanted to initiate a dispute. Government wide programme so is setup for this purpose and should be regarded as being fair to all parties.</p> <p>Public / Industry complaint:</p> <p>Any members of the public (including vessel owner, master or crew member that would complain about any aspect of the programme) can refer through AFMA's Client Service Charter (see https://www.afma.gov.au/about/corporate-publications/afmas-client-service-charter/7) for advice on making a complaint. Complaints need to be submitted in writing. The Executive Secretary will conduct an investigation and the findings of that recommendation will be provided to the AFMA Executive for information / decision.</p>

⁴ https://www.ombudsman.gov.au/data/assets/pdf_file/0025/29509/ombudsman_pid_fact_sheeta.pdf

12 Observer Safety

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
12.1	National programmes or service providers must demonstrate that procedures are in place to support observers in their ability to carry out their duties unimpeded and in a safe working environment, including an established Emergency Action Plan (EAP). The EAP must provide instructions on sending reports to the provider's designated 24-hour point(s) of contact to report unsafe conditions, including instances of harassment, intimidation or assault.	Pass	<p>Observer Duty Officer available 24/7 plus regional officers also available in Canberra and Darwin.</p> <p>All safety equipment and procedures clearly laid out (10) with health questionnaires and vessel safety inductions included as well as rigorous safety assessment reports for vessels observers have been deployed on (21).</p> <p>All hazards and incidents must be logged and recorded in standardised formats (32), but an EAP where observers could be extracted from a vessel at sea is currently still in development (the latest draft of this EAP is provided as “Standard Operating Procedure x – Extraction” (52). Although in a simple format, this document provides a pathway for an observer to contact the duty officer by mobile phone or by independent sat comms and identify an issue or simply request extraction. It would appear that if implemented now this SOP would be able to facilitate the extraction of an observer when required and it is recommended that this be implemented by the start of 2021.</p>
12.2	National observer programmes or service providers must also provide a permanent delegate or supervisor on land to communicate with the observer at any time while at sea.	Pass	<p>Observer Duty Officer available via the “Observer Duty Phone (Mobile: 0427 496 446).</p> <p>It is stated that member of the office team will have this phone on them at all times and it can be contacted at any time. (30).</p>

13 Insurance and Liability

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
13.1	National observer programmes or service providers must demonstrate that observers have health, safety and liability insurance commensurate with the national standards of the observer programme or service provider for such insurance for the duration of any deployment before placing the observer on a vessel.	Pass	<p>AFMA Fisheries Observers are covered by Commonwealth Government national health and insurance schemes.</p> <p>AFMA as a non-Corporate Commonwealth entity are required to provide insurance or workers (i.e. in this case fisheries observers). As AFMA employees, fisheries observers are provided with personal accident and travel insurance, general and professional liability insurance as well as workers compensation and transit cover. (33 - PGPA Operational Guidance Corporate Governance Policy).</p> <p>Insurance is provided through the Commonwealth's insurance agencies and therefore a reputable source.</p>

Annex 1 Training requirements as outlined in Annex 3 of CMM 16-2019

1. The relationship between fisheries science and fisheries management and the importance of data collection in this context;
2. The relevant provisions of the Convention and SPRFMO CMMs relevant to the functions and duties of observers; CMM 16-2019 Annex 3 14
3. Importance of observer programmes, including understanding the duties, rights, authority and responsibilities of observers;
4. Safety at sea, including emergencies at sea, donning survival suits, use of safety equipment, use of radios, survival at sea, management of conflicts, and cold-water survival;
5. First aid training, appropriate to working at-sea or in remote situations;
6. Species identification and record of species encountered at sea, including target and non-target species, protected species, seabirds, marine mammals, sea turtles, invertebrates indicating vulnerable marine ecosystems, et cetera;
7. Knowledge of the different types and functioning of bycatch mitigation devices required by SPRFMO CMMs;
8. Safe handling protocols to rehabilitate and release seabirds, marine mammals and sea turtles;
9. Fishing vessel and fishing gear types relevant to SPRFMO;
10. Techniques and procedures for estimating catch and species composition;
11. Use and maintenance of sampling equipment including scales, callipers, et cetera;
12. Sampling methodologies at sea, i.e., fish sampling, fish sexing, measuring and weighing techniques, specimen collection and storage, and sampling methodologies;
13. Understand potential biases in sampling, how they arise and how they could be avoided;
14. Preservation of samples for analysis;
15. Data collection codes and data collection formats;
16. Familiarity with catch logbooks and recordkeeping requirements to aid observers' collection of data as required under SPRFMO CMMs;
17. Use of digital recorders or electronic notebooks;
18. Electronic equipment used for observer work and understanding their operation;
19. Use of electronic monitoring systems as a complement to their work, when applicable;
20. Verbal debriefing and report writing;
21. Training on relevant aspects of the International Convention for the Prevention of Pollution from Ships (MARPOL).



SPRFMO Observer Programme Accreditation Assessment

Final Assessment Report Chile

December 2020





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Introduction

The South Pacific Regional Fisheries Management Organisation (SPRFMO) is an inter-governmental organisation responsible for the long-term conservation and sustainable use of the fishery resources of the South Pacific Ocean and in so doing, safeguarding the marine ecosystems in which the resources occur. The SPRFMO Convention applies to the high seas of the South Pacific, covering about a fourth of the Earth's high seas areas.

Currently, the main commercial resources fished in the SPRFMO Convention Area are jack mackerel and jumbo flying squid in the Southeast Pacific and, to a much lesser degree, deep-sea species often associated with seamounts in the Southwest Pacific.

The Organisation consists of a Commission and a number of subsidiary bodies. The Commission currently has 15 Members (Australia, the Republic of Chile, People's Republic of China, the Cook Islands, the Republic of Cuba, the Republic of Ecuador, the European Union, the Kingdom of Denmark in respect of the Faroe Islands, the Republic of Korea, Australia, the Republic of Peru, the Russian Federation, Chinese Taipei, The United States of America and the Republic of Vanuatu). The Commission also has three Cooperating non-Contracting Parties (Curaçao, Republic of Liberia and Republic of Panama).

From 1st January 2024, SPRFMO Members and CNCPs shall only deploy observers from national observer programmes or service providers accredited under the SPRFMO Observer Programme. Observer programmes may be accredited under the SPRFMO Observer Programme for a maximum of 5 years before undergoing re-evaluation. This document, consistent with the process outlined in CMM 16-2019 (SPRFMO Observer Programme), provides the basis for the accreditation process and the collection of information required for that process.

This report is the final report for Chile.

Accreditation Process

The accreditation process for Chile progressed as follows:

Proposed Date	Actions	Actual Date
Annual Commission Meeting	Members, CNCP or service provider provides notification of intention to be assessed.	14/02/2020
Within 30 days of Annual Commission Meeting	Assessor (MRAG Ltd) contacts each Member, CNCP or service provider and agrees a timetable for the assessment process (Starting at time T) and shares assessment guidelines.	03/08/2020
T + 0 days (Start of process)	Assessment process to begin with Member, CNCP or service provider.	24/09/2020
T + 14 days	Member, CNCP or service provider provides all required documentation to assessor, in country visits or online meetings take place to discuss information provided by Member, CNCP or service provider. Assessor may request additional documentation if substantive or essential information is missing	07/10/2020
T + 28 days	Assessor receives additional documentation requested during assessment process and collates all materials	10/11/2020
At least 100 days before Annual Commission Meeting	Assessor reviews all material and completes its preliminary evaluation. Following this Members, CNCPs and service providers will be offered 30 days for Bilateral consultations to ensure that they have an opportunity to provide additional information and corrections relevant to their evaluation	25/11/2020
60 days before Annual Commission Meeting	Assessor provides all Final Evaluation Reports including recommended conditions and incorporating feedback received on the preliminary evaluation.	26/11/2020
Annual Commission Meeting	The Commission evaluates all reports and recommendations and will decide whether to grant accreditation (including specified conditions).	21-23/01/2020

Summary of Evidence submitted

The table below summaries the documents provided by Chile that contain the evidence of conformance with the SPRFMO assessment requirements. The relevant sections of these documents should then be referenced within the main evaluation tables 1-13.

Table 1 Summary of documents submitted

#	Document Title	Please indicate which for which standards this document is used as evidence												
		1	2	3	4	5	6	7	8	9	10	11	12	13
1	a ESTATUTOS_ACTUALIZADO_08_jul_2014 (P 1)	p 1												
2	b ESTADO FINANCIERO 2019-2018_IFOP_Informe_EEFF (P 6)	p 6												
3	c STATEMENT FISHERIES DEVELOPMENT INSTITUTE (IFOP)	All												
4	Código del Trabajo de Chile (Art 160 en https://www.dt.gob.cl/portal/1626/articles-95516_recurso_2.pdf)											Art 160		
5	d Carpetas OC Acreditación POC ORP-PS v2	All	summary excel	All	All		All	All		All				
6	e Manual OC IFOP	p 4-5		p 49-84, 62-84, 105-114				All			p 12-48 and Annex II	p 3-11	p 11	p 11
7	f REGLAMENTO-INTERNO-IFOP_a-dic-2012-OK	p 9-10									p 30, 35, 37, 38, 48, 75, 76	p 22-29	p 22-29	
8	g PERFILES DE CARGO CC y OC		All											
9	h Ejemplo de Antecedentes previos a la Contratación de un Observador		All											
10	i Permisos de Embarque de OC y Solicitud con documentos que se entregan		All											
11	j Programas y Contenidos cursos OC IFOP realizados (2017-2019)			All										
12	k Material Cursos OC			All				All						

#	Document Title	Please indicate which for which standards this document is used as evidence												
		1	2	3	4	5	6	7	8	9	10	11	12	13
13	I INSTRUCTIVOS DE LLENADO DE FORMULARIOS			All				All						
14	m ACTAS CON NOTAS Y ASISTENCIA DE CURSOS REALIZADOS (AVES Y MAMIFEROS)			All										
15	n Curso Básico Seguridad y Familiarización a Bordo			All										
16	o Evidencia de otros Talleres entrenamiento y Capacitación realizados a OC IFOP			All	All									
17	p Detalle de Relatores de Cursos (2007-2019) y Curriculums Vitae				All									
18	q Perfil de Cargo Coordinador de Campo (y General)					All								
19	r Ejemplo de Llamado a concurso para Observadores Científicos (Caldera)		All											
20	s CV Coordinadores de Campo					All								
21	t Listado de "CELULARES NACIONAL_20170308"					All								
22	u Mail IFOP - Fwd_ telefono satelital					All								
23	v Contrato Colectivo Sindicato Norte					p 9				p 10-11	p 3-4			
24	w1 CERTIFICADO ISO 9001-2015 IFOP			All										
25	w2 Reglas_Validación_PCS						All	All						
26	w3 Instructivo de ingreso de datos en el sistema_final EXPERIM JIBIA" y "I INSTRUCTIVOS DE LLENADO DE FORMULARIOS							All						
27	w4 Informe Prev. Rev Dir N°27 DGM 2do SEM 2019 (ISO)" p 6							All						
28	w5 PLAN DE MUESTREO MM 2019							All						
29	w6 Perfiles de cargo de personal involucrado en la validación de datos						All	All						
30	z5 OBSERVERS ID CARD EXAMPLES							All						
31	y MANUAL-DE-PROCEDIMIENTO-ENERO-DE-2020									p 26-32, 52-60,	p 151-173			

#	Document Title	Please indicate which for which standards this document is used as evidence												
		1	2	3	4	5	6	7	8	9	10	11	12	13
										117-118 and 147-149				
32	y1 Ejemplos de compras de pasajes en IFOP OC									All				
33	z Uso y Notificación obligatoria de Embarques-Desembarques con PLB a la Autoridad Marítima										All			
34	z1 Ejemplo de Investigación realizada a OC por denuncia de armador (RESERVADO)												All	
35	1 Law for Fisheries and Aquaculture-observer topics	Page 2, Article 106	Page 1 Title VIII. Article 103; Page 1, Article 2° 26 bis). Page 1, Title VIII, Article 103 ; Page 1, Article 2° 26 bis).Page 1 Title VIII, Article 104				Page 1, Article 2° 26 bis). Page 1, Article 103, Page 2, Article 105		Article 2, 26 bis). Page 1, Article 103, Page 2, Article 104	Page 1, Article 104		Page 1, Article 104. Page 2, Article 121 ter)	Page 1, Article 104. Page 2, Article 121 ter)	
36	2 Regulation of scientific observers - Supreme Decree N° 193-2013	Page 6 Title III, Articles 9 and 10 Page 13, Article	Pages 10-13, Articles 15, 16, 17 and 18	Page 10, Article 15		Page 2, Article 2, letter a). Page 5, Article	Pge 3, Article 2-4. Page 4, Article 4-5. Page 7,	Page 14, Article 18, letter e)	Page 3, Article 3. Page 4, Article 6. Page 5, Article 7. Page 6, Article 9. Page 7,	Page 7, Article 11, letter f). Page 8, Article	Page 12, Article 18, letters a) to h)	Page 6, Article 7. Page 8, Article 12. Page	Page 5, Article 7. Page 8, Article 12. Page	Page 8, Article 11, letter f). Page 9, Article

#	Document Title	Please indicate which for which standards this document is used as evidence												
		1	2	3	4	5	6	7	8	9	10	11	12	13
		18 letter h				7. Page 8, Article 12 letters c),f) and g). Page 11, letter c).	Article 11. Page 9, Article 13. Page 10, Article 14-15, Page 12, Article 15, 17 and 18		Article 10-11. Page 10, Article 15. Page 12, Article 17-18. Page 14, Article 20. Page 14, Article 21-23	12, letter c). Page 11, Article 16, letter c), Article 18		11, Article 16, letter c). Page 12, Article 18. Page 14, Article 23.	11, Article 16. Page 14, Article 23. Page 14, Article 24.	12, letter d).
37	3 Accreditation of regulatory requirements for observers (Resolution N° 1463 of 2015)		Page 1, 2 and 3, N° 1 to N°7		Page 2, N° 2 and N° 3		Page 1, N° 1. Page 2, N° 2. Page 2, N° 3			Page 3, N° 6				Page 3, N° 6, letter b
38	4 Annual appointment of certified scientific observers (Resolution N° 820 of 2020)		Pages 2-7, N°1 letter a). Page 9, N° 3 and 4	Pages 2-7, N°1 letter a). Page 9, N° 4					Annual List of accredited observers: Pages 2-7. N°1, letter a). Page 9 , N° 3 and N°4					
39	5 Monthly list of vessels designated to carry observers onboard (Resolution N° 1665 of 2020)								Page 1 and 2, number 1 letters a, b and c. Page 4, N°2					Page 4, N°3, letters a), b) and c)
40	6 Annual report- bycatch and discards monitoring program in pelagic fisheries						All							

#	Document Title	Please indicate which for which standards this document is used as evidence												
		1	2	3	4	5	6	7	8	9	10	11	12	13
41	Preliminary contents of the Manual for activities in the SPRFMO area			All										
42	SPRFMO training (Program-presenters-images)			All										
43	SPRFMO training Presentations (ppt)			All										
44	Programa Capacitación toma de datos SPRFMO			All										
45	Manual Datos-Embarques SPRFMO vf2			All			All							
46	z2 Added evidence			All										
47	FORMULARIOS ORP-PS			All			All							

Scoring Tables – Interpretation

The scoring tables in the next section of the report provide feedback on the assessment of Chile in meeting the required levels to meet the SPRFMO minimum standards. Each table consists of four columns:

Indicator number

Minimum Standard – The definition of the requirement to meet the minimum standard defined.

Pass / Fail – A simple indicator, colour coded green for “Pass”, red for “Fail”.

Comment / Condition / Reason for fail – Any additional comments from the assessment team on the element. These could include details of the condition’s, reasons for failing an element, that can be addressed before the final assessment, or for elements that have been passed the team could briefly highlight examples of good practice for other programmes to follow and highlight the particular sections of documents provided these can be found in. Document numbers are referenced in Table 1.

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
X.X	Observer programmes must XXX.	Pass	The requirements set out are clearly demonstrated in section 22 of document 3 and part 4 of document 4.

Executive Summary.

Chilean observers are supplied through the Instituto de Fomento Pesquero (IFOP) which is under permanent contract to the State, Subsecretaria de Pesca y Acuicultura (SubPesca), as a result much of the observer requirements are enshrined in State law. The Chilean application was submitted on 7th October 2020, there were initially 47 supporting documents. This report includes an evaluation of all of the information received. Following an initial assessment gaps were identified between the Chilean observer programme and the SPRFMO standards. Specifically, these included:

- Standard 3.1: Data recording requirements, established by Annex 7 of CMM 02-2020, were not all met.
- Standard 7.1: Observer ID cards did not include the date of issue or expiration, nor an emergency phone number.
- Standard 8.2: There was no specified protocol in place for the replacement of an observer and what actions should be taken in case the observer becomes unable to perform their duties.
- Standard 8.3: There was no specified protocol to ensure that observers are rotated between vessels.
- Standard 9.1: Safety equipment issued did not include PLBs, two-way satellite communications devices or immersion suits.
- Standard 12.1: There was no Emergency Action Plan (EAP) established.

Following initial feedback and correspondence, IFOP and SubPesca undertook a process to ensure conformance including development of protocols, manuals and observer training. Regular updates of these developments, both through meetings as well as development and provision of necessary documented protocols were able to demonstrate that the identified gaps can now be met.

As such, we believe that the Chilean programme meets all the requirements outlined in CMM 16-2019 and the Commission should consider it for accreditation.

1 Impartiality, independence and integrity

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
1.1	National observer programmes and service providers shall only deploy independent and impartial observers. This means that neither the national observer programme or service provider, as the case requires, nor the individual observers, have a direct financial interest, ownership or business links with vessels, processors, agents and retailers involved in the catching, taking, harvesting, transporting, processing or selling of fish or fish products.	Pass	<p>IFOP is a permanent collaborator and advisor of the State and its management agencies in the decision-making processes to achieve sustainable development of fishing resources and aquaculture, as well as the conservation of marine and freshwater ecosystems. For these purposes, IFOP conducts research and monitoring programs and permanent studies defined in an annual Research Program, that elaborates the Undersecretariat for Fisheries and Aquaculture (www.ifop.cl and “a ESTATUTO ACTUALIZADO 08_jul_2014” archive). To fulfil its research and advisory role, IFOP receives government funding of nearly 25 million USD/year which account for about 98% of its total income. This funding scheme ensures the impartiality, independence and integrity necessary for the administration of the program of Scientific Observers of the country.</p> <p>It is clearly stated within DECLARACION INDEPENDENCIA POC ORP-PS (c) that <i>‘IFOP has no direct financial interest or ownership of fishing vessels, processors, and agents and retailers involved in catching, taking, collecting, transporting, processing or sale of fish or fishing products’</i>.</p> <p>Observers have permanent working contracts with IFOP. In the case of observers working for pelagic fisheries (jack mackerel purse seine fishery for example) they have an average seniority in the institution of 5.4 years, with an indefinite and full-time contract for their activities, which ensures that they have not been recently related to the fishing companies or that they have conflicts of interest (“d Carpetas OC Acreditación POC ORPPS v2”).</p>
1.2a	<p>The national programme or service provider, and the individual observers:</p> <p>a) Shall not have a direct financial interest, other than the provision of observer services, in the fisheries under the purview of the Commission, including, but not limited to: i) any ownership, mortgage holder, or other secured interest in a vessel or processor involved in the catching,</p>	Pass	<p>It is clearly stated within DECLARACION INDEPENDENCIA POC ORP-PS (c) that <i>‘IFOP has no direct financial interest or ownership of fishing vessels, processors, and agents and retailers involved in catching, taking, collecting, transporting, processing or sale of fish or fishing products’</i>.</p> <p>Observers have permanent working contracts with IFOP. In the case of observers working for pelagic fisheries (jack mackerel purse seine fishery for example) they have an average seniority in the institution of 5.4 years, with an indefinite and full-time contract for their activities, which ensures that they have not been recently</p>

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
	taking, harvesting or processing of fish; ii) any business selling supplies or services to any vessel or processor in the fishery; iii) any business purchasing raw or processed products from any vessel or processor in the fishery.		related to the fishing companies or that they have conflicts of interest (“d Carpetas OC Acreditación POC ORPPS v2”).
1.2b	Shall not solicit or accept, directly or indirectly, any gratuity, gift, favour, entertainment, inordinate accommodation, loan or anything of monetary value from anyone who either conducts activities that are regulated by a Member or CNCP connected with its services or the Commission, or has interests that may be substantially affected by the performance or non-performance of the observer’s official duties;	Pass	The Observer Manual specifies that observers should not receive any cash-valued gratuity in the performance of their duties or perform paid work of any kind on the vessels on which they ship (pers comm. SUBMISSION OF EVIDENCE FOR THE ACCREDITATION PROCESS OF THE CHILEAN OBSERVER PROGRAM). IFOP Regulations (which are part of the employment contract) prohibit and sanction as a serious offence, the acceptance or request for oneself or third parties, directly or indirectly, loans, gifts, services, entertainment of any nature, from institutions, companies, suppliers or natural persons linked or related to the work of IFOP, as well as contracting with third parties outside the IFOP in other work REGLAMENTO-INTERNO-IFOP_a-dic-2012-OK (f)
1.2c	Shall not serve as an observer on any vessel or at any processors owned or operated by a person who previously employed the observer in another capacity within the last three years (e.g., as a crew member)	Pass	‘The experience and background of each observer is extensively reviewed prior to his/her hiring and is documented in their resume and other qualifications required in order to avoid links or conflict of interests with fishing companies that are monitored’ (pers comm. SUBMISSION OF EVIDENCE FOR THE ACCREDITATION PROCESS OF THE CHILEAN OBSERVER PROGRAM). Observers ‘have an average seniority in the institution of 5.4 years, with an indefinite and full-time contract for their activities, which ensures that they have not been recently related to the fishing companies or that they have conflicts of interest’ Carpetas OC Acreditación POC ORPPS v2 (d)
1.2d	Shall not solicit or accept employment as a crew member or an employee of a vessel or processor while employed by a national observer programme or service provider.	Pass	IFOP Regulations (which are part of the employment contract) prohibit and sanction as a serious offence, the acceptance or request for oneself or third parties, directly or indirectly, loans, gifts, services, entertainment of any nature, from institutions, companies, suppliers or natural persons linked or related to the work of IFOP, as well as contracting with third parties outside the IFOP in other

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
			work REGLAMENTO-INTERNO-IFOP_a-dic-2012-OK (f)

2 Observer Qualifications

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
2.1	<p>The national observer programmes or service providers shall demonstrate that observers that are recruited into their programme have relevant education or technical training and/or experience for the fleets concerned; ability to meet the observer duties; no record of convictions calling into question the integrity of the observer or indicating a propensity towards violence; and the ability to obtain necessary documentation, including passports and visas</p>	<p>Pass</p>	<p>It is clearly stated within Accreditation of requirements for observers (Resolution 1463-2015) (3) that '<i>Scientific observers shall demonstrate knowledge to conduct basic scientific tasks. They could be professionals or technicians related to marine, fisheries, or aquaculture sciences from credited universities or professional institutions. Accreditation of this requirement shall be conducted through the certificate of title issued by respective Educational Institution</i>'.</p> <p>Curriculum vitae, educational certificates and certificates of accredited training are clearly shown in Carpetas OC Acreditación POC ORP-PS v2 (Archivo resumen Excel) (d).</p> <p>Background certificates highlighting any convictions calling into question the integrity of the observer or indicating a propensity towards violence; and the ability to obtain necessary documentation are clearly shown in Carpetas OC Acreditación POC ORP-PS v2 (Archivo resumen Excel) (d).</p>

3 Observer Training

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
3.1	<p>National observer programmes or service providers shall demonstrate that observers are adequately trained before their deployment. Training shall include All the elements outlined in Annex 3 of CMM-16-2019, and that data are being collected in line with the requirements set out in CMM 02-2020</p>	<p>Pass</p>	<p>The Undersecretariat for Fisheries and Aquaculture undertakes comprehensive training of its observers, with accredited observers listed. Training is broad and includes technical, safety and practical elements of the role (k Material Cursos OC), and is reinforced with a comprehensive manual (e Manual OC IFOP). Until recently, while several of the key requirements were addressed, the requirements often lack explicit requirements relating to SPRFMO, while in some cases specific requirement are completely missing. These gaps were addressed by the recently developed specific SPRFMO observer training and manual.</p> <p>The Law for Fisheries and Aquaculture (1.1 Law for Fisheries full version Spanish) does not include any specific provision relating to the training of observers in line with the elements outlined in Annex 3 of CMM-16-2019, beyond requiring that “observers demonstrate knowledge and skills to conduct basic scientific tasks and they could be professionals or technicians related to marine, fisheries, and aquaculture sciences from accredited universities or professional institutes”. The Regulation of Scientific Observers (2.1 Regulation of observers (S.D. 193-2013) full version Spanish), Resolution N° 1463, and the IFOP Observer Manual, cover elements of the requirements of CMM-16-2019, such as safety at sea, first aid training, techniques for estimating catch and species composition, and sampling techniques. In addition, the recently developed SPRFMO training course (SPRFMO training Presentations (ppt)) addresses specific requirements related to SPRFMO.</p> <ol style="list-style-type: none"> 1. The relationship between fisheries science and fisheries management and the importance of data collection in this context; This is largely covered within the IFOP observer manual and the observer training and emphasised with the specified IFOP training programme recently developed for SPRFMO observers (SPRFMO training Presentations (ppt)). 2. The relevant provisions of the Convention and SPRFMO CMMs relevant to the functions and duties of observers; CMM 16-2019 Annex 3 14. The recently developed specific SPRFMO includes the relevant provisions of the convention and SPRFMO CMMs relevant to observer duties. 3. Importance of observer programmes, including understanding the duties, rights,

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
			<p>authority and responsibilities of observers; This is largely covered within the IFOP observer training, specifically Unit 2 of The Course of Fisheries Regulations relating to scientific observers.</p> <p>4. Safety at sea, including emergencies at sea, donning survival suits, use of safety equipment, use of radios, survival at sea, management of conflicts, and cold-water survival; The basic survival at sea training includes All elements required by SPRFMO with respect to safety at sea.</p> <p>5. First aid training, appropriate to working at-sea or in remote situations; The basic survival at sea training includes All elements required by SPRFMO with respect to first aid training.</p> <p>6. Species identification and record of species encountered at sea, including target and non-target species, protected species, seabirds, marine mammals, sea turtles, invertebrates indicating vulnerable marine ecosystems, et cetera; The observer training course includes identification of different species, including target and non-target species, invertebrates, marine mammals, seabirds, sea turtles, and vulnerable marine ecosystems.</p> <p>7. Knowledge of the different types and functioning of bycatch mitigation devices required by SPRFMO CMMs; The training course for observers covers different bycatch mitigations devices used for sea turtles, seabirds and marine mammals. And explicitly cover which methods are required by SPRFMO in which fisheries, and under what circumstances.</p> <p>8. Safe handling protocols to rehabilitate and release seabirds, marine mammals and sea turtles; The training course for observers covers safe handling and release for seabirds, marine mammals or sea turtles.</p> <p>9. Fishing vessel and fishing gear types relevant to SPRFMO; The training course for observers covers various fishing vessels and gear types relevant to the SPRFMO.</p> <p>10. Techniques and procedures for estimating catch and species composition; The training course for observers covers techniques and procedures for estimating catch and species composition.</p> <p>11. Use and maintenance of sampling equipment including scales, callipers, et cetera; The training course for observers and IFOP manual cover general use and</p>

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
			<p>maintenance of sampling equipment.</p> <p>12. Sampling methodologies at sea, i.e., fish sampling, fish sexing, measuring and weighing techniques, specimen collection and storage, and sampling methodologies; The training course for observers and IFOP manual cover sampling methodologies and provides technical background and guides.</p> <p>13. Understand potential biases in sampling, how they arise and how they could be avoided; The training course for observers and IFOP manual provides instructions on random sampling and how this may be designed to avoid possible bias.</p> <p>14. Preservation of samples for analysis; The training course for observers and IFOP manual provides instruction on sample preservation, storage and labelling.</p> <p>15. Data collection codes and data collection formats (I INSTRUCTIVOS DE LLENADO DE FORMULARIOS); Various observer datasheets exist with guidance, by which observers fill in corresponding data for the deployment, and these are supplemented by the observer Manual. These include data forms for the range of fisheries.</p> <p>Currently, there are several trawl and one longline vessel, in addition to horse mackerel purse seiners, registered in SPRFMO (https://www.sprfmo.org/Web/Vessels/VesselSearchView.aspx)., However, SubPesca provided written confirmation of the current status of the fleet operating in SPRFMO, which is limited to purse seiners and indeed in 2020 no vessels at all operated (Pers. Comms)</p> <p>Several different forms exist, including forms which have been developed specifically for the SPRFMO observer programme in order to be consistent with the requirements of CMM 02-2020. – (z4 Formularios SPRFMO / I INSTRUCTIVOS DE LLENADO DE FORMULARIOS / Formularios e Instructivos de Arrastre y Palangre).</p> <p>Furthermore, in other cases, report and data are formation that is delivered is converted to the specific format indicated in this point (or specific data is added) from the central IFOP database during debriefing as per established protocols (Manual para la Toma de Datos ORP-PS). Refer to Error! Reference source not found..</p> <p>16. Familiarity with catch logbooks and recordkeeping requirements to aid observers' collection of data as required under SPRFMO CMMs; SPRFMO observer training</p>

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
			<p>datasheets exist with guidance to familiarise observers with fishing logbooks, and these outline logbook requirements or formats established by SPRFMO CMMs.</p> <p>17. Use of digital recorders or electronic notebooks; The observer logbook has established the mandatory protocols for the use of recorders for sampling as well as guidelines for the use of electronic notebooks.</p> <p>18. Electronic equipment used for observer work and understanding their operation; The observer manual provides guidance on the use and maintenance of electronic equipment in the operation of observer tasks, including digital recorders nor electronic logbooks.</p> <p>19. Use of electronic monitoring systems as a complement to their work, when applicable; The SPRFMO training includes a specific section relating to the use of electronic systems and how these may complement human observer tasks.</p> <p>20. Verbal debriefing and report writing; The SPRFMO training includes guidance on debriefing and report writing, with ad hoc training also apparently carried out as and when requested by observers.</p> <p>21. Training on relevant aspects of the International Convention for the Prevention of Pollution from Ships (MARPOL). There is a specific training module relating to MARPOL.</p>
3.2	<p>Refresher training should be ongoing dependent on the qualification requirements. Relevant updates to CMMs and observer requirements should be communicated to observers before each deployment as part of the briefing process, for example in an updated manual</p>	<p>Pass</p>	<p>A recent training programme run by IFOP (SPRFMO training Presentations (ppt) and SPRFMO training (Program-presenters-images)) provided SPRFMO specific training for established observers, briefers and debriefers was carried out in November 2020 and included the relevant provisions of the Convention (3.1 Accreditation of requirements for observers (Resolution 1463-2015) full version Spanish), the SPRFMO MMC pertinent to the functions and duties of observers (CMM 16-2019 Annex 3 14), the importance of observer programs (including understanding of duties, rights, authority and responsibilities of observers specifically for SPRMFO), knowledge of the different types and operation of bycatch mitigation devices required by the SPRFMO MMC and Familiarity with catch logbooks and recordkeeping requirements to aid observers' collection of data as required under SPRFMO CMMs.</p>

4 Observer Trainers

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
4.1	National programmes or service providers shall demonstrate that observer trainers have the appropriate skills and have been authorised by that national programme or service provider to train observers	Pass	<p>It is evident from Accreditation of requirements for observers (3) that the training provided in relation to ‘a. Knowledge to identify different species caught and fishing gears used in monitored fisheries. b. Basic knowledge of fishing regulation. c. Knowledge to use technical and scientific tools necessary to conduct scientific observation. d. Knowledge regarding the procedures and methodology for the measurement of the diverse variables of the resources under investigation and f. Training to conduct basic scientific tasks such as sampling and analysis, observation and record of data and information’ is given and run by experts with experience in the relevant subjects.</p> <p>‘The contents of each course provided to the observers shall be informed to the Undersecretariat through the respective study programs’ Accreditation of requirements for observers (3)</p> <p>Curriculum Vitae provided clearly demonstrate that personnel conducting the Observer training possess sufficient knowledge and experience Detalle de Relatores de Cursos (2007-2019) y C (p)</p>

5 Briefing and Debriefing

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
5.1	National observer programmes or service providers shall demonstrate that there are systems for briefing and debriefing observers and communicating at any time with vessel captains.	Pass	<p>Field coordinators are responsible for briefing and debriefing with guidelines on the briefing and debriefing process, including communications with vessel operators, provided with several documents.</p> <p>2 Regulation of observers (S.D. 193-2013) Article 7</p> <p>Accreditation of requirements for observers (3)</p> <p>q Perfil de Cargo Coordinador de Campo (y General)</p>
5.2	The briefing and debriefing process shall be conducted by properly trained personnel and shall ensure that observers and vessel captains clearly understand their respective roles and duties	Pass	<p>Field coordinators are responsible for briefing and debriefing, being defined as <i>“person appointed by the Undersecretariat for Fisheries and Aquaculture in charge of coordinating and ensuring the timely deployment of observer onboard fishing vessels, landing ports and processing plants. The coordinator is also in charge of providing technical assistance for the gathering and analysis of fisheries’ related data and information”</i>.</p> <p>The profile of field coordinators includes a requirement to liaise with the fishing sector representatives (albeit not specifically Captains and other stakeholders).</p> <p>2 Regulation of observers (S.D. 193-2013)</p> <p>Accreditation of requirements for observers (3)</p> <p>q Perfil de Cargo Coordinador de Campo (y General)</p>

6 Data Validation Process

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
6.1	National observer programmes or service providers shall demonstrate that they have an observer data validation process in place. The data validation process shall be conducted by properly trained personnel and shall ensure that data and information collected by an observer are checked for discrepancies or inaccuracies that are corrected before the information is entered into a database or used for analysis.	Pass	<p>There are several levels of validation to ensure the quality of the data:</p> <ul style="list-style-type: none"> • Review of the physical forms by the Field Coordinator once the observer disembarks. • When the observer enters the information in the Multiplatform Data Entry System (SID-MP) on their computers, the system has validation rules that warns the observer on wrong data preventing the entry of erroneous information (file ""). • Once the data has been entered in the SIDMP, assistants from the Department of Data Management (DGM) check that everything entered matches what is written on paper forms and also make corrections. • At the end of the work of a month, the DGM assistants proceed to “closing the month” and release the data to the Data Managers (data pass from a temporary base to the IFOP Central Database) • The Data Managers make an expert correction of the information entered and databases, so that it can be finally used by the different monitoring projects and researchers. <p>(Pers. comm. Informe Acreditación PO Chile ante MRAG-SPRMFO (3))</p> <p>Profiles of responsible personnel for validation of data include senior and semi-senior observers, field coordinator, digital controller, quality controllers, general coordinators and data managers, All of which have a specific set of roles and associated requirements relating to experience and qualifications exits, and All within a specified hierarchy. (w6 Perfiles de cargo de personal involucrado en la validación de datos (ver actividades principales))</p>
6.2	The data validation process shall ensure that the data meet the standards laid out in Annex 3 of CMM-16-2019	Pass	<p>There are specific instructions for gathering and entering data as well as permanent training from the data managers and DGM assistants to the scientific observers. These training focus in data quality and correcting recurrent errors (Pers. comm. Informe Acreditación PO Chile ante MRAG-SPRMFO (3))</p>

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
6.2a	a) A mechanism that Allows scientific data to be stored and transferred to the national observer programme (or service provider) in a secure and confidential manner	Pass	<p>The process begins with the collection of data in the field, typing and validation in the Multi-Platform Data Entry System (SID_MP) and the Sampling Effort Information System (SIEM), data transmission, reception in a temporary database, storage in central database, delivery to the Project Managers, calculation and publication of fishing biological indicators on the website. This process Allows managing the data system and making efficient use of available human and material resources.</p> <p>(Pers. comm. Informe Acreditación PO Chile ante MRAG-SPRMFO (3))</p> <p>The regulation of Scientific Observers – Supreme Decree N° 193-2013, article 11, includes provisions for the confidentiality and encryption of data as relating to the observer while the Law for Fisheries and Aquaculture, in conjunction with the procedures for public information outlined in Article 39 of Law N° 19.880.</p>
	b) Vessel information uniquely identifies the actual vessel from which the fishing occurred	Pass	<p>Observers are clearly instructed to '<i>Register the vessel code, consult the institutional vessel master. In the event that the vessel does not have a code assigned, register in the code assignment request, full name, license plate, CB (radiotelephonic or charly bravo characteristic) and the maximum of geometric and functional characteristics of the vessel and send it to the SGM, for its verification and subsequently the section sends it to DI to be assigned the institutional code</i>' INSTRUCTIVOS DE LLENADO DE FORMULARIOS (I)</p> <p>IFOP are currently in the development phase of integrating unique vessel codes of vessels with historical data sets (Pers comm. Informe Acreditación PO Chile ante MRAG-SPRMFO (3)).</p>
	c) Dates and times of fishing effort are included and internally consistent (for example an end time should be after a start time)	Pass	<p>Observers are instructed to record fishing effort by detailing the '<i>Correlative number of the set, during the trip</i>' and to '<i>Record the day, month, year, hour and minutes of the set (dd / mm / yy hh: mm)</i>' FORMULARIO DE DATOS "BITACORA DE PESCA EMBARCACIONES CERQUERAS" FD - 3 / IT – 1 / PE-7-2 (I -1)</p>
	d) Location of fishing is included and valid (for example, logical latitude/longitude combinations), internally consistent and entered in the correct units	Pass	<p>Observer are instructed to record the location of fishing by detailing the latitude and longitude of the start and end points of sets in degrees, minutes and tenths of a minute (00 ° 00.0 ') FORMULARIO DE DATOS "BITACORA DE PESCA EMBARCACIONES CERQUERAS" FD - 3 / IT – 1 / PE-7-2 (I -1)</p>

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
	<p>e) Effort data Allows quantification of the amount of effort invested by the vessel, appropriate to the fishing method used, which is also identified</p>	<p>Pass</p>	<p>There are various forms provided for the observer to complete, in addition to biological and biometric sampling and bycatch. These relate to the range of fisheries potentially involved in SPRFMO, and while currently only horse mackerel purse seiners are currently active, purse seine and trawling, several trawlers and longliners are also listed on the SPRFMO vessel register. Chile does not have any jigging or trammel vessels active in SPRFMO, there is a single longliner.</p> <p>For each of the forms reviewed, information is required on the fishing activity, duration and location over specified time periods, which Allow quantification of the amount of effort invested by the vessel.</p> <p>Todos Formularios usados POC Chile I INSTRUCTIVOS DE LLENADO DE FORMULARIOS</p>
	<p>f) Catch information identifies the fishery resource (to the species level where possible) and the quantity of that species retained or discarded. If used, species codes are accurate</p>	<p>Pass</p>	<p>Observers are instructed to record '<i>CATCH OF THE SET (KG) BY SPECIES</i></p> <ul style="list-style-type: none"> • <i>NAME: Record the name of the species caught in the set.</i> • <i>CODE: Record the code of the species caught in the set; consult institutional teacher.</i> • <i>SET N°: Correlative number of sets during the trip.</i> • <i>TOTAL KG: Record the total catches of the species in kilos RETAINED KG: Record the retained catches of the species in kilos</i> • <i>DISCARDED KG: Record the discarded catches of the species in kilos'</i> <p>FORMULARIO DE DATOS "BITACORA DE PESCA EMBARCACIONES ARRASTRERAS" FD - 1 / IT - 1 / PE-7-2 (I-12)</p>
	<p>g) Where biological or length information is collected for a fish, it is directly linked to the effort in which it was caught – including date and time, location, and fishing method information, and includes the methodology of data collection</p>	<p>Pass</p>	<p>Where biological or length information is recorded, observers are instructed to also record:</p> <ul style="list-style-type: none"> • Voyage details (port, departure dates) • The identification of the fishing operation (which can be related to operational data through the embarkation code).

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
			<p>This form also includes information on the species, the fate (retained discarded), total catch, and where and when the sample was taken.</p> <p>FORMULARIO DE DATOS “MUESTREO LONGITUD”. FD – 6 / IT - 1 / PE – 7 - 2 (I-8)</p> <p>FORMULARIO DE DATOS “MUESTREO BIOLOGICO ESPECÍFICO”. FD - 8 / IT – 1 / PE- 7- 2 (I-10)</p>
	<p>h) If the observer programme extends to transshipment and/or landings, then the amount and species of fishery resources transhipped/landed is quantified and recorded according to a standard methodology</p>	<p>Pass</p>	<p>Observer programme includes landings, although in Chile transshipments are currently not Allowed. Eventually however, they may be regulated and authorized for pelagic fisheries. Currently, there is no protocol for sampling from transshipments, and if these are eventually authorized, they must be recorded by the observers and the corresponding modifications must be made in training and forms.</p> <p>(Pers. comm. Informe Acreditación PO Chile ante MRAG-SPRMFO (3))</p> <p>Observer sampling programmes include recording the catch composition and total when sampling is undertaken in port.</p> <p>FORMULARIO DE DATOS “MUESTREO LONGITUD”. FD – 6 / IT - 1 / PE – 7 - 2 (I-8)</p> <p>FORMULARIO DE DATOS “MUESTREO BIOLOGICO ESPECÍFICO”. FD - 8 / IT – 1 / PE- 7- 2 (I-10)</p>
	<p>i) Interaction data involving marine mammals, seabirds, reptiles and/or other species of concern identifies the individual species (where possible), the number of animals, fate (retained or released/discarded), life status if released (vigorous, alive, lethargic, dead), and the type of interaction (hook /line entanglement / warpstrike / net capture / other).</p>	<p>Pass</p>	<p>It is clearly stated within ESTUDIO DE LA CAPTURA INCIDENTAL, INTERACCIONES Y AVISTAMIENTO DE AVES, MAMÍFEROS Y TORTUGAS MARINAS EN LA PESQUERÍA DE CERCO (I - 4 - 5 – 6) that data involving marine mammals, seabirds, reptiles and/or other species of concern identifies the individual species should include:</p> <ul style="list-style-type: none"> • Name: Common name of the captured species. • Code: Code of the species according to the updated IFOP Species Master. • Set N °: Set number in which the incidental capture of birds, mammals and sea turtles is being observed. • Obs: Registers if the incidental catch has been voluntarily observed during most of the hauling (observed set = 1; NOT observed set = 0), it must be populated in All sets with or without bycatch registration.

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
			<ul style="list-style-type: none"> • Status (*): Registers whether the status of the animal is alive or dead (Alive = 1; Dead = 2). • N ° Specimens: The observation must consider the number of birds, mammals or turtles that get entangled in the net, get entangled with the line or that fall into the fishing hole. The number of specimens observed per species should be recorded.

7 Observer Identification Cards

#	Minimum Standard	Pass / Fail	Evidence Provided
7.1	National observer programmes or service providers shall provide observers with identification cards that include the full name of the observer, date of issue and expiration, the name of the national observer programme or service provider, a unique identifying number (if issued by the national observer programme or service provider) a passport style photo of the observer, an emergency phone number	Pass	<p>Currently IFOP provides All observers withy an identifications document provided by the Undersecretariat for Fisheries, accrediting their observer status (File "2 Regulation of observers (SD 193-2013) Page 13, Article 18, letter e"). Currently these include the full name of the observer, the name of the national observer programme or service provider, a unique identifying number, a passport style photo, the date of issue and expiration, and an emergency phone number.</p> <p>z5 OBSERVERS ID CARD EXAMPLES</p>

8 Coordinating Observer Placements and Observer Deployments

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
8.1	National observer programmes or service providers shall demonstrate responsibility and capacity for the timely deployment of observers and will ensure that the selected observer receives All possible assistance during the entire length of their placements	Pass	<p>The deployment of Observers on fishing vessels is a regular a common task and responsibility of IFOP, specifically the Logistics Department at IFOP (Pers. comm. Informe Acreditación PO Chile ante MRAG-SPRMFO (3))</p> <p>The following regulatory evidence establishes a series of requirement to guarantee the safe placement and timely deployment of observers Law for Fisheries and Aquaculture-observer topics (1), Regulation of scientific observers - Supreme Decree N ° 193-2013 (2) and Monthly list of vessels designated to carry observers onboard (Resolution 1665-2020) (5).</p> <p>In addition, sets out the following procedure:</p> <ul style="list-style-type: none"> a) Within 10 days before the beginning of each calendar month, through a resolution, the Undersecretariat for Fisheries and Aquaculture establishes the list of vessels selected to carry one or more scientific observers onboard b) The list of selected vessels is notified to the respective vessel's owners c) The list of vessels is also communicated to the Directorate General of Maritime Territory and Merchant Marine (DIRECTEMAR) and published at the website of the Undersecretariat for Fisheries and Aquaculture. d) The vessel designation must be communicated by the vessel owners to the respective Fleet Manager, Harbor Manager, or the person delegated to request the respective authorization to set sail for a fishing trip, who will communicate with the observer's coordinator previously referred to effectively comply with the obligation to accept one or more scientific observers onboard. e) Vessel owners from selected vessels shall accept onboard the Allocated observers during a minimum period of 15 consecutive days within a specific calendar month. f) To verify the compliance with the obligation of carrying observers mentioned in previous letters, the Local Maritime Authority shall verify with the captain of the designated vessel, if the scientific observer(s) is on board, before vessel set sail for a fishing trip. g) In the event that a designated fishing vessel does not set sail because of an unexpected or fortuitous event, the owner, in the cases he possesses more than one vessel, shall propose an alternative vessel to embark the scientific observer.

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
			(Pers. comm. Informe Acreditación PO Chile ante MRAG-SPRMFO (3) ; SUPREME DECREE N° 193, SANTIAGO, DECEMBER 20TH, 2013 REGULATION OF SCIENTIFIC OBSERVERS (2)
8.2	National observer programmes or service providers shall have in place a protocol to replace an observer if the observer becomes unable to perform their duties.	Pass	<p>If the observer cannot fulfil their duties, the Chilean Observer Program has a significant supply of observers with permanent (indefinite) contracts, which facilitates their replacement in case is needed. (Pers. comm. Informe Acreditación PO Chile ante MRAG-SPRMFO (3)). The replacement of observers was also evidenced by the various flights purchased to repatriate and replace observers across a number of deployments.</p> <p>An explicit protocol in for the replacement of the observer and actions to be taken in such a case are provided within point "2.2: Reemplazo de Observadores" of the Manual para la toma de datos y embarques en área ORP-PS.</p>
8.3	National observer programmes or service providers shall also seek, to the extent possible, to avoid deploying a single observer on multiple consecutive trips on the same vessel	Pass	<p>As an IFOP policy, the Observer Program rotates the vessels and the observers that are deployed in the fleet in order to secure randomness (http://www.subpesca.cl/portal/615/w3-propertyvalue-50897.html).</p> <p>The point "2.1 Asignaciones de naves y rotación del personal embarcado " of the Manual para la toma de datos y embarques en área ORP-PS" provides a protocol to ensure that observers are rotated, and to what frequency, to avoid both repeated deployments on the same vessel and/or operator, or have potential conflict of interest with the same.</p>
8.4	It is the responsibility of a national observer programme or service provider to administer observer placements, to maintain the independence and impartiality of observers as described in this measure and ensure that All placements are administratively finalised as soon as practicable after the observers return to port. The national observer programme or service provider is expected to communicate with the observer regarding upcoming deployments, coordinate observer travel, and provide the necessary supplies for observer duties.	Pass	<p>Coordination of embarking scientific observers includes the administration of observer placements, and ensure the independence and impartiality of observers.</p> <p>Within the Field (and General) Coordinator Position Profile" the Coordinator position profile indicates this responsibility and is also part of their employment contract. This is also reiterated within point 2 Responsabilidad de los Coordinadores of the "Manual para la toma de datos y embarques en área ORP-PS" just sent you.</p> <p>Coordinators are responsible for compliance with IFOP standards, which include impartiality and independence, as outlined in chapter 1.1 – Observer standards of conduct and Regulation Interno IFOP, with disciplinary action, including dismissal used.</p>

9 Observer Safety Equipment

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
9.1	National observer programmes or service providers must demonstrate that observers are provided with appropriate equipment, including safety equipment, which is in good working order, routinely checked and renewed to carry out their duties on board a vessel. Essential equipment includes a lifejacket, independent two-way communication device capable of sending and receiving voice or text communications, personal locator beacons (PLBs), immersion suits, hard hat, proper deck working boots or shoes, gloves and protective glasses (including sunglasses)	Pass	<p>The observer manual and Manual Datos-Embarques SPRFMO vf2 provides information and checklist on the type of safety equipment required, as well as instructions and requirements for corresponding maintenance and storage. This includes lifejackets, hard hats, PLBs, safety shoes or boots, gloves and protective glasses.</p> <p>Manual Datos-Embarques SPRFMO vf2</p> <p>e Manual OC IFOP</p>

10 Responding to Allegations of Observer Misconduct

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
10.1	National observer programmes or service providers must establish procedures for preventing, investigating, and reporting on the misconduct of observers, in coordination with observers, vessel captains, and relevant Members and CNCPs	Pass	<p>IFOP's Internal Regulations f REGLAMENTO-INTERNO-IFOP_a-dic-2012-OK", p 22-29 (f) set out the procedures to prevent, investigate and report cases of misconduct. This document also describes notification, investigation, burden of proof and defence of the observer, and follow up, as well as guidance for appropriate penalties for misconduct, which can lead to immediate termination of a contract or even criminal prosecution in extreme cases. There is also information on how such judgements may be appealed.</p> <p>The same document also clarifies the code of conduct required of the observer (Article 13 and 14), which are also specified within each individual observer contract, as well as being covered with the Observer manual (e Manual OC IFOP).</p>

11 Dispute Settlement

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
11.1	National observer programmes or service providers shall demonstrate the existence of a dispute resolution process fair to All parties that provides a process to resolve issues through appropriate means including facilitation and mediation	Pass	<p>The internal regulations of IFOP in Book I, Title XI “On the disciplinary authority” (File “f REGLAMENTO-INTERNO-IFOP_a-dec-2012-OK” (p 22-29)) establishes the procedures to carry out investigations in terms of conflict’s resolutions specifically related to disciplinary processes and the recourses available to the observer.</p> <p>An example of a dispute resolution including the investigation regarding Alleged lack of competency in required tasks of an observer made by a vessel operator (z1 Ejemplo de Investigación realizada a OC por denuncia de armador (RESERVADO)). This followed a clear process involving input by All affected parties.</p> <p>Neither the Law for Fisheries and Aquaculture (1 Law for Fisheries and Aquaculture-observer topics) nor Regulation of scientific observers (2 Regulation of observers (S.D. 193-2013)) explicitly covers dispute resolution process, instead just outlining the agreed rights and responsibilities for each party.</p>

12 Observer Safety

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
12.1	National programmes or service providers must demonstrate that procedures are in place to support observers in their ability to carry out their duties unimpeded and in a safe working environment, including an established Emergency Action Plan (EAP). The EAP must provide instructions on sending reports to the provider's designated 24-hour point(s) of contact to report unsafe conditions, including instances of harassment, intimidation or assault.	Pass	<p>In Chilean legislation, any type of harassment is prohibited and sanctioned, which is why various regulations address these topics and especially in the Chilean Labor Code. In the case of scientific observation on board fishing vessels, it is specified that there can be no interference with the work carried out in “1 Law for Fisheries and Aquaculture-observer topics” (Page 1, Article 104. Page 2, Article 121 ter) , “2 Regulation of scientific observers - Supreme Decree N ° 193-2013” (Page 5, Article 7. Page 8, Article 12. Page 11, Article 16. Page 14, Article 23. Page 14, Article 24) and in “ 5 Monthly list of vessel designated to carry observers onboard (Resolution 1665-2020) ”(Page 4, N ° 3, letters a), b) and c)), including penalties if they occur.</p> <p>The EAP is established in the z7 Manual Datos-Embarques SPRFMO vf2.pdf and includes instructions to be followed in the case of the observer considering unsafe conditions, including instances of harassment, intimidation or assault, as well as 24-hour contact numbers</p>
12.2	National observer programmes or service providers must also provide a permanent delegate or supervisor on land to communicate with the observer at any time while at sea.	Pass	<p>Communication channels are defined in the IFOP CB Manual (Manual OC IFOP (e))</p> <p>Observer Coordinators play the role of delegate or supervisors on land 24 / 7. There is a permanent availability (24/7) of the field coordinators and superiors. The contact information of the observer program staff is available to the entire organization, and in the specific case of observers' supervisors or coordinators, their 24/7 availability is defined in their contract which specifies that “<i>without restriction of working hours in case of emergencies</i>” (Pers. comm. Informe Acreditación PO Chile ante MRAG-SPRMFO (3))</p>

13 Insurance and Liability

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
13.1	National observer programmes or service providers must demonstrate that observers have health, safety and liability insurance commensurate with the national standards of the observer programme or service provider for such insurance for the duration of any deployment before placing the observer on a vessel.	Pass	All IFOP observers have life insurance, health system, option to have Complementary Health Insurance and coverage in case of accidents at work (ACHS). (d Carpetas OC Acreditación POC ORP-PS v2). The Regulation of scientific observers (2 Regulation of observers (S.D. 193-2013)) explicitly requires the provision of scientific observers with life insurance.

Annex 1 Training requirements as outlined in Annex 3 of CMM 16-2019

1. The relationship between fisheries science and fisheries management and the importance of data collection in this context;
2. The relevant provisions of the Convention and SPRFMO CMMs relevant to the functions and duties of observers; CMM 16-2019 Annex 3 14
3. Importance of observer programmes, including understanding the duties, rights, authority and responsibilities of observers;
4. Safety at sea, including emergencies at sea, donning survival suits, use of safety equipment, use of radios, survival at sea, management of conflicts, and cold-water survival;
5. First aid training, appropriate to working at-sea or in remote situations;
6. Species identification and record of species encountered at sea, including target and non-target species, protected species, seabirds, marine mammals, sea turtles, invertebrates indicating vulnerable marine ecosystems, et cetera;
7. Knowledge of the different types and functioning of bycatch mitigation devices required by SPRFMO CMMs;
8. Safe handling protocols to rehabilitate and release seabirds, marine mammals and sea turtles;
9. Fishing vessel and fishing gear types relevant to SPRFMO;
10. Techniques and procedures for estimating catch and species composition;
11. Use and maintenance of sampling equipment including scales, callipers, et cetera;
12. Sampling methodologies at sea, i.e., fish sampling, fish sexing, measuring and weighing techniques, specimen collection and storage, and sampling methodologies;
13. Understand potential biases in sampling, how they arise and how they could be avoided;
14. Preservation of samples for analysis;
15. Data collection codes and data collection formats;
16. Familiarity with catch logbooks and recordkeeping requirements to aid observers' collection of data as required under SPRFMO CMMs;
17. Use of digital recorders or electronic notebooks;
18. Electronic equipment used for observer work and understanding their operation;
19. Use of electronic monitoring systems as a complement to their work, when applicable;
20. Verbal debriefing and report writing;
21. Training on relevant aspects of the International Convention for the Prevention of Pollution from Ships (MARPOL).



SPRFMO Observer Programme Accreditation Assessment



Final Assessment Report New Zealand

September 2020



MRAG



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asia pacific



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Introduction

The South Pacific Regional Fisheries Management Organisation (SPRFMO) is an inter-governmental organisation responsible for the long-term conservation and sustainable use of the fishery resources of the South Pacific Ocean and in so doing, safeguarding the marine ecosystems in which the resources occur. The SPRFMO Convention applies to the high seas of the South Pacific, covering about a fourth of the Earth's high seas areas.

Currently, the main commercial resources fished in the SPRFMO Convention Area are jack mackerel and jumbo flying squid in the Southeast Pacific and, to a much lesser degree, deep-sea species often associated with seamounts in the Southwest Pacific.

The Organisation consists of a Commission and a number of subsidiary bodies. The Commission currently has 15 Members (Australia, the Republic of Chile, People's Republic of China, the Cook Islands, the Republic of Cuba, the Republic of Ecuador, the European Union, the Kingdom of Denmark in respect of the Faroe Islands, the Republic of Korea, New Zealand, the Republic of Peru, the Russian Federation, Chinese Taipei, The United States of America and the Republic of Vanuatu). The Commission also has three Cooperating non-Contracting Parties (Curaçao, Republic of Liberia and Republic of Panama).

From 1st January 2024, SPRFMO Members and CNCPs shall only deploy observers from national observer programmes or service providers accredited under the SPRFMO Observer Programme. Observer programmes may be accredited under the SPRFMO Observer Programme for a maximum of 5 years before undergoing re-evaluation. This document, consistent with the process outlined in CMM 16-2019 (SPRFMO Observer Programme), provides the basis for the accreditation process and the collection of information required for that process.

This report is the final assessment report for New Zealand.

Accreditation Process

The accreditation process for New Zealand progressed as follows:

Proposed Date	Actions	Actual Date
Annual Commission Meeting	Members, CNCP or service provider provides notification of intention to be assessed.	14/02/2020
Within 30 days of Annual Commission Meeting	Assessor (MRAG Ltd) contacts each Member, CNCP or service provider and agrees a timetable for the assessment process (Starting at time T) and shares assessment guidelines.	03/08/2020
T + 0 days (Start of process)	Assessment process to begin with Member, CNCP or service provider.	03/08/2020
T + 14 days	Member, CNCP or service provider provides all required documentation to assessor, in country visits or online meetings take place to discuss information provided by Member, CNCP or service provider. Assessor may request additional documentation if substantive or essential information is missing	21/08/2020
T + 28 days	Assessor receives additional documentation requested during assessment process and collates all materials	N/A
At least 100 days before Annual Commission Meeting	Assessor reviews all material and completes its preliminary evaluation. Following this Members, CNCPs and service providers will be offered 30 days for Bilateral consultations to ensure that they have an opportunity to provide additional information and corrections relevant to their evaluation	13/10/2020
60 days before Annual Commission Meeting	Assessor provides all Final Evaluation Reports including recommended conditions and incorporating feedback received on the preliminary evaluation.	22/11/2020
Annual Commission Meeting	The Commission evaluates all reports and recommendations and will decide whether to grant accreditation (including specified conditions).	21-23/01/2020

Summary of Evidence submitted

The table below summaries the documents provided by New Zealand that contain the evidence of conformance with the SPRFMO assessment requirements. The relevant sections of these documents should then be referenced within the main evaluation tables 1-13.

Table 1 Summary of documents submitted

#	Document Title	Please indicate which for which standards this document is used as evidence												
		1	2	3	4	5	6	7	8	9	10	11	12	13
1	_2014 template Conflicts of Interest Declaration v3.0	Y												
2	2020 Individual Employment Agreement - Existing Fisheries Observers	Y												
3	2020 LO Existing Observers - PSA Members	Y												
4	Code of Conduct 2014 web v1.0	Y												
5	Observer - letter confirming placement assignment	Y												
6	Medical Cert Example		Y											
7	Observer Trip Register_REDACTED		Y											
8	CRC-request-by-third-party		Y											
9	pvs-vetting-request-and-consent-form		Y											
10	Blank Application Questionnaire		Y											
11	Blank Application Questionnaire2		Y											
12	NZQA Unit Standards (folder)			Y										
13	Reference Material (folder)			Y										
14	Training Course Presentations (folder)	Y		Y										
15	Training Intake Results (folder)			Y										
16	Observer Manual Version 2-0 March 2015 v3.0	Y		Y		Y	Y							
17	Observer Training Timetable			Y										
18	SPRFMO ET Briefing Notes Template 2020			Y										
19	April 2018 OBT202 Refresher Unit Standard Results_REDACTED			Y										
20	Lone Workers First Aid			Y										

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#	Document Title	Please indicate which for which standards this document is used as evidence												
		1	2	3	4	5	6	7	8	9	10	11	12	13
21	mentoring slides for observers			Y										
22	Observer Coaching and Mentoring MDP (Recovered)			Y										
23	OBT202 Observer Refresher Training Prog Regs			Y										
24	October 2018 OBT202 Refresher Unit Standard Results_REDACTED			Y										
25	Refresher and Get-Together Timetable October 2018_REDACTED			Y										
26	September 2019 OBT202 Refresher Unit Standard Results_REDACTED			Y										
27	Training trip Audit Checklist for New Recruit v1.0				Y									
28	Trainers' responsibilities				Y									
29	Trainer Instructions for briefing of training trips				Y									
30	Tips for teaching different learning styles				Y									
31	2020_Vulnerable_Marine_Ecosystem_Evidence_Process_print					Y								
32	CV Zane Duncan HS				Y	Y								
33	Excerpt from debrief tracking					Y								
34	Fisheries Observer Briefing Safety Induction 3 Pack Quiz					Y								
35	SPRFMO & General Fisheries Observer Compliance Debrief 2020					Y								
36	Initial Meeting Checklist Updated 2019					Y								
37	Observer Debriefing checklist 2020					Y								
38	Observer wellbeing debrief form_V1_22102019					Y								
39	Operations Manager CV				Y	Y								
40	PD Fisheries Observer Supervisor				Y	Y								
41	PD Senior Fisheries Observer Supervisor				Y	Y								
42	SPRFMO BLL Briefing Gear Checklist					Y								
43	SPRFMO ET Briefing Notes Template 2020					Y								
44	SPRFMO species guide					Y								
45	SPRFMO Trawl Briefing Gear Checklist					Y								

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#	Document Title	Please indicate which for which standards this document is used as evidence												
		1	2	3	4	5	6	7	8	9	10	11	12	13
46	Vulnerable Marine Ecosystem Evidence Process Instructions VME VMEEP					Y								
47	Vulnerable Marine Ecosystem Evidence Process Quick Guide 2020					Y								
48	Debrief action taken example (folder)					Y								
49	cod						Y							
50	ODQSS						Y							
51	cod database documentation						Y							
52	2020 Observer Protected Species Interaction PSI form (1)						Y							
53	2020 Observer Protected Species Interaction PSI form instructions (1)						Y							
54	AtSeaObserver Manual NEW V3.44						Y							
55	BLL Form instructions						Y							
56	Hold Check Form MPI 2019						Y							
57	In Port Unload Form Instructions						Y							
58	In-Port Unload Checklist 2019						Y							
59	Unload Endorsement 2019						Y							
60	UNLOAD RECORD TS4						Y							
61	UNLOAD SUMMARY TS5						Y							
62	ID Card_REDACTED							Y						
63	8.1 Example notification from fishing vessel								Y					
64	8.1 Response to notification								Y					
65	8.1 SPRFMO Notification (excerpt from High Seas Permit)								Y					
66	Observer Airlift								Y					
67	Observer airlift (photo)								Y					
68	Observer airlift2 (photo)								Y					
69	Whiteboard								Y					
70	Observer Trip Register_REDACTED								Y					

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#	Document Title	Please indicate which for which standards this document is used as evidence												
		1	2	3	4	5	6	7	8	9	10	11	12	13
71	Excerpt from Data to NIWA								Y					
72	FCM Dedicated Team Contact Sheet								Y					
73	Stockroom Stocktake								Y					
74	Suppliers								Y					
75	SPRFMO BLL Briefing Gear Checklist									Y				
76	SPRFMO Trawl Briefing Gear Checklist													
77	2017-Dealing with Misconduct Guidelines									Y				
78	https://www.mpi.govt.nz/contact-us/											Y		
79	https://www.mpi.govt.nz/about-this-site/privacy-and-security/											Y		
80	3Si_Guardian_PLB_EPI1020.compressed												Y	
81	Deep-water-pre-placement-HS-assessment-plus-coronavirus-1												Y	
82	EMS Ultrabook_Yuma password is mega2512												Y	
83	Equipment Tracking Excerpt												Y	
84	Excerpt from briefing notes (bottom longline)												Y	
85	FOS Manual excerpt												Y	
86	FOS Pre-placement Risk Assessment (Jun 2020) IN-CONFIDENCE												Y	
87	Inflatable Life Jacket Service Cert 05-06-20												Y	
88	Inshore-pre-placement-HS-assessment-plus-coronavirus-1												Y	
89	Inflatable Life Jacket Service Cert 05-06-20												Y	
90	Observer Manual Version 2-0 March 2015 v3.0												Y	
91	PPE and equipment guidelines												Y	
92	Tracertrak-NZ-A4-Product-Sheets-Garmin-inReach												Y	
93	Life or Total Permanent Disablement Insurance Policy document 2019 (originally 2002)													Y

Scoring Tables – Interpretation

The scoring tables in the next section of the report provide feedback on the assessment of NEW ZEALAND in meeting the required levels to meet the SPRFMO minimum standards. Each table consists of four columns:

Indicator number

Minimum Standard – The definition of the requirement to meet the minimum standard defined.

Pass / Fail – A simple indicator, colour coded green for “Pass”, red for “Fail”.

Comment / Condition / Reason for fail – Any additional comments from the assessment team on the element. These could include details of the condition’s, reasons for failing an element, that can be addressed before the final assessment, or for elements that have been passed the team could briefly highlight examples of good practice for other programmes to follow and highlight the particular sections of documents provided these can be found in. Document numbers are referenced in Table 1.

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
X.X	Observer programmes must XXX.	Pass	The requirements set out are clearly demonstrated in section 22 of document 3 and part 4 of document 4.

Executive Summary

New Zealand observers are supplied through a Government department, the Ministry for Primary Industries (MPI) and the materials supplied were largely based around the training of fisheries observers in general rather than being specific for SPRFMO, guidance specific for SPRFMO observers was also provided.

New Zealand submitted their application for accreditation on 3rd August 2020. There were 93 supporting elements to the application, some applied to more than one of the accreditation criteria and some consisted of a number of different documents, for example the training course had 43 different presentations related to it.

The assessors found the materials supplied to be very comprehensive and covered all the elements required for accreditation. It was noted that while there was nothing specific outlining the requirements for data collection under CMM 02-2020, data collected by observers operating in the SPRFMO area were formatted to ensure they met the SPRFMO requirements (Zane Duncan, pers. Comm.).

The following sections break down the materials submitted by New Zealand against the accreditation criteria with brief comments where appropriate.

We believe that the New Zealand programme meets all the requirements outlined in CMM 16-2019 and the Commission should consider it for accreditation.

1 Impartiality, independence and integrity

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
1.1	National observer programmes and service providers shall only deploy independent and impartial observers. This means that neither the national observer programme or service provider, as the case requires, nor the individual observers, have a direct financial interest, ownership or business links with vessels, processors, agents and retailers involved in the catching, taking, harvesting, transporting, processing or selling of fish or fish products.	Pass	Independence text in code of conduct (4), Conflict of Interest Declaration (1), "Conflicts of Interest Declaration" (3) and section 9 (Conflicts of Interest) (4). Code of conduct sessions outlined in training programme (Presentation: Code of Conduct 2019).
1.2a	The national programme or service provider, and the individual observers: a) Shall not have a direct financial interest, other than the provision of observer services, in the fisheries under the purview of the Commission, including, but not limited to: i) any ownership, mortgage holder, or other secured interest in a vessel or processor involved in the catching, taking, harvesting or processing of fish; ii) any business selling supplies or services to any vessel or processor in the fishery; iii) any business purchasing raw or processed products from any vessel or processor in the fishery.	Pass	Conflict of Interest Declaration (1) requires any conflict to be declared and where appropriate signed off by manager before observer is approved.

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#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
1.2b	Shall not solicit or accept, directly or indirectly, any gratuity, gift, favour, entertainment, inordinate accommodation, loan or anything of monetary value from anyone who either conducts activities that are regulated by a Member or CNCP connected with its services or the Commission, or has interests that may be substantially affected by the performance or non-performance of the observer's official duties;	Pass	Code of Conduct (4) states "Decline gifts or benefits that place us under any obligation or perceived influence."
1.2c	Shall not serve as an observer on any vessel or at any processors owned or operated by a person who previously employed the observer in another capacity within the last three years (e.g., as a crew member)	Pass	Any such conflict of interest should be declared on the "Conflicts of Interest Declaration v3.0" (1), discussed with manager and appropriate checks made before deployment. Statutory declaration required covering five years prior employment. No other mention of previous employment is made
1.2d	Shall not solicit or accept employment as a crew member or an employee of a vessel or processor while employed by a national observer programme or service provider.	Pass	Code of Conduct states that MPI employees should "Never misuse our position for personal gain" and "Decline gifts or benefits that place us under any obligation or perceived influence". Detail in observer training presentation "Code of Conduct 2019" - "Must not abuse their official position for personal gain. Must not solicit or accept gifts, rewards or benefits which might compromise, or be seen to compromise, their integrity and the integrity of their department and the Public Service."

2 Observer Qualifications

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
2.1	The national observer programmes or service providers shall demonstrate that observers that are recruited into their programme have relevant education or technical training and/or experience for the fleets concerned; ability to meet the observer duties; no record of convictions calling into question the integrity of the observer or indicating a propensity towards violence; and the ability to obtain necessary documentation, including passports and visas	Pass	<p>Relevant education or technical training and/or experience for the fleets concerned, as well as IT requirements are defined in application questionnaire (10), qualifications defined in application questionnaire (10)</p> <p>Ability to meet the observer duties and medical condition declaration are covered in the application questionnaire (11), Certificate of Medical Fitness required (6), fitness for work at sea (self-declaration) in application questionnaire (10). In addition, applicant must pass the training course (see later) before deployment.</p> <p>No record of convictions calling into question the integrity of the observer or indicating a propensity towards violence – Integrity section for criminal record or charges pending in application questionnaire (11). Security check requirement in the Individual Employment Agreement (2) with documents for application (8 & 9) + drug testing requirement if considered safety sensitive in application questionnaire (10/11).</p> <p>The ability to obtain necessary documentation, including passports and visas – Identification of NZ citizen or permanent resident stated or work visa requirements in application questionnaire for non-NZ employees. (10). For domestic fisheries, not entering foreign ports no requirement for passport but local ID required to confirm identity.</p>

3 Observer Training

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
3.1	National observer programmes or service providers shall demonstrate that observers are adequately trained before their deployment. Training shall include all the elements outlined in Annex 3 of CMM-16-2019, and that data are being collected in line with the requirements set out in CMM 02-2020	Pass	<p>Training shall include the following:</p> <ol style="list-style-type: none"> 1. The relationship between fisheries science and fisheries management and the importance of data collection in this context; Delivered as part of the observer training workshop. 2. The relevant provisions of the Convention and SPRFMO CMMs relevant to the functions and duties of observers; Specific briefing document for SPRFMO observers and CMMs provided on tablet. 3. Importance of observer programmes, including understanding the duties, rights, authority and responsibilities of observers; Presented as part of the programme training, repeated in documents and manuals. 4. Safety at sea, including emergencies at sea, donning survival suits, use of safety equipment, use of radios, survival at sea, management of conflicts, and cold-water survival; (Assessment Standard 12309 in Basic Observer Training Course) 5. First aid training, appropriate to working at-sea or in remote situations; Checked - Multi-day first aid course included in training timetable. (Course Unit: WFA201 Workplace First aid) 6. Species identification and record of species encountered at sea, including target and non-target species, protected species, seabirds, marine mammals, sea turtles, invertebrates indicating vulnerable marine ecosystems, et cetera; Checked – Fish ID extensive, plus extensive training on NZ Conservation Service Programme and other elements in training e.g. VMEs. 7. Knowledge of the different types and functioning of bycatch mitigation devices required by SPRFMO CMMs; Defined in CMMs provided, mitigation devices defined in observer training workshop. (PPT) 8. Safe handling protocols to rehabilitate and release seabirds, marine mammals and sea turtles; Defined in 10.14 DOC Specimen Recovery. 9. Fishing vessel and fishing gear types relevant to SPRFMO; Gear specific forms detailed in data collection guidelines. 10. Techniques and procedures for estimating catch and species composition; Guidelines included in detail (e.g. Observer Manual section 4 pp 238-243). 11. Use and maintenance of sampling equipment including scales, callipers, et cetera; Clearly defined with specific instructions for particular equipment e.g. scales and specific cameras.

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#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
			<p>12. Sampling methodologies at sea, i.e., fish sampling, fish sexing, measuring and weighing techniques, specimen collection and storage, and sampling methodologies; Observer Manual section 3 + training presentations e.g. Biosampling 1 & 2.</p> <p>13. Understand potential biases in sampling, how they arise and how they could be avoided; Bias and tampering explained in detail in Section 6 of observer manual</p> <p>14. Preservation of samples for analysis; Biological sampling in Section 3 of observer manual and Biosampling 1 & 2 and Biological Sampling Handout. Observers are given trip-specific invertebrate biological sampling briefing notes.</p> <p>15. Data collection codes and data collection formats; Codes and data collection formats standardised for NZ. It is unclear if these formats match perfectly with SPRFMO requirements but data are electronically captured and any data mapping can be managed outside of the direct observer role.</p> <p>16. Familiarity with catch logbooks and recordkeeping requirements to aid observers' collection of data as required under SPRFMO CMMs; Paper forms fully defined along with electronic systems.</p> <p>17. Use of digital recorders or electronic notebooks; Some forms digitised on tablet, some not Full instructions on the use of the Electronic catch and Position Reporting Guide provided and used in training of data recording (NB: Paper forms still trained as backup)</p> <p>18. Electronic equipment used for observer work and understanding their operation; Camera, Marel scales and tablets supplied with instructions for each.</p> <p>19. Use of electronic monitoring systems as a complement to their work, when applicable; Specific instructions for data collection using electronic equipment provided.</p> <p>20. Verbal debriefing and report writing; specific sections of observer training and manual on debriefing and report writing including style guide. Other paperwork collated and maintained during deployment has detailed separate instructions.</p> <p>21. Training on relevant aspects of the International Convention for the Prevention of Pollution from Ships (MARPOL). MARPOL and detailed pollution observations included in "Environmental Regulations for MPI Observers" training presentation.</p> <p>Noted that Fisheries New Zealand is currently undertaking work to have the Fisheries Observer training recognised as a micro-credential with NZQA. The micro-credential will include STCW training. This represents a good example of national standardisation and of benefit to observers.</p>

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#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
			All data collected are scripted in SQL and formatted by the data manager to the SPRFMO requirements, for example data times recorded as NZST (New Zealand Standard Time) are converted to UTC and all lengths are converted to mm.
3.2	Refresher training should be ongoing dependent on the qualification requirements. Relevant updates to CMMs and observer requirements should be communicated to observers before each deployment as part of the briefing process, for example in an updated manual	Pass	Specific refresher course defined (OBT202) including: Learning Outcome 1: Work on a commercial fishing vessel Learning Outcome 2: Knowledge of fire prevention and limitation and extinguish small fires on board a vessel Learning Outcome 3: The effects of shift work and strategies to manage them Learning Outcome 4: Basic knife skills in the seafood industry Learning Outcome 5: Recognising sexual harassment and describing ways of responding Learning Outcome 6: Knowledge of the impact of alcohol and other drugs Learning Outcome 7: Knowledge of abandon ship procedures and sea survival techniques. Learning Outcome 8: Maintaining personal hygiene and use hygienic work practices while working with seafood Learning Outcome 9: Recognising correct construction and rigging for a pilot ladder Learning Outcome 10: Correct technique for boarding a vessel using a pilot ladder Learning Outcome 11: Strategies for de-escalating situations on board Learning Outcome 12: Correct response for trauma care Learning Outcome 13: Assessing candidate performance Learning Outcome 14: Current developments within MBIE, MPI and MNZ as they pertain to the work of observers. Updates to CMMs and observer requirements in specific SPRFMO notes (SPRFMO ET Briefing Notes Template 2020).

4 Observer Trainers

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
4.1	National programmes or service providers shall demonstrate that observer trainers have the appropriate skills and have been authorised by that national programme or service provider to train observers	Pass	<p>Fisheries New Zealand's Observer Services uses experienced Fisheries Observers to provide training at sea following completion of a 3-week shore-based training course.</p> <p>Authorisation provided in Trainers' Responsibilities (28).</p> <p>Training of trainers documents provided with mentoring models showing they have been trained with audit checklists showing trainers assessing trainees. (27, 29 and 30)</p> <p>Operations manager (redacted CV provided) (39) previous Fisheries Observer and Senior Fisheries Observer Supervisor for Ministry for Primary Industries before current role. Position descriptions for Fisheries Observer Supervisor and Senior Fisheries Observer Supervisor provided. These individuals have first-hand experience of operating in the fisheries required and can clearly train observers in these roles.</p>

5 Briefing and Debriefing

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
5.1	National observer programmes or service providers shall demonstrate that there are systems for briefing and debriefing observers and communicating at any time with vessel captains.	Pass	<p>Extensive briefing and debriefing systems in place with explicit use of SPRFMO briefing and debriefing templates (35, 42 – 46).</p> <p>Briefing / debriefing includes safety (34), initial checklist (36), debriefing and wellbeing (37, 38)</p> <p>Example given of actions undertaken after debriefing.</p>
5.2	The briefing and debriefing process shall be conducted by properly trained personnel and shall ensure that observers and vessel captains clearly understand their respective roles and duties	Pass	<p>Operations manager (redacted CV provided) (39) previous Fisheries Observer and Senior Fisheries Observer Supervisor for Ministry for Primary Industries before current role.</p> <p>Position descriptions for Fisheries Observer Supervisor (FOS) and Senior Fisheries Observer Supervisor provided. These individuals have first-hand experience of operating in the fisheries required and can clearly brief and debrief observers in these roles.</p> <p>Current team includes eight FOS staff in our team, all but one it has been stated are ex-Fisheries Observers and one has a background in Marine Sciences and has been trained by the other FOS staff.</p>

6 Data Validation Process

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
6.1	National observer programmes or service providers shall demonstrate that they have an observer data validation process in place. The data validation process shall be conducted by properly trained personnel and shall ensure that data and information collected by an observer are checked for discrepancies or inaccuracies that are corrected before the information is entered into a database or used for analysis.	Pass	<p>Observer debrief checklist 2020 (37) required data validation process. Clear observer database documentation for centralised observer database (cod), with each individual (obs) database having data verification. Additional verification within a specific “Staging Schema”. (49 / 51). Clear data integrity in relational database format applied with clear indexing. Limited field entry, lookup tables / values clearly defined with appropriate coding. Trip assessment for each observer would identify any underlying problems. Checks for completeness, range checks and checks between values (e.g. distance) clearly identified. Procedures exist for several options including data entered at sea and on land after trip (e.g. if electronic entry at sea fails).</p> <p>Observer data quality standards and specifications document (ODQSS) (50) sets out the roles, responsibilities and process for correcting observer data and refer to the processes related to the completion of processing and the storage of the physical forms.</p>
6.2	The data validation process shall ensure that the data meet the standards laid out in Annex 3 of CMM-16-2019		
6.2a	a) A mechanism that allows scientific data to be stored and transferred to the national observer programme (or service provider) in a secure and confidential manner	Pass	<p>Clear mechanism defined (49 / 51) Data are stored in individual databases (as outlined below) and transferred on return to port, to the Centralised Observer Database (COD) currently managed under contract by the National Institute of Water and Atmosphere (NIWA) to Fisheries New Zealand.</p> <p>It is stated that “...observers are deployed with laptops and electronic data recording devices (Trimble YUMA) which are all secured with passwords and encryption in line with MPI’s data security policy. This prevents unauthorised access to the electronic devices. Additionally, AtSeaObserver (software) has a username and password system to protect collected data and record which observer is recording which information for auditing purposes.” Manuals and protocols have been provided.</p>
	b) Vessel information uniquely identifies the actual vessel from which the fishing occurred	Pass	<p>Based on trip number, which is uniquely attributed to a single vessel. (51). Details obtained through links to the Observer Trip Register (OTR) application which obtains the correct vessel name and vessel registration number for a trip. Details would be cross-checked on paper forms.</p>

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#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
	c) Dates and times of fishing effort are included and internally consistent (for example an end time should be after a start time)	Pass	All times recorded at NZ standard time (NZST) as DD/MM/YYYY hh:mm:ss format. Multiple column checks on event start date/time and event finish date/time: e.g. the event finish date/time must not be before the event start date/time. The finish date/start must be before the start date/time of any subsequent events. (51).
	d) Location of fishing is included and valid (for example, logical latitude/longitude combinations), internally consistent and entered in the correct units	Pass	Positions decimalised as format (DD.dddddd and DDD.dddddd). Decimalised End Latitude (as an example has checks: Must be a valid latitude and should fall within the range of - 33 to 56 except for Bottom Longline vessels targeting toothfish species, that may fish down to 78 South. (51). Missing data identified in data checking processes and updated from observer dairy positions or from commercially reported data.
	e) Effort data allows quantification of the amount of effort invested by the vessel, appropriate to the fishing method used, which is also identified	Pass	Effort data recorded in time spent fishing with clear identification of what constitutes start and end of haul (51 / 54), number of hooks for longliners and towing time for trawlers. Bait and percentage baiting applied for longlines. (51). Data checked for integrity (no missing data sequential numbering etc.
	f) Catch information identifies the fishery resource (to the species level where possible) and the quantity of that species retained or discarded. If used, species codes are accurate	Pass	Catch by species and number recorded using three letter species codes. Discard codes applied where required. Photos record species caught if in doubt and verified. (51). Logical checks applied to catch weights and completeness for data.
	g) Where biological or length information is collected for a fish, it is directly linked to the effort in which it was caught – including date and time, location, and fishing method information, and includes the methodology of data collection	Pass	Data integrity checks to ensure through system of multiple column checks on trip number, station number, species and length that the combination of trip number, station number, species and length must be unique and exists. Linked therefore to effort records of date time and location. (51).
	h) If the observer programme extends to transshipment and/or landings, then the amount and species of fishery resources transhipped/landed is quantified and recorded according to a standard methodology	Pass (N/A)	Statement provided that the observer programme does not monitor transshipments as standard as NZ vessels are not permitted to tranship fish in port or at sea whether on the high seas or otherwise without approval from the Director-General of MPI. Any unauthorised transshipment would therefore be a breach of compliance and reported as such. Section 227 of the Observer Manual (16) does state however that if this was to be approved it could be monitored "...in the case of transshipment, the master of each vessel, shall provide such information, and shall allow the observer to carry out such inspections (including sampling and measuring) of the vessel, any fish, aquatic life, or seaweed, taken, processed, transhipped, or landed, and documents, as the observer may require for the

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#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
			purpose of..."
	i) Interaction data involving marine mammals, seabirds, reptiles and/or other species of concern identifies the individual species (where possible), the number of animals, fate (retained or released/discarded), life status if released (vigorous, alive, lethargic, dead), and the type of interaction (hook / line entanglement / warp strike / net capture / other).	Pass	Interaction data recorded at haul, station level. Number, species, release state, survivorship and type of interaction recorded. Details of the mitigation measures employed also recorded to the same data frame so relationships can be established. (51).

7 Observer Identification Cards

#	Minimum Standard	Pass / Fail	Evidence Provided
7.1	National observer programmes or service providers shall provide observers with identification cards that include the full name of the observer, date of issue and expiration, the name of the national observer programme or service provider, a unique identifying number (if issued by the national observer programme or service provider) a passport style photo of the observer, an emergency phone number	Pass	Template of card provided (name and photo redacted) containing all required information (62).

8 Coordinating Observer Placements and Observer Deployments

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
8.1	National observer programmes or service providers shall demonstrate responsibility and capacity for the timely deployment of observers and will ensure that the selected observer receives all possible assistance during the entire length of their placements	Pass	Clear guidelines for notifying observer provider in a timely manner written into vessels permit (65). Examples given of deployment request from vessel (63) giving all the information required in the permit and the response from MPI (64). Example also given of emergency evacuation and repatriation of observer via an airlift (66, 67 and 68) demonstrating the provision of assistance during the placement.
8.2	National observer programmes or service providers shall have in place a protocol to replace an observer if the observer becomes unable to perform their duties.	Pass	Photograph of whiteboard (69) (names redacted), showing availability of observers for upcoming trips or potential to replace existing observers. Accompanying text highlights the procedure for replacing an observer through using the next available observer on the list. It also states that they are in the process of developing the management of deployment of observers through an upgrade of the software system. There is a mechanism in place for cost recovery through the vessel operators.
8.3	National observer programmes or service providers shall also seek, to the extent possible, to avoid deploying a single observer on multiple consecutive trips on the same vessel	Pass	Example of register given for deployments from 2018 to August 2018 (70) (names redacted). No consecutive deployments appear to have been made by any observer on the same vessel.
8.4	It is the responsibility of a national observer programme or service provider to administer observer placements, to maintain the independence and impartiality of observers as described in this measure and ensure that all placements are administratively finalised as soon as practicable after the observers return to port. The national observer programme or service provider is expected to communicate with the observer regarding upcoming deployments, coordinate observer travel, and provide the necessary supplies for observer duties.	Pass	Impartiality of observers previously discussed under Section 1 and is assessed at the end of the trip using a performance assessment form. All debriefings, data and report submissions are tracked, an example of the tracking sheet for data submitted to NIWA has been provided (71) outlining what data have been returned by the observer and when submitted. RFMO submissions are covered under Section 8.2. Travel logistics are covered through a dedicated travel provider and a team within MPI who can be made available out of hours. Team contact sheet provided (72). Team also have access to government booking facility with Air New Zealand. Gear is regularly checked and stocktakes carried out to ensure it will be available and suitable for upcoming deployments. Stocktake example (73) showing monthly stocktakes and a list of providers (74) also provided.

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#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail

9 Observer Safety Equipment

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
9.1	National observer programmes or service providers must demonstrate that observers are provided with appropriate equipment, including safety equipment, which is in good working order, routinely checked and renewed to carry out their duties on board a vessel. Essential equipment includes a lifejacket, independent two-way communication device capable of sending and receiving voice or text communications, personal locator beacons (PLBs), immersion suits, hard hat, proper deck working boots or shoes, gloves and protective glasses (including sunglasses)	Pass	Equipment lists provided for both longline and trawl (75 and 76) giving a detailed inventory of all equipment provided. Passes and exceeds the minimum standards.

10 Responding to Allegations of Observer Misconduct

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
10.1	National observer programmes or service providers must establish procedures for preventing, investigating, and reporting on the misconduct of observers, in coordination with observers, vessel captains, and relevant Members and CNCs	Pass	MPI guidelines into misconduct provided (77) which clearly lay out the procedures for dealing with allegations of misconduct. While not specific to the observer programme, observers will fall under its remit. Additional supporting material include letter templates for notifying of allegations, invitations to preliminary meetings, notifying of outcomes of investigation and issuing of verbal warnings.

11 Dispute Settlement

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
11.1	National observer programmes or service providers shall demonstrate the existence of a dispute resolution process fair to all parties that provides a process to resolve issues through appropriate means including facilitation and mediation	Pass	<p>MPI has a centralised complaints / dispute resolution programme. Their website states “We expect all our staff and contractors to meet the State Services Commission’s Code of Conduct and act with fairness, impartiality, responsibility and trust. We are also committed to adopting and complying with the State Sector’s Model Standards for information gathering associated with regulatory compliance, law enforcement and security functions. We strive for continuous improvement in the way we manage information, in accordance with the Government Chief Privacy Officer’s core expectations for privacy management and governance in the public sector. Assurance for staff integrity and conduct within MPI, and for oversight of our regulatory compliance and law enforcement functions, is provided through a number of mechanisms, including through the work of the Security and Privacy Directorate, Human Resources, Procurement, the Assurance and Evaluation Directorate, the Compliance Directorate, the Professional Standards Unit, the Inspector-General for Regulatory Systems, and the Risk and Audit Committee.” (79). Public contact details provided (78). Equally where observers or programme officials there are procedures in place to collect information at debriefing, including observer wellbeing debriefing forms (38) and Accident and Hazard Record with examples given where previous reports have been made and remedial actions have been taken.</p> <p>It is not stated but the dispute procedure would apply to any actions across the programme including inter alia sections.1 (Impartiality, independence and integrity),10 (Allegations of Observer Misconduct) and 12 (Observer Safety)</p>

12 Observer Safety

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
12.1	National programmes or service providers must demonstrate that procedures are in place to support observers in their ability to carry out their duties unimpeded and in a safe working environment, including an established Emergency Action Plan (EAP). The EAP must provide instructions on sending reports to the provider's designated 24-hour point(s) of contact to report unsafe conditions, including instances of harassment, intimidation or assault.	Pass	<p>Emergency procedures in place and outlined in the observer Manual (16) and FOS manual (85). This includes a section on emergency codes for observers so they can report incidences confidentially (82). Reports can be received by a point of contact, one FAS is appointed to be on call on a weekly basis to take these calls and initiate a response.</p> <p>Incidences outlined include harassment, safety and general vessel / observer operations.</p> <p>Observers are provided with a full set of the appropriate PPE (see Section 9.1) including EPIRBs and PLB, they are instructed how to use them during training. They are also given data sheets on their operation (80, 91 and 92). PLBs are replaced on a regular basis when they get close to their expiry date to ensure they always a serviceable one.</p> <p>All vessels undergo a Pre-placement Health and Safety Assessment prior to an observer boarding, this is undertaken by the Observer H&S Auditor, the checklists for these have been provided (81 and 86).</p>
12.2	National observer programmes or service providers must also provide a permanent delegate or supervisor on land to communicate with the observer at any time while at sea.	Pass	<p>This requirement is outlined in the FOS manual (85) and responsibility for this is rotated on a weekly basis. This is also stated in the observer manual (16).</p> <p>Observers are provided with a password protected series of codes to allow them to communicate confidentiality with the FOS over non-secure lines if their PLB is not available (82). An example of this has been provided in Section 5.</p>

13 Insurance and Liability

#	Minimum Standard	Pass / Fail	Comment / Condition / Reason for fail
13.1	National observer programmes or service providers must demonstrate that observers have health, safety and liability insurance commensurate with the national standards of the observer programme or service provider for such insurance for the duration of any deployment before placing the observer on a vessel.	Pass	Observers are covered under New Zealand's ACC scheme for any injuries in the workplace. In addition, MPI also provide observers with life insurance for the period they are deployed, the policy has been provided (93)

Annex 1 Training requirements as outlined in Annex 3 of CMM 16-2019

1. The relationship between fisheries science and fisheries management and the importance of data collection in this context;
2. The relevant provisions of the Convention and SPRFMO CMMs relevant to the functions and duties of observers; CMM 16-2019 Annex 3 14
3. Importance of observer programmes, including understanding the duties, rights, authority and responsibilities of observers;
4. Safety at sea, including emergencies at sea, donning survival suits, use of safety equipment, use of radios, survival at sea, management of conflicts, and cold-water survival;
5. First aid training, appropriate to working at-sea or in remote situations;
6. Species identification and record of species encountered at sea, including target and non-target species, protected species, seabirds, marine mammals, sea turtles, invertebrates indicating vulnerable marine ecosystems, et cetera;
7. Knowledge of the different types and functioning of bycatch mitigation devices required by SPRFMO CMMs;
8. Safe handling protocols to rehabilitate and release seabirds, marine mammals and sea turtles;
9. Fishing vessel and fishing gear types relevant to SPRFMO;
10. Techniques and procedures for estimating catch and species composition;
11. Use and maintenance of sampling equipment including scales, callipers, et cetera;
12. Sampling methodologies at sea, i.e., fish sampling, fish sexing, measuring and weighing techniques, specimen collection and storage, and sampling methodologies;
13. Understand potential biases in sampling, how they arise and how they could be avoided;
14. Preservation of samples for analysis;
15. Data collection codes and data collection formats;
16. Familiarity with catch logbooks and recordkeeping requirements to aid observers' collection of data as required under SPRFMO CMMs;
17. Use of digital recorders or electronic notebooks;
18. Electronic equipment used for observer work and understanding their operation;
19. Use of electronic monitoring systems as a complement to their work, when applicable;
20. Verbal debriefing and report writing;
21. Training on relevant aspects of the International Convention for the Prevention of Pollution from Ships (MARPOL).