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## 9<sup>TH</sup> MEETING OF THE COMPLIANCE AND TECHNICAL COMMITTEE (CTC)

*Held remotely, 19-22 January 2022*

### CTC 9 – Doc 10 SPRFMO Observer Programme Implementation Report *Secretariat*

#### 1. Background

Paragraph 45 of [CMM 16-2021 \(Observer Programme\)](#) requires that the Secretariat shall prepare a report on the implementation of the SPRFMO Observer Programme (OP) for presentation at each annual meeting of the Compliance and Technical Committee (CTC), using information from annual reports, observer data, and all other suitably documented and relevant information in its possession. This document represents the third of these implementation reports and summarises developments in the SPRFMO Observer Programme Implementation since the conclusion of the Commission's 2021 Annual Meeting.

The CTC is invited to:

- **Note** the contents of this paper and make any comments it deems appropriate;
- **Assess** the Final Evaluation Reports provided by MRAG for Ecuador, Korea and Chinese Taipei;
- **Make** recommendations to the Commission regarding whether these observer programmes have met the requirements of this CMM 16-2021 (Observer programme) and, where relevant, whether a recommendation based on paragraphs 35 to 38 is appropriate.

#### 2. CMM reporting requirements

##### *2.1 Information on problems that have been encountered*

At least one Member's observer program was hugely affected by the outbreak of the COVID-19 pandemic with the following problems encountered (as noted in Member annual reports to the Scientific Committee):

- Observers were unable to board vessel due to travel restrictions and port lockdowns;
- Observers were reluctant to go abroad due to safety concerns;
- Recruitment and training were either limited or put on hold due to the pandemic (2 Members).



## 2.2 Recommendations for improving current standards and practices

The [9th Scientific Committee Meeting](#) made three specific recommendations relating to Observer Programmes and Observer data, and outlined several tasks in the multi-annual workplan:

- *“The SC noted that steps have been proposed for the development of an updated SPRFMO-specific ID guide for benthic bycatch and the development of associated training videos and **recommended** that the development of ID guide for benthic bycatch, following the steps proposed in [SC9-DW12], and associated training videos, are added to the SC Multi-annual Work Plan with a 2022+ timeframe”. It is intended that the ID guides will enable the information provided to observers to be standardised, accurate and clear, paying particular attention to the identification, weighing, subsampling and collection of benthic bycatch samples.*
- Following Peru’s presentation of an alternative to the Observer Programme for Peruvian artisanal vessels (SC9-SQ03, SC9-SQ04), *“the SC recommended that the programme was suitable and did meet the requirements detailed in paragraph 4 of CMM 16-2021 (Observer programme)”.*
- When discussing assessment models for squid *the SC noted it was necessary to have better temporal and spatial information on maturity [of jumbo flying squid] and “The SC encouraged that Members strive to improve the biological sampling levels and ensure that the spatio-temporal coverage is appropriate”.*
- The SC included a multi-annual workplan task (Annex 6 of the 9<sup>th</sup> SC Report) to *advise on the appropriate levels of observer coverage for each of the major fisheries to:*
  - *Identify bycatch issues related to seabird and other species of concern (short and medium term);*
  - *Provide statistically robust quantitative estimates for all species of seabird combined and some of the more common bycatch species (medium term); and*
  - *Periodically review the appropriate levels of observer coverage for SPRFMO fisheries in support of stock assessment needs.*

## 2.3 Developments in observer programmes and observational methods

At the 9<sup>th</sup> Scientific Committee meeting of SPRFMO in 2021, Australia committed to undertake a paired trial of electronic and human seabird monitoring observations with a view to demonstrating whether electronic monitoring is as effective as human observers in detecting seabird interactions. This trial essentially comprises a side-by-side comparison of the level of seabird interactions measured by human observers (sampled at 10% of total days) with the level of seabird interactions measured by electronic monitoring. The trial has commenced with the collection of side-by-side data for two fishing trips so far in 2021 and will continue into 2022 with a view to expanding the data set before reporting to SC in 2022 (refer [SC9-Doc27](#)).

## 2.4 Accreditation process in 2021

The Secretariat held an inception meeting with MRAG on 6 April 2021 which focused on changes to the process necessary to implement [CMM 16-2021](#) and improvements in the process to meet the objectives of the CMM in a fair, transparent, and efficient manner. In letter G48-2021 the Secretariat requested those Members and CNCPs 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 China, Ecuador, Korea, and Chinese Taipei.

MRAG initiated the formal part of the accreditation process with these Members between 27 May and 28 July 2021, by establishing an assessment timetable and guidelines. This process is intended to begin 6 months prior to the Commission meeting (i.e., 26 July 2021). At that time, China was experiencing setbacks with the translation of their supporting materials and therefore difficulties meeting the specified accreditation timelines. As a result, China decided to postpone the accreditation process; indicating that they will continue to pursue accreditation of their observer programme in 2022.



Ecuador, Korea, and Chinese Taipei all committed to the accreditation process and provided the required documentation to the assessor. Each of the three Members were sent draft preliminary evaluation reports between 24 and 26 September 2021. All Members were given preliminary feedback with opportunities for engagement to ensure that MRAG had all necessary information to make their assessment. Final Evaluation Reports were provided to the Secretariat on 25 November 2021 with revised versions accepted on 24 December 2021 (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 16-2021) 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.

The final recommendations from the Final Evaluation Reports are as follows:

- Ecuador – No recommendation for accreditation.
  - The assessment identified non-conformances related to the accreditation requirements under Annex 3 of CMM 16-2021. Specifically, with respect to 1) Impartiality, Independence, and Integrity of the data; and 2) the Data Validation process.
  - No declaration of impartiality has been received, and no information has been received on the data validation process, resulting in failure to meet requirements 1.2a and 6.1 in the Final Assessment Report, respectively.
- Korea – Recommendation for accreditation.
  - All requirements to meet the minimum standards for accreditation under the SPRFMO OP under Annex 3 of CMM 16-2021 were assessed as being satisfied through Korea's documentation regarding their observer programme.
- Chinese Taipei – Recommendation for accreditation.
  - All requirements to meet the minimum standards for accreditation under the SPRFMO OP under Annex 3 of CMM 16-2021 were assessed as being satisfied through Chinese Taipei's documentation regarding their observer programme.

## 2.5 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 European Union, in response to a request from the Secretariat, has graciously agreed to extend the project to support Member costs associated with the accreditation process through until the 31<sup>st</sup> of December 2022. 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.

As previously mentioned, China chose to delay its accreditation due to setbacks with the translation of their supporting materials and associated difficulties meeting the specified accreditation timelines.



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

Paragraph 32 of CMM 16-2021 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. Paragraph 33 of CMM 16-2021 states that the CTC shall evaluate the Final Assessment Report and subsequently make recommendations to the Commission. The final reports for this year's assessments are included in 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.

As noted in paragraph 55 of CMM 16-2021 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.

Table 1: Currently Accredited SPRFMO Observer programmes and expected timelines for other programmes

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

Note that a further 2 Members have expressed an interest in seeking accreditation in 2022.

## 4. List of Annexes

Annex 1 – Ecuador Accreditation Report

Annex 2 – Korea Accreditation Report

Annex 3 – Chinese Taipei Accreditation Report



# **SPRFMO Observer Programme Accreditation**

## **Final Assessment Report Ecuador**

November 2021

**MRAG**

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asia pacific



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18 Queen Street London  
W1J 5PN  
United Kingdom

+44 (0) 20 7255 7755  
[www.mrag.co.uk](http://www.mrag.co.uk) [enquiry@mrag.co.uk](mailto:enquiry@mrag.co.uk)



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**MRAG Asia Pacific Pty Ltd**  
PO Box 732  
Toowong, Q. 4066.  
Tel: +617 3371 1500  
Fax: +617 3100 8035  
[info@mragasiapacific.com.au](mailto:info@mragasiapacific.com.au)

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Prepared by:	TF
Approved by:	JMC

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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 (CNCPs; Curaçao, Republic of Liberia and Republic of Panama).

From 1<sup>st</sup> 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 16-2021 (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 ECUADOR.

## Accreditation Process

The accreditation process for ECUADOR progressed as follows:

Proposed Date	Actions	Actual Date
Annual Commission Meeting	Members, CNCP or service provider provides notification of intention to be assessed.	05/02/2021
Following 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.	27/05/2021
T + 0 days (Start of process at least 6 months before Commission meeting i.e. prior to 26 <sup>th</sup> July)	Assessment process to begin with applicant. Applicant provides all required documentation to assessor, in country visits or online meetings take place to discuss information provided by applicant.	18/06/2021
T + 14 days	Assessor will liaise with applicants as appropriate (including, but not limited to, bilateral consultations) and may request additional documentation if substantive or essential information is missing	22/07/2021
T + 28 days	Assessor receives additional documentation requested during assessment process and collates all materials	05/09/2021
		08/10/2021
		21/10/2021
		27/10/2021
At least 120 days before Annual Commission Meeting	Assessor reviews all material and completes its preliminary evaluation. Following this Applicants 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.	24/09/2021
At least 90 days before Annual Commission Meeting	Assessor provides all Final Evaluation Reports including recommended conditions and incorporating feedback received on the preliminary evaluation.	26/10/2021
60 days before Annual Commission Meeting	Assessor provides Final Evaluation Report(s) including recommended conditions and incorporating feedback received on the preliminary evaluation.	25/11/2021
30 days before CTC meeting	Secretariat circulates the Final Evaluation Report(s) as an Annexes to the SPRFMO Observer Programme Implementation Report	25/12/2021
Annual Commission Meeting	The Commission evaluates all reports and recommendations and will decide whether to grant accreditation (including specified conditions).	24/01/2022

## Summary of Evidence submitted

The table below summarises the documents provided by ECUADOR that contain the evidence of conformance with the SPRFMO assessment requirements (CMM 16-2021). 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	Standards for which this document is used as evidence												
		1º	2º	3º	4º	5º	6º	7º	8º	9º	10º	11º	12º	13º
1	MANUAL DE MANEJO DE RECURSOS ECONOMICOS.-signed-signed	X												
2	INSTRUCTIVO-COBIM- MANEJO DE BIENES	X												
3	INSTRUCTIVO-COBIM-PAGOS. y SERVICIO	X							X					
4	a: CONTRATO _CIVIL_DE_SERVICIOS_TRIMESTRAL	X	X				X					X		
5	b: CONVENIO COBIM-IPIAP-SRP_MERLUZA Y POLI_07-10-2020-signed	X												
6	MPCEIP-SRP-2020-0043-A_APERTURA PESCA COMERCIAL POLIVALENTE MPCEIP-SRP-2020-0052-A_PESQUERIA MERLUZA	X												
7	CODIGO CONDUCTA OBSERVADORES COMBIM CCOPC	X				X	X		X		X	X		
8	c: PERFILES-DE_OBSERVADORES.concédula_Y_DIGITADORES-POPM	X	X											
9	d: Lista de materiales y equipos de bioseguridad POPM-COBIM	X								X				
10	AGENDA DE CAPACITACIÓN_IPIAP	X		X			X							
11	Charla Observadores 2020_1 (2)	X		X			X							
12	Capacitacion identif peces pesca polivalente Enrique Laaz (3)	X		X										
13	Guía de especies en la pesquería de merluza	X		X			X							
14	Identificación de la fauna asociada a la pesquería de merluza con espinel de fondo_Ecuador			X			X							

#	Document Title	Standards for which this document is used as evidence												
		1º	2º	3º	4º	5º	6º	7º	8º	9º	10º	11º	12º	13º
15	PecesmarinosdelEcuadorContinental.Tomoll_Ecuador			X										
16	PLAN INTEGRAL DE CAPACITACION A OBSERVADORES PESQUEROS Y DIGITADORES DEL_COBIM			X										
17	Cualificaciones_de_observadores-POPM		X											
18	PERFILES_DE_ENTRENADORES_DE_CAPACITACIÓN				X									
19	Perfiles_del_equipo_de_gestión-POPM					X								
20	Identificación de embarcación de forma única_POPM.COBIM						X							
21	Tarjeta de identificacion a observadores_SRP-COBIM							X						
22	PLAN DE ACCIÓN DE EMERGENCIA OBSERVADORES_COBIM (PAEOC) (EAP)												X	
23	Póliza de seguro a observadores COBIM - Cog. AP670116													X
24	PROTOCOLO MUESTREO MERLUZA_POPM2020	X					X							
25	PROTOCOLO MUESTREO CAMARÓN_POPM2020	X					X							
26	Formularios polivalente - merluza2020						X							
27	Lista de materiales y equipos de bioseguridad Programa Chuhueco-COBIM									X				
28	AGENDA DE CAPACITACIÓN POPM - COBIM	X		X			X						X	
29	Capacitacion de seguridad y emergencia para el observador_POPM.SETEC			X									X	
30	Reporte de muestras biológicas al IPIAP-COBIM						X							
31	Formularios con data registrada y detallada_POPM.COBIM						X							
32	Medotología de muestreo biológico.POPM_COBIM						X							
33	DESPLIEGUE DE OBSERVADORES A EMBARCACIONES POPM-COBIM.Excel								X					

#	Document Title	Standards for which this document is used as evidence												
		1º	2º	3º	4º	5º	6º	7º	8º	9º	10º	11º	12º	13º
34	INFORME DE ACTIVIDADES_POPM.COBIM								X					
35	Oficio de asignación POPM.COBIM								x					
36	Declaración de imparcialidad e independencia_COBIM	X												
37	CONTRATO OBSERVADOR DE PESCA	X												
38	Declaración de imparcialidad e independencia_COBIM (1)	X												
39	CODIGO CONDUCTA OBSERVADORES COMBIM CCOPC VERION 02-A	X				X					X	X		
40	CODIGO CONDUCTA OBSERVADORES COMBIM CCOPC VERION 03-A	X				X					X	X		
41	CURSO OMI-FICHA MEDICA-ANTECEDENTES PENALES		X											
42	MANUAL DE OBSERVADOR A BORDO_COBIM_PROTOCOLOS		X	X		X	X		X	X			X	
43	2021_Guia_Manipulacion-y -Liberacion-Fauna Marina			X										
44	Guia_identificacion_fauna_marina_ecuado			X										
45	DECLARACION DE TRANSBORDO						X							
46	Tarjeta de identificacion_COBIM							X						
47	DESPLIEGUE DE OBSERVADORES - CRONOGRAMA MENSUA					X			X					
48	EMBARCACIONES POLIVALENTE Y MERLUZA – ORDEN					X			X					
49	PLAN DE ACCIÓN DE EMERGENCIA OBSERVADORES COBIM (PAEOC)												X	
50	Lista de verificación de materiales y equipos de bioseguridad POPM-COBIM									X				
51	MEMORANDUM DE ENTENDIMIENTO ENTRE COBIM Y ARMADORES								X					
52	Declaración de Imparcialidad_SRP-signed-signed	X												

#	Document Title	Standards for which this document is used as evidence												
		1º	2º	3º	4º	5º	6º	7º	8º	9º	10º	11º	12º	13º
53	GUÍA DE RECLUTAMIENTO Y SELECCIÓN DEL COBIM	X												
54	MANUAL DE OBSERVADOR A BORDO_ COBIM_PROTOCOLOS 26102026-signed		X	X		X	X		X	X			X	

## Considerations and recommendation

Ecuador to date has had no active fishery within the SPRFMO area of competence. The process for accreditation is being undertaken on the expectation that an Ecuadorian flagged fishery may start in either or both of the jumbo flying squid (*Dosidicus gigas*) and horse mackerel fishery (*Trachurus sp.*) The current process reviewed the observer service provider involved, which involves a tripartite agreement in place between the Colegio de Biólogos de Manabí (COBIM), the Instituto Público de Investigación de Acuicultura y Pesca (IPIAP) and the Subsecretaria de Recursos Pesqueros (SdRP). Currently COBIM is responsible for managing and implementing the observer programme monitoring polyvalent and hake fisheries (Programa de Observadores Pesqueros de la Flota Polivalente y Merluza) (POPM).

Much of the assessment was based on current procedures in implementing a programme, which is not part of the SPRFMO remit. As such, amendments to these procedures were developed to ensure specific SPRFMO requirements were being addressed. However, the assessment identified non-conformances which had not been resolved by the end of the assessment. Specifically, these related to:

Ecuador submitted 54 files over 5 different distribution sets, some of which were new documents, some amendments to existing documents. All documents were submitted by COBIM. The Documents were well labelled and the overarching document, the 'SPRFMO Observer Programme Accreditation Assessment\_2021\_Ecuador-Requisitos modificados', made it easy to find the correct document in accordance with the particular requirement. A summary of the evaluation is outlined in the table and explanations below with more detailed comments in the main assessment.

Requirement	Total requirements	Pass	Pass with conditions	Fail
1. Impartiality, independence and integrity	5	4	0	1
2. Observer qualifications	1	1	0	0
3. Observer training	2	2	0	0
4. Observer trainers	1	1	0	0
5. Briefing and debriefing	2	2	0	0
6. Data validation process	2	1	0	1
7. Observer identification cards	1	1	0	0
8. Coordinating observer placements and observer deployments	4	4	0	0
9. Observer safety equipment	1	1	0	0
10. Responding to allegation of observer misconduct	1	1	0	0
11. Dispute settlement	1	1	0	0
12. Observer safety	2	2	0	0
13. Insurance and liability	1	1	0	0

Requirement 1: No declaration of impartiality and independence on the part of IPIAP has been received to ensure there exists no potential conflict of interest.

Requirement 6: As to date no data has been submitted to SPRFMO, it has not been possible to corroborate data validation processes. While data collection processes are on the whole consistent, and a data validation procedure would allow submission of data in line with SPRFMO requirements, it has been unable to determine if IPIAP has a specific procedure in place and has the capability to implement these required processes.

Considering the above, the submission could not cover all the main areas required for Accreditation under Annex 3 of CMM-16-2021. As such, no recommendation for accreditation is made. COBIM have provided an explanation as to why the documents were unable to be provided, on 24/11/2021. This is in Annex 1: Feedback from the COLEGIO DE BIOLOGOS DE MANABI "COBIM", which is ultimately based on confidentiality of IPIAP procedures that could not be shared. COBIM have argued that these non-conformances should be considered as conditional passes. However, as no assumptions nor information is available on data validation procedures, the grade of fail remains. Despite this, should these non-conformances be closed out at a later stage, specifically by including information from IPIAP, a specific assessment of these corrective actions may allow a recommendation for assessment.

It should also be clarified that the current assessment specifically reviewed procedures in place with the POPM observer programme, currently implemented and managed by the tripartite agreement involving COBIM, IPIAP and the SdRP. Should any future observer programme onboard vessels operating in the SPRFMO area of competence involve a different agreement or observer provider, then an entirely new assessment would be recommended.



## 1 Impartiality, independence and integrity

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	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.	(P)	<p>The document <b>Declaración de imparcialidad e independencia_COBIM (1)</b> declares that the provider has no direct financial interest or links to the fishing industry, and that no member (including observers) shall accept any gratuity before, during or after a deployment.</p> <p>As described by the document: <b>CODIGO CONDUCTA OBSERVADORES COMBIM CCOPC VERION 02-A</b>, the COBIM Ethics Committee was established to establish a code of conduct for the observer program, which was issued by the <b>CONDUCT COMMITTEE ACT No. COBIM-CCE- 2020-001</b>. This goes on to form the basis of this document. Key elements of this document include as non-permitted activities the acceptance of gratuities and conflict of interest. As stated within the same document, any possible infringement will be investigated. This requires that the observer shall have no possible conflict of interest with vessel operators or anyone associated with vessel operators, processors, retailers and vessel agents involved in any handling of the fishery being monitored.</p> <p>The observer contract (<b>CONTRATO OBSERVADOR DE PESCA</b>) contains an explicit reference to the observer code of conduct in section 4.</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, 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</p>	(F)	<p>The amended document <b>Declaración de imparcialidad e independencia_COBIM</b> declares that the provider confirming no direct financial interest or links to the fishing industry, and that no member (including observers) of the POPM shall accept any gratuity before, during or after a deployment.</p> <p>Furthermore, the statements included in the documents:</p> <ul style="list-style-type: none"> <li>• <b>MANUAL DE MANEJO DE RECURSOS ECONOMICOS</b></li> <li>• <b>INSTRUCTIVO-COBIM- MANEJO DE BIENES</b></li> <li>• <b>INSTRUCTIVO-COBIM-PAGOS. y SERVICIO</b></li> </ul> <p>State that the company is a public law organization that is constituted under the protection of the Constitution of the Republic of Ecuador in its Article 66 paragraph 13, demonstrating that it is not independent of the state.</p> <p>As described by the amended document: <b>CODIGO CONDUCTA OBSERVADORES</b></p>

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Comment / Condition / Reason for fail
	any vessel or processor in the fishery.		<p>COMBIM CCOPC VERION 02-A, the COBIM Ethics Committee was established to establish a code of conduct for the observer program, which was issued by the <b>CONDUCT COMMITTEE ACT No. COBIM-CCE- 2020-001</b>. This goes on to form the basis of this document. Key elements of this document include as non-permitted activities the acceptance of gratuities and conflict of interest. As stated within the same document, any possible infringement will be investigated. The amended observer contract (<b>CONTRATO OBSERVADOR DE PESCA</b>) contains an explicit reference to the observer code of conduct in section 4.</p> <p>The requirements for observers, as outlined in the amended <b>MANUAL DE OBSERVADOR A BORDO_ COBIM_ PROTOCOLOS</b> state that observers shall not have participated either through relationships or direct employment with the respective industry in the previous 3 years.</p> <p>As part of the tripartite, the SdRP also has a specific declaration of impartiality (<b>Declaración de Imparcialidad_SRP-signed-signed</b>).</p> <p>To date, no declaration of impartiality has been received from IPIAP.</p>
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;	(P)	<p>As described by the observer code of conduct (<b>CODIGO CONDUCTA OBSERVADORES COMBIM CCOPC VERION 02-A</b>), the COBIM Ethics Committee was established to establish a code of conduct for the observer program, which was issued by the <b>CONDUCT COMMITTEE ACT No. COBIM-CCE- 2020-001</b>. Key elements of this document include as non-permitted activities the acceptance of gratuities and conflict of interest. As stated within the same document, any possible infringement will be investigated.</p> <p>The amended observer contract (<b>CONTRATO OBSERVADOR DE PESCA</b>), and the observer code of conduct to which the contract is linked thereby requires both that the observer faithfully and accurately records data from the deployment, and does not accept or solicit of bribes, gratuities gifts or similar.</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	(P)	<p>Examples of observer profiles, as documented in the document: <b>PERFILES-DE_OBSERVADORES.concédula_Y_DIGITADORES-POPM</b> show observers with no direct involvement with the industry in the previous 3 years. The requirements for observers, as outlined in the amended <b>MANUAL DE OBSERVADOR A BORDO_</b></p>

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Comment / Condition / Reason for fail
	three years (e.g., as a crew member)		<b>COBIM_PROTOCOLOS</b> state that observers shall not have participated either through relationships or direct employment with the respective industry in the previous 3 years. The amended document <b>GUÍA DE RECLUTAMIENTO Y SELECCIÓN DEL COBIM</b> provides guidance and instruction on observers recruitment which specifically provides guidance to corroborate that the observers have not worked in the related industry for the previous 3 years.
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.	(P)	The amended observer contract ( <b>CONTRATO OBSERVADOR DE PESCA</b> ), and the observer code of conduct ( <b>CODIGO CONDUCTA OBSERVADORES COMBIM CCOPC VERION 02-A</b> ) prohibits the acceptance of gratuities and any type of conflict of interest, including the solicitation and/or acceptance of employment onboard the vessel while employed as observer.  The training outlined in <b>AGENDA DE CAPACITACIÓN POPM – COBIM</b> includes code of conduct.

## 2 Observer Qualifications

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	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	(P)	Evidence was demonstrated through observer profiles ( <b>CUALIFICACIONES DE OBSERVADORES PESQUEROS COBIM</b> ) and CVs ( <b>PERFILES-DE_OBSERVADORES.concédula_Y_DIGITADORES-POPM</b> ) of the various qualifications and experience of a typical observer profile, which typically include several years at-sea experience, university qualifications, sea survival training, medical checks, as well as nationality. Information was also provided on previous criminal convictions.  The document <b>MANUAL DE OBSERVADOR A BORDO_COBIM_PROTOCOLOS</b> also states as a requirement that the observer shall have required qualifications, medical and sea survival certificates, and have no previous criminal convictions.

### 3 Observer Training

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	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-16-2021, and that data are being collected in line with the requirements set out in CMM 02-2020 Annex 2.	(P)	<p>Evidence was demonstrated through training agendas (<b>AGENDA DE CAPACITACIÓN POPM – COBIM and AGENDA DE CAPACITACIÓN POPM – COBIM</b>) showing regular and periodic training of observers while the document <b>PLAN INTEGRAL DE CAPACITACION A OBSERVADORES PESQUEROS Y DIGITADORES DEL_COBIM</b> demonstrates regular and periodic training covering:</p> <ul style="list-style-type: none"> <li>relationship between fisheries science and fisheries management and the importance of data collection in this context;</li> <li>Importance of observer programmes;</li> <li>Safety at sea, including emergencies at sea;</li> <li>First aid training</li> <li>Species identification including target and non-target species including turtles (but not necessarily all protected species, such as seabirds, marine mammals, sea turtles, invertebrates indicating vulnerable marine ecosystems);</li> </ul> <p>This is also supported by separate training materials on</p> <ul style="list-style-type: none"> <li>fish and bycatch identification (e.g., <b>Identificación de la fauna asociada a la pesquería de merluza con espinel de fondo_Ecuador</b>; <b>Charla Observadores 2020_1</b>; <b>PecesmarinosdelEcuadorContinental.Tomoll_Ecuador</b>; <b>Capacitacion identif peces pesca polivalente Enrique Laaz</b>);</li> <li>sampling methods (e.g., <b>Metodología de muestreo biológico.POPM_COBIM</b>; <b>PROTOCOLO MUESTREO CAMARÓN_POPM2020</b>; <b>PROTOCOLO MUESTREO MERLUZA_POPM2020</b>)</li> </ul> <p>The training agenda for POPM and COBIM (<b>AGENDA DE CAPACITACIÓN POPM – COBIM</b>) also indicates that training for:</p> <ul style="list-style-type: none"> <li>Relationship between fisheries science and fisheries management;</li> <li>the importance of observer programmes;</li> <li>first aid; and</li> <li>MARPOL</li> </ul> <p>are covered.</p> <p>The document for at sea safety and emergencies (<b>Capacitacion de seguridad y emergencia para el observador_POPM.SETEC</b>) demonstrates that safety at sea, including emergencies is covered, while the amended observer (<b>MANUAL DE</b></p>

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Comment / Condition / Reason for fail
			<p><b>OBSERVADOR A BORDO_COBIM_PROTOCOLOS</b>) manual provides descriptions of safety equipment and their use.</p> <p>The amended <b>MANUAL DE OBSERVADOR A BORDO_COBIM_PROTOCOLOS</b> provides instruction and background information on the different types of bycatch mitigation devices and different fishing vessel and fishing gear types encountered within the Ecuadorian observer programmes, with clarification of those fisheries that operate under the remit of SPRFMO and likely to have involvement by the Ecuadorian fleet (horse mackerel and jumbo squid) clarified.</p> <p>The relevant conservation and management measures of SPRFMO relating to observer programmes are included within <b>MANUAL DE OBSERVADOR A BORDO_COBIM_PROTOCOLOS</b>, with a link to SPRFMO CMMs also provided.</p> <p>Sampling methodologies, sample storage, data collection, use of sampling and date recording equipment and catch logbooks are also covered within the same manual and this includes the specific requirements of data collection for SPRFMO in line with CMM-02-2020-Data-Standards-31Mar20.</p> <p>Safe handling protocols and the relevant manuals are identified with the amended <b>MANUAL DE OBSERVADOR A BORDO_COBIM_PROTOCOLOS</b>, in the section relating to the briefing of the observer, and although this apparently includes the externally produced guides <b>2021_Guia_Manipulacion-y -Liberacion-Fauna Marina and Guia_identificacion_fauna_marina_ecuador</b>, these are not specifically referenced.</p>
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	(P)	<p>Different types of training are evident, depending on the ability and experience of the observer, including refresher and corrective training, as evident in the document <b>PLAN INTEGRAL DE CAPACITACION A OBSERVADORES PESQUEROS Y DIGITADORES DEL_COBIM</b></p>

## 4 Observer Trainers

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	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	(P)	As demonstrated by examples of trainer profiles in <b>PERFILES _DE _ENTRENADORES_DE_CAPACITACIÓN</b> and training plans in the <b>PLAN INTEGRAL DE CAPACITACION A OBSERVADORES PESQUEROS Y DIGITADORES DEL_COBIM</b> , observer trainers have to have a specific set of experience and qualifications in order to be able to deliver the observer training.

## 5 Briefing and Debriefing

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	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.	(P)	Briefing and debriefing procedures ( <b>MANUAL DE OBSERVADOR A BORDO_COBIM_PROTOSCOLOS</b> ), summary of records of debriefings, and examples of coordinating disembarkation and debriefing times with vessel operators were provided, demonstrating a clear system to be followed for the coordination of briefing, embarkation, deployment support and communications, disembarkation and debriefing. Furthermore, the amended document observer code of conduct ( <b>CODIGO CONDUCTA OBSERVADORES COMBIM CCOPC VERION 02-A</b> ) provides protocols to be followed in the event of misconduct on the part of the observer, and protocols are also outlined in the event of misconduct by the vessel crew/officers or operator.
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	(P)	The document <b>Perfiles_del_equipo_de_gestión-PPM</b> provides information on the management team, who while not explicit, are assumed to be involved in the briefing and debriefing process. All have sufficient experience and qualifications in the respective fisheries and across programmes to be able to conduct briefings and debriefings professionally and to the standard required.



## 6 Data Validation Process

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	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. This includes ensuring that the national observer programme or service provider has in place a mechanism to receive data, reports and any other relevant information from an observer in such a way that prevents interference in that data from other sources.	(F)	<p>The document <b>Identificación de embarcación de forma única_POPM. COBIM</b> provides information on the data validation schedules, describing this as the digitalization of information, but does not provide any information on the data validation procedures or processes and whether these are adequate to ensure data obtained and submitted are what is required from SPRFMO.</p> <p>The amended observer manual <b>MANUAL DE OBSERVADOR A BORDO_COBIM_PROTOCOLOS</b> includes specific instruction on collection of data in line with SPRFMO requirements, and while the units used may be different to that required by SPRFMO, they are generally consistent and therefore can be easily converted.</p> <p><b>Ultimately, the IPIAP is responsible for the final submission of reports. To date, no information has been received on the data validation process and how this will ensure that data is consistent with the requirements of SPRFMO, nor has the SPRFMO Secretariat been able to verify that data has been provided in accordance with requirements.</b></p>
6.2	The data validation process shall ensure that the data meet the standards laid out in Annex 3 of CMM-16-2021 (refer <b>Error! Reference source not found.</b> )	(P)	
	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	(P)	<p>The document <b>CONTRATO _CIVIL_DE_SERVICIOS_TRIMESTRAL</b> clearly specifies that data must be collected and submitted to the observer coordinator during and at the end of the deployment, as required. Further, the <b>CODIGO CONDUCTA OBSERVADORES COMBIM CCOPC</b> requires information to be collected in a secure and confidential manner, and the confidentiality and ownership of this data is specified in the amended observer manual <b>MANUAL DE OBSERVADOR A BORDO_COBIM_PROTOCOLOS</b>. This manual also provides guidance on the completion and submission of data to the national observer service provider (COBIM) at the end of the deployment.</p>

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Comment / Condition / Reason for fail
	b) Vessel information uniquely identifies the actual vessel from which the fishing occurred	(P)	The data forms ( <b>Formularios polivalente - merluza2020</b> and <b>Formularios con data registrada y detallada_POPM.COBIM</b> ) provide vessel identifiers including vessel name and registration number. These are summarised with the data collation record ( <b>Identificación de embarcación de forma única_POPM.COBIM</b> ).
	c) Dates and times of fishing effort are included and internally consistent (for example an end time should be after a start time)	(P)	The various example data forms provided ( <b>Formularios polivalente - merluza2020</b> and <b>Formularios con data registrada y detallada_POPM.COBIM</b> ) include consistent data for date and time of fishing effort.  The amended observer manual <b>MANUAL DE OBSERVADOR A BORDO_COBIM_PROTOCOLOS 26102026</b> -signed includes specific instruction on recording of date and time, using local time zone, defining the time zone (in the case of Ecuador, either UTC-6 GALT, or UTC-5 ECT), and continuing to use this throughout the deployment. Time shall be recorded in 24 hours, and date as DD/MM/YY, with instruction to use the local time zone for all reports, and continue using this for all reports even when passing to another time zone.
	d) Location of fishing is included and valid (for example, logical latitude/longitude combinations), internally consistent and entered in the correct units	(P)	The various example data forms provided ( <b>Formularios polivalente - merluza2020</b> and <b>Formularios con data registrada y detallada_POPM.COBIM</b> ) include the position of fishing operations, and the examples reviewed are consistent.  The amended observer manual <b>MANUAL DE OBSERVADOR A BORDO_COBIM_PROTOCOLOS</b> includes specific instruction on recording of position, which is to be recorded in degrees, minutes and seconds.
	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)	The various example data forms provided ( <b>Formularios polivalente - merluza2020</b> and <b>Formularios con data registrada y detallada_POPM.COBIM</b> ) provide information on fishing type, configuration and effort specific to the type of fishery involved.  The amended observer manual <b>MANUAL DE OBSERVADOR A BORDO_COBIM_PROTOCOLOS</b> includes specific instruction on recording of fishing effort including defining start and finish times, type of fishing gear, weight (in lb) and composition of catch, with examples provided.

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Comment / Condition / Reason for fail
	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)	The <b>AGENDA DE CAPACITACIÓN_IPIAP</b> and <b>AGENDA DE CAPACITACIÓN POPM – COBIM</b> indicate that form completion, including identification of the fishery resources and the species retained and discarded is included in training, and is supplemented by various identification guides ( <b>Charla Observadores 2020_1</b> ; <b>capacitacion identif peces pesca polivalente Enrique Laaz (3)</b> ; <b>Guía de especies en la pesquería de merluza</b> ; <b>Identificación de la fauna asociada a la pesquería de merluza con espinel de fondo_Ecuador</b> ; <b>PecesmarinosdelEcuadorContinental.Tomoll_Ecuador</b> ), allow observers to identify and record species and species groups. Furthermore, example data forms provided ( <b>Formularios polivalente - merluza2020</b> and <b>Formularios con data registrada y detallada_POPM.COBIM</b> ) provide information on catch information, including species retained and discarded, and in what amounts.
	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)	The documents <b>PROTOCOLO MUESTREO MERLUZA_POPM2020</b> , <b>PROTOCOLO MUESTREO CAMARÓN_POPM2020</b> , <b>Metodología de muestreo biológico.POPM_COBIM</b> and <b>Reporte de muestrasbiológicas al IPIAP-COBIM</b> provide instructions on how sampling of target and bycatch species shall be carried out, while this is also covered in training ( <b>AGENDA DE CAPACITACIÓN_IPIAP</b> and <b>AGENDA DE CAPACITACIÓN POPM – COBIM</b> ). Examples of the data forms ( <b>Formularios polivalente - merluza2020</b> and <b>Formularios con data registrada y detallada_POPM.COBIM</b> ) show biological or biometric samples taken which can be directly linked to the fishing operation.
	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)	No transshipment programme occurs with written declaration from <b>COBIM (DECLARACION DE TRANSBORDO)</b> confirming that observers within the fishing observer programme operated (POPC) by COBIM do not participate in transshipment operations.
	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)	The forms provided, <b>Formularios polivalente - merluza2020</b> and <b>Formularios con data registrada y detallada_POPM.COBIM</b> , provide on how records of bycatch would be taken, including linked to specific fishing operation, and any mitigation methods in use. The amended observer manual <b>MANUAL DE OBSERVADOR A BORDO_COBIM_PROTOCOLOS</b> , together with example reporting forms in the annex, includes specific instruction on recording of the fate of bycatch and the type of interaction.

## 7 Observer Identification Cards

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Comment / Condition / Reason for fail
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	(P)	<p>The updated observer identification cards: <b>Tarjeta de identificacion_COBIM</b>, include:</p> <ul style="list-style-type: none"> <li>• Full name of the observer;</li> <li>• A passport style photo of the observer; and</li> <li>• A unique identifying number;</li> <li>• Date of issue and expiration;</li> <li>• Emergency contact number; and</li> <li>• The name of the national observer programme or service provider.</li> </ul>

## 8 Coordinating Observer Placements and Observer Deployments

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	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	(P)	<p>The document: <b>Oficio de asignación POPM.COBIM</b> demonstrates how observer designation to specific vessels is provided to the respective observers and vessel operators. The observer manual <b>INFORME DE ACTIVIDADES_POPM.COBIM</b> also provides on the job guidance for the performance of observer duties.</p> <p>Rather than a specific briefing or debriefing guiding document, procedures for selection and recruitment, equipment issue and briefing of observers, coordination with vessel operators, observer mobilization and support during the deployment, and disembarkation are outlined in the amended document <b>MANUAL DE OBSERVADOR A BORDO_ COBIM_PROTOCOLOS</b>.</p> <p>The historical timelines and deployment history and planning, operator points of contact are also provided demonstrating how observer selection, and the timelines of deployment management can be managed, as shown in the documents <b>EMBARCACIONES POLIVALENTE Y MERLUZA – ORDEN; DESPLIEGUE DE OBSERVADORES - CRONOGRAMA MENSUAL; and DESPLIEGUE DE OBSERVADORES A EMBARCACIONES POPM-COBIM</b></p>
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.	(P)	<p>The document <b>MANUAL DE OBSERVADOR A BORDO_ COBIM_PROTOCOLOS</b> provides the protocol for the replacement of the observer for either illness / injury, personal issues; or end of contact.</p> <p>The <b>MEMORANDUM DE ENTENDIMIENTO ENTRE COBIM Y ARMADORES</b> provides details on the condition under which a trip may be terminated early and the various responsibilities of each party, specifically within the 5<sup>th</sup> clause.</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	(P)	<p>The documents <b>EMBARCACIONES POLIVALENTE Y MERLUZA – ORDEN; DESPLIEGUE DE OBSERVADORES - CRONOGRAMA MENSUAL; and DESPLIEGUE DE OBSERVADORES A EMBARCACIONES POPM-COBIM</b> show that observers are not deployed on the same vessel within a specified timeframe.</p>

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Comment / Condition / Reason for fail
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.	(P)	<p>The document: <b>Oficio de asignación POPM.COBIM</b> demonstrates how observer designation to specific vessels is provided to the respective observers and vessel operators.</p> <p>The document: <b>CODIGO CONDUCTA OBSERVADORES COMBIM CCOPC</b> and the <b>Declaración de imparcialidad e independencia_COBIM</b> describe the code of conduct for the observer program. Key elements of this document include as non-permitted activities the acceptance of gratuities and conflict of interest which provides an overarching guidance for impartiality and independence for both the observer and observer provider.</p> <p>The amended document <b>MANUAL DE OBSERVADOR A BORDO_COBIM_PROTOCOLOS</b> provides a documented protocol detailing how deployments shall be coordinated and managed by the observer coordinator. Timeframes for the completion of reporting and minimum standards following the end of the deployment are also outlined within this manual.</p>

## 9 Observer Safety Equipment

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	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)	(P)	<p>The safety of the observer and best practices, risk assessments and protocols to follow are detail in the <b>MANUAL DE OBSERVADOR A BORDO_ COBIM_PROTOCOLOS</b>, highlighting the particular risks associated with fishing vessels, particularly when operating.</p> <p>Observers are issued with safety equipment which is listed within the checklist <b>Lista de verificación de materiales y equipos de bioseguridad POPM-COBIM</b>, and outlined further in the <b>MANUAL DE OBSERVADOR A BORDO_ COBIM_PROTOCOLOS</b>. This details the type of equipment provided, date of issue, to whom and when returned, as well as when relevant the state when returned. Key safety equipment includes:</p> <ul style="list-style-type: none"> <li>• Lifejacket;</li> <li>• Hard hat;</li> <li>• Gloves;</li> <li>• Protective masks;</li> <li>• Wet weather gear;</li> <li>• Floppy hats;</li> <li>• Protective boots / shoes;</li> <li>• Protective glasses;</li> <li>• An independent two-way communication device capable of sending and receiving voice or text communications;</li> <li>• A personal locator beacon (PLB); and</li> <li>• Immersion suits.</li> </ul>

## 10 Responding to Allegations of Observer Misconduct

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	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	(P)	<p>The document <b>CODIGO CONDUCTA OBSERVADORES COMBIM CCOPC</b> describes the observer code of conduct and the how any perceived misconduct should be dealt with, including investigations. The code of conduct is also described through the <b>Declaración de imparcialidad e independencia_COBIM</b> and various training programmes (<b>AGENDA DE CAPACITACIÓN POPM – COBIM</b> and <b>AGENDA DE CAPACITACIÓN_IPIAP</b>).</p> <p>These are managed with regular internal controls which provide assurances over the compliance of the code of conduct, and any doubts or possible infractions, including criminal activity is investigated by relevant authorities including the Comité de Conducta COBIM. Any established non-compliance will be sanctioned in line with internal procedures developed by the Comité de Conducta COBIM, as well as agreements and labour laws.</p> <p>Specific procedures for the investigation and reporting of misconduct, and relevant sanctions, from mild misconduct, serious misconduct and very serious misconduct are provided within the amended <b>CODIGO CONDUCTA OBSERVADORES COMBIM CCOPC VERION 02-A</b>, which as well as providing procedures for the observer provider to follow, ensure transparency over the process.</p> <p>As no significant misconduct has been detected to date, no specific examples were provided.</p>



## 11 Dispute Settlement

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	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	(P)	<p>This is covered briefly by the <b>CONTRATO _CIVIL_DE_SERVICIOS_TRIMESTRAL.pdf</b>, which states that the “The parties shall undertake to execute in good faith the reciprocal obligations that they contract through this Contract and to make all efforts required to overcome, by mutual agreement, any controversy. If the conflict persists, the parties give up rights to redress, and will submit to the judges of the Canton Manta.</p> <p>The amended <b>CODIGO CONDUCTA OBSERVADORES COMBIM CCOPC VERION 02-A</b> explicitly covers types of misconduct, follow up actions and procedures, and rights of the observer.</p> <p>To date, COBIM has not had any serious or very serious infractions and are able to provide no historical examples of disciplinary actions, but mock examples are provided.</p>

## 12 Observer Safety

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	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.	(P)	The amended document <b>PLAN DE ACCIÓN DE EMERGENCIA OBSERVADORES_COBIM (PAEOC) (amending PLAN DE ACCIÓN DE EMERGENCIA OBSERVADORES_COBIM (PAEOC) (EAP))</b> provides the emergency action plan with procedures to follow in the case of death, illness/injury, intimidation, providing also 24-hour point of contact emergency contact details. Descriptions of safety equipment and their use are provided within the amended <b>MANUAL DE OBSERVADOR A BORDO_COBIM_PROTOCOLOS</b> and the checklist <b>Lista de verificación de materiales y equipos de bioseguridad POPM-COBIM</b> .
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	(P)	The amended document <b>PLAN DE ACCIÓN DE EMERGENCIA OBSERVADORES_COBIM (PAEOC) (amending PLAN DE ACCIÓN DE EMERGENCIA OBSERVADORES_COBIM (PAEOC) (EAP))</b> provides a list of emergency contact details, including specified permanent delegates on land and reporting pathways and protocols..

### 13 Insurance and Liability

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	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.	(P)	The example insurance document <b>Póliza de seguro a observadores COBIM - Cog. AP670116</b> shows that observers have health, safety and liability insurance.

## Annex 1: Feedback from the COLEGIO DE BIOLOGOS DE MANABI “COBIM”



### COLEGIO DE BIOLOGOS DE MANABI “COBIM”

MANTA-MANABI-ECUADOR  
Acuerdo Ministerial N° MDT-2016-0031  
28 de noviembre de 2016

Oficio COBIM-POPM-2021-0320  
23 de noviembre de 2021

Señor.  
James Moir-Clark  
Director del proyecto  
En su despacho

De mi consideración.

Junto con un afectuoso saludo y deseando bienestar para usted y su equipo de trabajo, traslado a usted mis mejores deseos de éxito en sus funciones.

Seguidamente y de la manera más atenta me dirijo a usted para hacer un antecedente explicativo que argumente los motivos por los cuales no se ha podido cumplir con los últimos requisitos requeridos para el proceso de validación del programa de observadores, mismos que fueron solicitados por reiteradas ocasiones en su momento al Instituto Público de Investigación de Acuicultura y Pesca (IPIAP) del Ecuador. Desde nuestra Dependencia se realizaron las gestiones ante la Autoridad Científica solicitando por dos ocasiones a través del Oficio COBIM-POPM-2021-0175 de fecha 11 de Julio de 2021 y Oficio COBIM-POPM-2021-0271 de fecha 30 de septiembre de 2021, los requerimientos/requisitos faltantes. En este marco, la única respuesta obtenida desde dicha entidad mediante Oficio Nro. IPIAP-IPIAP-2021-0412-OF indica que:

*“(....) no es procedente remitir la información solicitada, así mismo, no se autoriza que dicha información generada por este Instituto sea usada en procedimientos o actividades que no competen al Convenio tripartito.*

Actualmente nos encontramos a la espera del informe de evaluación final del proceso de acreditación; pero, queremos hacer mención en esta línea, al cumplimiento de la gran parte de requerimientos presentados y que pudieron ser cumplidos satisfactoriamente; No obstante, debemos enfatizar que los requerimientos de información incumplidos, son aislados, y no dependen directamente de las competencias de nuestra institución. Somos muy respetuosos de los espacios y competencias que las instituciones involucradas en el Programa de Observadores a escala nacional apliquen para la implementación del convenio del cual somos parte, entre ellos, los niveles de seguridad, confidencialidad y sigilo de la información que correspondan dentro de las políticas de cada institución; por ello, las gestiones internas realizadas con el IPIAP fueron planteadas bajo las premisas expuestas, sin el ánimo de obtener beneficios personales, y más bien, lograr una acreditación como país.

Manta – Manabí  
Email: biologomanabi@hotmail.com  
Teléfonos 0939920403 – 0995437664 - 0999407911



## COLEGIO DE BIOLOGOS DE MANABI "COBIM"

MANTA-MANABI-ECUADOR  
Acuerdo Ministerial N° MDT-2016-0031  
28 de noviembre de 2016

Como COBIM, creemos firmemente en que cualquier argumento expuesto a estas alturas resultaría en meras excusas, sin embargo, recalamos a su análisis crítico de la situación expuesta (soportada con argumentos de hecho) para que se considere en vuestro informe los porcentajes de cumplimiento ya presentados y de ser pertinente una acreditación "condicionada", si la definición cabe, a fin de poder ser parte de este importante proceso de observación a bordo en aguas de la jurisdicción de la SPRFMO a través del programa nacional.

Aprovechamos la oportunidad para agradecer a MRAG y la contraparte de la SPRFMO por el espacio, tiempo y predisposición durante toda esta etapa de validación del programa nacional, reiterando nuestro firme deseo de contribuir en las acciones que fueran necesarias para beneficio del sector pesquero y la sostenibilidad de sus recursos.

Con grato aprecio y consideración.

A handwritten signature in blue ink, which appears to read 'César Delgado Toala'.

Ab. César Delgado Toala  
Director Ejecutivo COBIM

C.c.

Mgs. Dana Zambrano  
Subsecretaria de Recursos Pesqueros

Mgs. Isidro Andrade  
Director de Políticas Pesquera y Acuícola

Mgs. Edwin Castro Briones  
Director de Pesca Industrial

Blga. Melissa Alvarez Lucas  
Directora – Programa de observadores pesqueros de la flota polivalente y merluza.  
COBIM



# **SPRFMO Observer Programme Accreditation**

## **Final Assessment Report Korea**

November 2021

**MRAG**

**MRAG**  
asia pacific



**MRAG Ltd** is an independent fisheries and aquatic resource consulting firm dedicated to the sustainable use of natural resources through sound, integrated management practices and policies.

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18 Queen Street London  
W1J 5PN  
United Kingdom

+44 (0) 20 7255 7755  
[www.mrag.co.uk](http://www.mrag.co.uk) [enquiry@mrag.co.uk](mailto:enquiry@mrag.co.uk)



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**MRAG Asia Pacific Pty Ltd**  
PO Box 732  
Toowong, Q. 4066.  
Tel: +617 3371 1500  
Fax: +617 3100 8035  
[info@mragasiapacific.com.au](mailto:info@mragasiapacific.com.au)

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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 (CNCPs; Curaçao, Republic of Liberia and Republic of Panama).

From 1<sup>st</sup> 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 16-2021 (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 KOREA.

## Accreditation Process

The accreditation process for KOREA progressed as follows:

Timetable Date	Actions	Actual Date
Annual Commission Meeting	Members, CNCP or service provider (applicant) provides notification of intention to be assessed.	05/02/2021
Following Annual Commission Meeting	Assessor (MRAG Ltd) contacts each applicant and agrees a timetable for the assessment process (Starting at time T) and shares assessment guidelines.	02/06/2021
T + 0 days (Start of process at least 6 months before Commission meeting i.e. prior to 26 <sup>th</sup> July)	Assessment process to begin with applicant. Applicant provides all required documentation to assessor, in country visits or online meetings take place to discuss information provided by applicant.	28/07/2021
T + 14 days	Assessor will liaise with applicants as appropriate (including, but not limited to, bilateral consultations) and may request additional documentation if substantive or essential information is missing	18/08/2021
T + 28 days	Assessor receives additional documentation requested during assessment process and collates all materials	13/08/2021 23/11/2021
At least 120 days before Annual Commission Meeting	Assessor provides Draft Preliminary Evaluation Report to applicant for comment Following this Applicants 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	26/09/2021
At least 90 days before Annual Commission Meeting	Assessor provides Preliminary Evaluation Report(s) to Applicant(s) and Secretariat	26/10/2021
60 days before Annual Commission Meeting	Assessor provides Final Evaluation Report(s) including recommended conditions and incorporating feedback received on the preliminary evaluation.	25/11/2021
30 days before CTC meeting	Secretariat circulates the Final Evaluation Report(s) as an Annexes to the SPRFMO Observer Programme Implementation Report	25/12/2021
Annual Commission Meeting	The Commission evaluates all reports and recommendations and will decide whether to grant accreditation (including specified conditions).	24/01/2022

## Summary of Evidence submitted

The table below summaries the documents provided by KOREA 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	Standards in which this document is used as evidence												
		1	2	3	4	5	6	7	8	9	10	11	12	13
1.1-1	Register book of Korea Fisheries Resources Agency	X												
1.1-2 / 8.4-1 / 13.1-1	(empty) Observer employment contract (Attached form 8. of The Rules on the Management of International Observers (FIRA))	X							X					X
1.1-3	(example) Observer employment contract													
1.1-4	International Observers pledge	X												
1.2b-1 / 3.1-9	Education on integrity during the regular training program	X		X										
1.2b-2	Regular training schedule	X												
1.2b-3	Integrity provisions of the Rules on the Management of International Observers (Attach form 9 of The Rules on the Management of International Observers (FIRA))	X												
1.2c-1	7 Resumes of observers recruited in 2021	X												
2.1-1	Observer recruitment in the Rules on the Management of International Observers (Article 4, 5, 6. of the Rules on the Management of International Observers (FIRA))		X											
2.1-2	Article 33 of Public Officials Act		X											
2.1-3	Article 76(1) of Military Service Act		X											
2.1-4	Background checks for disqualification		X											
3.1-1 / 3.1-2	Pictures of a regular training session			X										
3.1-3	Public notice on fund support for the self-development of observers			X										
3.1-4 ~ 3.1-9	Regular training materials			X										
3.1-10 ~ 3.1-31 / (6.2g-3 ~ 6.2g-5)	Candidate training materials			X			X							

#	Document Title	Standards in which this document is used as evidence												
		1	2	3	4	5	6	7	8	9	10	11	12	13
3.1-32 / 6.2a-1	SPRFMO Observer Survey Manuals *			X			X							
3.1-33 / 6.2c-1	Instructions on how to write a trawl logbook			X			X							
3.1-34 / 6.2g-1	Trawl logbooks (annotated version)			X			X							
3.1-35	Reference material on the maturity of CJM			X										
3.1-36	References SPRFMO Seabird distribution maps (1), (2)			X										
3.2-1 / 6.2i-1	SPRFMO pre-survey training materials for Trawl fisheries			X			X							
3.2-2 / 6.2i-2	SPRFMO pre-survey training materials for Jigging fisheries			X			X							
3.Supplementary	Course_material_MARPOL			X										
3.Supplementary	Observer_Candidate_Training_Course(2021)			X										
4.1-1	Designation of trainers specified in the Rules on the Management of International Observers (Article 17 and 18 of The Rules on the Management of International Observers (FIRA))				X									
4.1-2 ~ 4.1-5	Status and Public notices of appointed trainers in 2019 and 2020				X									
5.1-1	The rules on the management of international observers (FIRA)*					X								
5.1-2 / 6.1-2	The regulation on the management of international observers (NIFS)*					X	X							
5.1-3 / 6.1-1	The rules on the management of international observers					X	X							
5.1-4	Log of international observers by trip					X								
5.2-1	Job description table for Distant Water Resources Research Division					X								
5.2-2	An example of the public notice on the debriefing session					X								
5.2-3	An example of an observer evaluation table					X								
6.1-3	Notices on pre-survey training (1), (2)						X							
6.2a-3	Screenshot of online observer logbook management system						X							
6.2b-1	CTC8-Doc07-rev1-Commission-Record-of-Vessels-Implementation-Report						X							
6.2b-2	(An example) Observer Logbook						X							
6.2b-3	(An example) Observer Report						X							

#	Document Title	Standards in which this document is used as evidence												
		1	2	3	4	5	6	7	8	9	10	11	12	13
6.2c-2	SPRFMO trawl report review manual						X							
6.2d-1	CMM-02-2021-Data-Standards						X							
6.2f-1	Species identification guide for new trainees						X							
6.2f-2	Bycatch species of jigging fisheries poster						X							
6.2f-3	Illustrated guide book of distant water fisheries (cover only)						X							
6.2f-4	Species identification guide for the Southwest Atlantic Ocean						X							
6.2g-2	Label for specimen						X							
6.2h-1	SPRFMO-Observer-Transshipment-notes						X							
6.2h-2	(An example) Observer-Transshipment- log sheet						X							
6.2i-3	A Field Guide to Protect Marine Mammals						X							
7.1-1	Attached_Form5_The rules on the management of international observers (FIRA)							X						
7.1-2 / 7.1-3	The observer id card to be updated in 2022							X						
8.1-1	Public notice on the fishing company's request for observers								X					
8.1-2	Record of observer placements								X					
8.1-3	Public notice of observer contract to the trainer in charge								X					
8.1-4	Public notice on the conclusion of employment contract of an observer								X					
8.1-5	Example of a concluded contract								X					
8.1-6 / 8.1-7	Emergency criteria in which observer may disembark								X					
8.3-1	Record of observer placement								X					
9.1-1 ~ 9.1-4 12.2-1	Pictures of safety equipment									X			X	
9.1-5	Equipment sign-out form									X				
10.1-1	Relevant provisions of FIRAs regulations on allegations of observer misconduct (Article 9. of The Rules on the Management of International Observers (FIRA))										X			
10.1-2 / 10.1-3	Examples of measures taken against observer misconduct										X			
11.1-1	Dispute settlement manual for international observers											X		
11.1-2	Public notice on the establishment of a dispute settlement											X		

#	Document Title	Standards in which this document is used as evidence												
		1	2	3	4	5	6	7	8	9	10	11	12	13
	committee and distribution of the manual													
12.1-1	Guide on the safety management of international observers												X	
12.1-1	12.1-1 (updated) Emergency contacts and guidelines for observers			X										
13.1-2	Certificate of insurance													X

## Considerations and recommendations

Korea submitted 65 documents outlining their national observer programme and the areas relevant to SPRFMO in particular. The Documents were well labelled, following the structure laid out in the requirements, and although much of it was in Korean the main parts had been translated and any additional questions were effectively answered. A summary of the evaluation is outlined in the table below with more detailed comments in the main assessment.

Requirement	Total requirements	Pass	Pass with conditions	Fail
1. Impartiality, independence and integrity	5	5	0	0
2. Observer qualifications	1	1	0	0
3. Observer training	2	2	0	0
4. Observer trainers	1	1	0	0
5. Briefing and debriefing	2	2	0	0
6. Data validation process	2	2	0	0
7. Observer identification cards	1	1	0	0
8. Coordinating observer placements and observer deployments	4	4	0	0
9. Observer safety equipment	1	1	0	0
10. Responding to allegation of observer misconduct	1	1	0	0
11. Dispute settlement	1	1	0	0
12. Observer safety	2	2	0	0
13. Insurance and liability	1	1	0	0

The submission covered all the main areas required for Accreditation under Annex 3 of CMM-16-2021. As such, a recommendation for accreditation may be made.



## 1 Impartiality, independence and integrity

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	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.	(P)	<p>Observer Ethics Pledge detailed in <b>the rules on the management of International Observers (FIRA)_English_Attachedform8'</b> (1.1-2) requires declaration by an observer of any '<i>close connection with the fishing company (e.g., family relatives, employee of the company, commercial relationship, etc.</i>'</p> <p>Observer Ethics Pledge is reviewed by the administrator during the recruitment process of an Observer, as detailed in <b>Article 6.1 – 6.3 of the rules on the management of International Observers (FIRA)_English_Attachedform8'</b> (1.1-2)</p> <p>A module is delivered as part of Observer training on integrity (1.2b – 1).</p> <p>An example <b>Observer Contract of Employment</b> (1.1 – 3) is given.</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.	(P)	<p>Observer Ethics Pledge detailed in <b>the rules on the management of International Observers (FIRA)_English_Attachedform8'</b> (1.1-2) requires declaration by an observer of any '<i>close connection with the fishing company (e.g., family relatives, employee of the company, commercial relationship, etc.</i>'</p>

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	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;	(P)	Observer Ethics Pledge detailed in the rules on the management of International Observers (FIRA)_English_Attachedform8' (1.1-2) requires declaration by an observer to <i>'not receive any undue convenience, treat, or money nor ask for unjust solicit, etc'</i>
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)	(P)	<p>Observer Ethics Pledge detailed in the rules on the management of International Observers (FIRA)_English_Attachedform8' (1.1-2) requires declaration by an observer of any <i>'close connection with the fishing company (e.g., family relatives, employee of the company, commercial relationship, etc.'</i></p> <p>As part of the recruitment process, highlighted in Article 6.1 – 6.2 of the rules on the management of International Observers (FIRA)_English_Attachedform8' (1.1-2), Observers are required to submit a resume, which stipulates the previous three years of employment.</p>
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.	(P)	<p>Observer Ethics Pledge detailed in the rules on the management of International Observers (FIRA)_English_Attachedform8' (1.1-2) requires declaration by an observer of any <i>'close connection with the fishing company (e.g., family relatives, employee of the company, commercial relationship, etc.'</i></p> <p>A module is delivered as part of Observer training on integrity (1.2b-1. Education on integrity during the regular training program (English)).</p>

## 2 Observer Qualifications

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	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	(P)	<p>As stipulated in <b>Article 4 – 6 of the rules on the management of International Observers (FIRA)_English_Attachedform8'</b> (1.1-2), observers are recruited through a selection process which ensures they have a relevant degree in fisheries, or related field within at least a 2-year college programme and have the ability to be aboard a vessel. <b>'A review process in undertaken to determine whether the applications meet the qualifications, followed by an interview to evaluate the applicants' knowledge on fisheries, availability to embark a vessel, English communication skills, personality and expression, etc'</b></p> <p>Further, background checks are completed in line with <b>Article 33 of the Public Officials Act (2.1 -2)</b> and <b>Article 76 of the Military Service Act (2.1 -3)</b>.</p>

### 3 Observer Training

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	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-16-2021, and that data are being collected in line with the requirements set out in CMM 02-2020	(P)	<p><i>'Observer candidate training is provided for the candidates who passed the document review and the interview. They are appointed as observers once they complete the 2-week intensive training and obtain a total score of 70 or greater in the written and practical exam. The training course comprises the introduction to observers, introduction to distant water fisheries, types of distant water fisheries, RFMOs, protection of seabirds, protection of marine mammals, VMEs, sea safety, report preparation, etc. With regard to sea safety, all trainees must complete a 5-day safety training at Korea Institute of Maritime and Fisheries Technology' – (3. Observer Training / Observer_Candidate_Training_Course(2021))</i></p> <p>Excel file provided containing English annotations of all the training material covered, meeting the 21 elements below (3. Observer Training Materials).</p> <ol style="list-style-type: none"> <li>1. The relationship between fisheries science and fisheries management and the importance of data collection in this context;</li> <li>2. The relevant provisions of the Convention and SPRFMO CMMs relevant to the functions and duties of observers; CMM 16-2021 Annex 1 (pg. 197)</li> <li>3. Importance of observer programmes, including understanding the duties, rights, authority and responsibilities of observers;</li> <li>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;</li> <li>5. First aid training, appropriate to working at-sea or in remote situations;</li> <li>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;</li> <li>7. Knowledge of the different types and functioning of bycatch mitigation devices required by SPRFMO CMMs;</li> <li>8. Safe handling protocols to rehabilitate and release seabirds, marine mammals and sea turtles;</li> <li>9. Fishing vessel and fishing gear types relevant to SPRFMO;</li> <li>10. Techniques and procedures for estimating catch and species composition;</li> </ol>

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Comment / Condition / Reason for fail
			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) ( <b>Course_material_MARPOL</b> )
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	(P)	Pre-survey training is delivered before deployment, which includes updates to ' <i>relevant CMMs and provides information on methods to complete duties</i> ' ( <b>3. Observer Training and 3.1 -32 SPRFMO Observer Survey Manuals_English</b> ).

## 4 Observer Trainers

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	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	(P)	<p><b>Article 18 of the rules on the management of International Observers (FIRA)_English_Attachedform8'</b> (1.1-2) clearly states that observer trainers must be:</p> <ol style="list-style-type: none"> <li>1. A person with proper expertise to conduct an observer candidate training;</li> <li>2. A person with expertise in relevant field; and</li> <li>3. A person who is acknowledged for his/her expertise by serving in the same type of business for 10 years or more.</li> </ol> <p>Trainers appointed in 2019 and 2020 are submitted as <b>evidence (4.1 – 3 and 4.1 – 4)</b>.</p>

## 5 Briefing and Debriefing

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	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.	(P)	<p><b>Article 4 of FIRA rules on the management of international observers (5.1-1) and Articles 2 and 7 of NIFS regulations on the management of international observers (5.1-2)</b> clearly demonstrate there is a briefing and debriefing process for observers.</p> <p><b>Briefing</b> includes:</p> <ul style="list-style-type: none"> <li>• Observer's roles and method to accomplish such;</li> <li>• Instruction on how to prepare and report on the weekly report, field note, detailed fishing record, and survey report, which the observers are required to submit;</li> <li>• Instructions on survey and data collection methods on fishing gears, catch, biological measurement, safe handling and release of ecologically important species, and compliance with conservation measures of relevant international organizations; and</li> <li>• Any other instructions required for the observer activities.</li> </ul> <p><b>Debriefing</b> includes:</p> <ul style="list-style-type: none"> <li>• Sincerity of the observer in accomplishing his/her tasks</li> <li>• Completeness and credibility of the surveyed results</li> <li>• Difficulties or suggestions for the survey</li> </ul>
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	(P)	<p><b>Article 18 of the rules on the management of International Observers (FIRA)_English_Attachedform8' (1.1-2)</b> clearly states that observer trainers, individuals that deliver briefing and debriefing as appointed by the 'Chairman' must be:</p> <ol style="list-style-type: none"> <li>4. A person with proper expertise to conduct an observer candidate training;</li> <li>5. A person with expertise in relevant field; and</li> <li>6. A person who is acknowledged for his/her expertise by serving in the same type of usiness for 10 years or more.</li> </ol> <p style="text-align: right;">b</p>

## 6 Data Validation Process

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	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.	(P)	<p>The observer data goes through two data validation processes; weekly and final validation:</p> <ul style="list-style-type: none"> <li>Weekly reports are received via an exclusive e-mail (<a href="mailto:kobserver@korea.kr">kobserver@korea.kr</a>) for review. Set/haul time, position, catch, etc. are manually validated by the exclusive NIFS personnel who conduct an interim data validation for example by asking for clarification on any outliers in the data such as rapid changes in catch.</li> <li>After the completion of the survey, a comparison is made between the observer's logbook data and catch, position, effort, catch by species, etc. data reported by the vessel via the VMS device (<a href="#">SPRFMO_SAEIN5_data_val.xls</a>) to validate the collected data. Then we conduct the debriefing, report review, and evaluation of the observer performance (6. Data_Validation_Process)</li> </ul> <p>6.1-2. NIFS's Regulations on the Management of International Observers states that <i>'Once an observer's final report is submitted, a work performance evaluation shall be conducted in accordance with attached form 3. The work performance evaluation shall be conducted within 10 days from the submission of the final report, and the evaluation result shall be notified to the Chairman of FIRA'</i>.</p>
6.2	The data validation process shall ensure that the data meet the standards laid out in Annex 3 of CMM-16-2019	(P)	
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	(P)	<i>'Observers are trained to use a password when sending weekly reports for security matters and asked to send the report only to the designated e-mail (<a href="mailto:kobserver@korea.kr">kobserver@korea.kr</a>) and to the officer in charge of the organization's work. Received data are uploaded to the online observer logbook management system operated by NIFS. Only a limited number of personnel can access the system.'</i> (6. Data_Validation_Process / 6.2a-1. Observer survey manual (Data transfer portion of the manual)



#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Comment / Condition / Reason for fail
	b) Vessel information uniquely identifies the actual vessel from which the fishing occurred	(P)	Vessels are identified using a call sign, vessel registration number, and IMO number. <b>(6.2b-1 SPRFMO CTC8-Doc07_Commission_Record_of_Vessels_Implementation_Report.pdf)</b> . These vessel identifiers are matched with those in the Observer Logbook <b>(6.2b-2. An example of an observer logbook)</b>
	c) Dates and times of fishing effort are included and internally consistent (for example an end time should be after a start time)	(P)	<i>'Observers are instructed to record all data in UTC time, and comparison is made on all set and haul information during the weekly report and debriefing session for the purpose of data validation'</i> – <b>(6. Data Validation Process)</b> <b>(6.2c-1. Instruction on how to prepare a logbook in the SPRFMO Area)</b> .
	d) Location of fishing is included and valid (for example, logical latitude/longitude combinations), internally consistent and entered in the correct units	(P)	All fishing locations referred to in the observer records are based on the GPS installed on the vessel and record latitude and longitude <b>(6.2b-2. A portion of Trawl sheet in the observer report)</b> <b>(6.2c-1. Instruction on how to prepare a trawl observer logbook)</b>
	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)	Catch per unit effort is calculated based on the towed time (i.e., from the end of set to start of haul) appropriate to the fishing vessel used <b>(Chapter 2-3 Observer Report)</b> and recorded on the observer report <b>((6. Data Validation Process) / (6.2c-3. Observer report)</b> .
	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)	A number of species identification training materials (species identification guide, species identification material by ocean, posters on major protected species, etc.) are used to train the observers. Scientific names and ASFIS codes are provided in all training materials <b>(6.2f-1. Species identification guide)</b>
	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)	<b>6. Data Validation Process</b> clearly states that <i>'In the pre-survey training, observers are instructed to link all biological data collected (including length information) with each set number. The set number section is highlighted with colours in the logbook sheets to stress the importance. Each specimen must enclose a label with information including the observer's name, sampled area, date, set number, sampled position, and species information. Detailed methods of collecting biological information of cephalopod, crustacean, and fish species are provided during the candidate training, and exams are</i>

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Comment / Condition / Reason for fail
			<i>given to ensure the observers are acquainted with such.'</i> (6.2g-1. Annotated observer logbook) / (6.2g -2 Label for specimen)
	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)	<b>6.2a-1 Observer survey manual (SPRFMO)</b> clearly states that ' <i>If a transshipment occurs in the presence of an observer, the observer must write a transshipment report (CMM12-2020) - The format in Annex2 should be used. The quantity of the catch being transhipped must be recorded by species and be - 6 - submitted to the Secretariat within 15 days (trawl) or 30 days (jigging) from the debarkation of the observer</i> ' An example of a previous transshipment report is provided (6.2h-2. An example of a transshipment report.
	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)	<i>'Observers attending the pre-survey training are informed of the survey method for protected species described in the SPRFMO Trawl Refresher training material. Observers are especially informed of the species of concern defined in SPRFMO CMM02-2021 Annex 14 and instructed with the information to be collected when incidental mortality occurred. When bycatch of species of concern or other protected species occur, observers are instructed to record the type of species, set number, handling behaviour, and vitality during release (lively, normal, weak, dead), and if the individual is dead, more detailed information is collected (such as male/female, length, mature/immature). Determining the vitality is done in accordance with CMM02-2021 Annex 7H. Furthermore, captured marine mammals are released in accordance with what is specified in the Field Guide to Protect Marine Mammals published by NIFS'</i> (6. Data Validation Process) (62i-3. Releasing method specified in the Field Guide to Protect Marine Mammals).

## 7 Observer Identification Cards

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Comment / Condition / Reason for fail
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	(P)	<p>Observers are issued a 'passport' format ID card (<b>7.1-2 &amp; 7.1-3 Observer ID card</b>). Observers are required to renew this certificate annually. Observer passport contains: date of acquisition; expiration date; emergency telephone number and unique identifying number. There is no specific mentioning of "SPRFMO" because the Korean observer program is designed to cover all the convention areas where a Korean observer is dispatched to.</p> <p>This format will be changed in 2022 to provide observers with a different format.</p>

## 8 Coordinating Observer Placements and Observer Deployments

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	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	(P)	<p>Observer placements process:</p> <ol style="list-style-type: none"> <li>1. Request from the fishing company (8.1-1)</li> <li>2. Contact the observer in turn (8.1-2)</li> <li>3. Inform about the observer-company contract and pre-survey training (8.1-3)</li> <li>4. Conclude observer contract and provide equipment (8.1-4, 5)</li> <li>5. Pre-survey training (8.1-3 <b>Public notice on contract</b>).</li> </ol> <p>A record of previous observer placements has been provided (8.1 – 2 <b>Record of observer placements</b>).</p>
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.	(P)	An observer is required to contact the officer in charge in the event of the need to disembark. The officer in charge must investigate the situation and take action in accordance with the specified criteria level of emergency (8.1-6 & 8.1-7 <b>Emergency criteria in which observer may disembark</b> ).
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	(P)	<p>A limit of 3-4 months onboard exists for observers.</p> <p>Observer replacements are made in alphabetical order in order to prevent the fishing company and observer from choosing one another.</p> <p>It is the responsibility of the officer in charge to arrange a placement so that the observer would not embark on the same vessel twice. (8.3 -1 <b>Record of observer placement</b>)</p>

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Comment / Condition / Reason for fail
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.	(P)	<p>Coordination between the observer programme and fishing company to administer observer placements is clearly demonstrated by 8.1 – 1 Public notice on the fishing company's request for observers / 8.1 – 3 Public notice on the observer contract to the trainer in charge / 8.1 – 4 Public notice on the conclusion of employment contract of an observer.</p> <p>Observer wages are paid on the last day of each month (8. Coordinating Observer Placements and Observer Deployments).</p> <p><b>8.4-1. Observer employment contract</b> clearly states that '<i>The fishing company shall acknowledge the observer's independence, fully cooperate with the observer's survey activities, and ensure officer-level treatment. Furthermore, the fishing company must provide all necessary accommodation, such as visa, round trip airfare, independent accommodation facility, etc., and ensure safety of the observer, including using a carrier vessel, etc., for transport</i>'</p>

## 9 Observer Safety Equipment

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	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)	(P)	<p>Documented equipment lists provided: include the following items:</p> <ul style="list-style-type: none"> <li>Laptop</li> <li>Satellite phone</li> <li>Distress signal generator</li> <li>Digital camera</li> <li>Name pen</li> <li>Digital scale (1kg)</li> <li>Digital scale (5kg)</li> <li>Suspension indicating scale (2kg)</li> <li>Suspension indicating scale (5kg)</li> <li>Suspension indicating scale (10kg)</li> <li>Digital suspension indicating scale (25kg)</li> <li>Surgical gloves (M size)</li> <li>Surgical gloves (L size)</li> <li>Pencils</li> <li>Tweezer for otoliths</li> <li>Tweezer for krill</li> <li>Scissors for biological measurement</li> <li>Tape measure (1.5m)</li> <li>Tape measure (3.5m)</li> <li>Ruler for measurement</li> <li>Measuring plate</li> <li>Acrylic plate</li> <li>First-aid medicine kit</li> </ul>

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Comment / Condition / Reason for fail
			<p>Life jacket Otolith container Safety hat Water-proof notebook Zipper bag (M) Zipper bag (L)</p> <p>Observers are provided with safety equipment such as safety helmet (9.1-4. <b>Picture of safety helmet</b>), life jacket (9.1-3. <b>Picture of life jacket</b>), satellite phone (9.1-1. <b>Picture of satellite phone</b>), distress signal generator (9.1-2. <b>Picture of distress signal generator</b>) and logged using an equipment sign out form (9.1 – 5).</p> <p>Safety equipment such as immersion suit; proper deck working boots or shows; gloves or protective glasses (including sunglasses) is generally provided by the fishing vessel (Additional_explanation_on_comments).</p>

## 10 Responding to Allegations of Observer Misconduct

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	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	(P)	<p><b>Article9 of the FIRA's Rules on the Management of International Observers (Discreditation and liability for damages)</b>, clearly states the instances upon which would discredit an observer due to misconduct. However, a procedure for investigating and or reporting is not provided.</p> <p>An example of misconduct of an observer was provided, whereby an observer transferred to another area for travel without notice during his/her standby. The observer's wage for the period of travel (for 2 days) was retrieved and the observer was given a warning <b>(10.1-2&amp;10.1-3. Measures taken against observer misconduct)</b></p>



## 11 Dispute Settlement

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	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	(P)	The existence of a dispute resolution process is demonstrated by the establishment of a dispute settlement committee. To which there is a manual distributed to observers, fishing companies and relevant institutions for their use. Most of the disputes are resolved by mediation provided by the officer in charge, but unresolved disputes can be addressed by the dispute settlement committee, except for the disputes involving criminal cases <b>(11.1-1 Dispute settlement manual) (11.1-2. Public notice on the establishment of a dispute settlement committee and distribution of the manual)</b>

## 12 Observer Safety

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	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.	(P)	<p><b>12.1-1. Guide on the safety management of international observers</b> sets out the use of key pieces of safety equipment and CPR procedures to compliment the 5-day training course that observers attend at the Korea Institute of Maritime and Fisheries Technology.</p> <p><b>12.1-1. Emergency contacts and guideline for the observer to use in case of unusual incidents</b> explains instructions for reporting unusual incidents to the designated FIRA Officer, with the list of relevant telephone numbers and email addresses of emergency contacts.</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.	(P)	<p>Observers are instructed to contact Mr. Kiwon Choi, the FIRA officer in charge of the observer program (kiuniya@fira.or.kr).</p> <p>All Korean vessels are equipped with a wifi system that the observers can use their personal mobile phones to contact the officer in charge of the program. The officer of FIRA is a regular employee who is dedicated to managing the observer program</p> <p><u>(Additional explanation on comments).</u></p>

### 13 Insurance and Liability

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	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.	(P)	<p><b>The Observer Contract</b> states that <i>'the observer's health, safety, and liability insurance shall be covered by the fishing company'</i> (13.1-1. <b>Attach 8_The rules on the management of International Observers (FIRA)_English</b>)</p> <p><b>Observers are instructed</b> to report every week on their health status to the officer in charge of the program.</p> <p>Liability insurance covers 250 million KRW or more and that all fishing companies deliver the insurance certificate before embarkation.</p> <p><b>A Certificate of Insurance (13.1 – 2)</b> is detailed.</p>



# **SPRFMO Observer Programme Accreditation**

## **Final Assessment Report Chinese Taipei**

November 2021

**MRAG**

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asia pacific



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18 Queen Street London  
W1J 5PN  
United Kingdom

+44 (0) 20 7255 7755  
[www.mrag.co.uk](http://www.mrag.co.uk) [enquiry@mrag.co.uk](mailto:enquiry@mrag.co.uk)



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**MRAG Asia Pacific Pty Ltd**  
PO Box 732  
Toowong, Q. 4066.  
Tel: +617 3371 1500  
Fax: +617 3100 8035  
[info@mragasiapacific.com.au](mailto:info@mragasiapacific.com.au)

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Approved by:	JP

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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 (CNCPs; Curaçao, Republic of Liberia and Republic of Panama).

From 1<sup>st</sup> 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 16-2021 (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 CHINESE TAIPEI.



## Accreditation Process

Timetable Date	Actions	Actual Date
Annual Commission Meeting	Members, CNCP or service provider (applicant) provides notification of intention to be assessed.	05/02/2021
Following Annual Commission Meeting	Assessor (MRAG Ltd) contacts each applicant and agrees a timetable for the assessment process (Starting at time T) and shares assessment guidelines.	02/06/2021
T + 0 days (Start of process at least 6 months before Commission meeting i.e. prior to 26 <sup>th</sup> July)	Assessment process to begin with applicant. Applicant provides all required documentation to assessor, in country visits or online meetings take place to discuss information provided by applicant.	26/07/2021
T + 14 days	Assessor will liaise with applicants as appropriate (including, but not limited to, bilateral consultations) and may request additional documentation if substantive or essential information is missing	11/08/2021
T + 28 days	Assessor receives additional documentation requested during assessment process and collates all materials	13/08/2021
At least 120 days before Annual Commission Meeting (i.e. by 24 <sup>th</sup> September)	Assessor provides Draft Preliminary Evaluation Report to applicant for comment Following this Applicants 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	26/09/2021
At least 90 days before Annual Commission Meeting	Assessor provides Preliminary Evaluation Report(s) to Applicant(s) and Secretariat	03/11/2021
60 days before Annual Commission Meeting	Assessor provides Final Evaluation Report(s) including recommended conditions and incorporating feedback received on the preliminary evaluation.	24/11/2021
30 days before CTC meeting	Secretariat circulates the Final Evaluation Report(s) as an Annexes to the SPRFMO Observer Programme Implementation Report	25/12/2021
Annual Commission Meeting	The Commission evaluates all reports and recommendations and will decide whether to grant accreditation (including specified conditions).	24/01/2022

## Summary of Evidence submitted

The table below summaries the documents provided by CHINESE TAIPEI 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	Standards for which this document is used as evidence												
		1	2	3	4	5	6	7	8	9	10	11	12	13
1	2021 SPRFMO OP Accreditation Summary	X	X	X	X	X	X	X	X	X	X	X	X	X
2	Doc1.1 ROP audit. 1 November 2017	X												
3	Doc1.2.2 List of Observers	X	X											
4	Doc1.2.3.1 Guidelines for Inspector and Observer Management_20181029	X	X			X			X		X	X		X
5	Doc1.2.3.2 Work Rules for Temporary Workers	X									X			X
6	Doc1.2.3.3 Code of Conduct for Fisheries Observers	X												
7	Doc1.2.3.4 Labor Contract of Distant Water Observer_FA	X										X		X
8	Doc1.2.3.4a Attachment of FA Labor Contract	X												
9	Doc1.2.3.5 Labor Contract of Distant Water Observer_OFDC	X										X		X
10	Doc1.2.4 Management Team of Fisheries Observers	X				X								
11	Doc2.2.1 Certificate of Basic Safety Training for Fishing Vessel Personnel		X											
12	Doc2.4 Observer Qualification_Table		X											

#	Document Title	Standards for which this document is used as evidence												
		1	2	3	4	5	6	7	8	9	10	11	12	13
13	Folder2.4 Observer Qualification_Details (26 files)		X											
14	Folder3.1 Training material (45 files)			X										
15	Folder3.1.8 Basic Safety Training (3 files, 11 photos)			X										
16	Folder3.2 Refresher Course (12 files, 6 photos)			X										
17	Doc3.3 Sharing of Experience at Sea_20201209			X										
18	Folder3.4 Squid Observer Manual (5 files)	X		X		X	X		X			X		
19	Doc4.2 Trainers' CVs				X									
20	Doc5.1a Pre-departure Briefing_20210615					X							X	
21	Doc5.1b Example of Pre-departure Briefing					X								
22	Doc5.2 List of Debriefers					X								
23	Doc5.3 Template of Trip Report_20210629					X								
24	Doc5.3.1a Template of Report Validation_2021					X								
25	Doc5.3.1b Example of Completed Report Validation					X								
26	Doc5.3.2a Template of Debriefing					X								
27	Doc5.3.2b Example of Completed Debriefing					X								
28	Doc5.3.2.1 Record of Debriefing					X								
29	Doc5.3.3.1 Record of Retraining					X								
30	Doc5.3.3.2 Labor Standards Act					X					X			
31	Doc6.1 Squid Observer Forms						X						X	
32	Doc6.2 Database Architect and Data Validation						X							

#	Document Title	Standards for which this document is used as evidence												
		1	2	3	4	5	6	7	8	9	10	11	12	13
33	Doc6.2a Database Architect						X							
34	Doc6.2b Database Screenshot						X							
35	Doc7a Template of ID Card							X						
36	Doc7b Example of ID Card							X						
37	Doc8.2 2020 Deployment Status Sheet								X					
38	Doc8.3 List of Observers to Be Deployed_20210623								X					
39	Doc8.4.1 Regulations for Fishing Vessels Conducting Squid Jigging Fishery								X					
40	Doc8.4.3a Template of Squid Observer Sampling Work Assignment Sheet_20210604								X					
41	Doc8.4.3b Example of Squid Observer Sampling Work Assignment Sheet								X					
42	Doc8.5a Template of Weekly Report								X					
43	Doc8.5b Template of Monthly Report								X					
44	Doc8.6 Observer Emergency Report								X					
45	Doc8.7 Contact Information of Travel Agencies								X					
46	Doc8.8 Records of Distant Water Observer performance review					X			X					
47	Doc9.1a Template of Receipt of Observer Supplies									X				
48	Doc9.1b Example of Receipt of Observer Supplies									X				
49	Doc9.1c Copy of Return of Observer supplies									X				

#	Document Title	Standards for which this document is used as evidence												
		1	2	3	4	5	6	7	8	9	10	11	12	13
50	Doc9.2 Example of Safety Equipment									X				
51	Doc9.4a IT Equipment List								X	X				
52	Doc9.4b Inventory List_202106								X	X				
53	Doc10.1.1 Observer Routine Assessment Record Form_20200703										X			
54	Doc10.2 Observer Misconducts										X			
55	Doc10.3 Termination of Employment										X			
56	Doc12.4 Vessel Database Screenshot					X							X	
57	Doc12.5 Emergency Action Plan_2021												X	
58	Doc13.2a Insurance Copies_FA													X
59	Doc13.2b Insurance Covered Observers_FA													X
60	Doc13.2c Insurance Copies_OFDC													X

## Considerations and recommendations

Chinese Taipei submitted 60 files, including five folders containing a further 91 files and 17 photos. The Documents were well labelled and the overarching document, the '2021 SPFRMO OP Accreditation Summary', made it easy to find the correct document in accordance with the particular requirement. It also gave a useful background to the programme as a whole. A summary of the evaluation is outlined in the table below with more detailed comments in the main assessment.

Requirement	Total requirements	Pass	Pass with conditions	Fail
1. Impartiality, independence and integrity	5	5	0	0
2. Observer qualifications	1	1	0	0
3. Observer training	2	2	0	0
4. Observer trainers	1	1	0	0
5. Briefing and debriefing	2	2	0	0
6. Data validation process	2	2	0	0
7. Observer identification cards	1	1	0	0
8. Coordinating observer placements and observer deployments	4	4	0	0
9. Observer safety equipment	1	1	0	0
10. Responding to allegation of observer misconduct	1	1	0	0
11. Dispute settlement	1	1	0	0
12. Observer safety	2	2	0	0
13. Insurance and liability	1	1	0	0

The submission covered all the main areas required for Accreditation under Annex 3 of CMM-16-2021. The only minor point was that there are no start or end dates on their observer ID cards, however it was clarified that the cards are valid for life (or until the observer leaves or is dismissed). Chinese Taipei will be including the issue date on future identification cards.

The submission covered all the main areas required for Accreditation under Annex 3 of CMM-16-2021. As such, a recommendation for accreditation may be made.

## 1 Impartiality, independence and integrity

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Evidence Provided
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.	(P)	<p>Due to the restriction imposed on the number of the government employees under the national laws, a number of the fisheries observers are employed by OFDC as commissioned by the government with government funding. The running of the observer program and the use of funds are duly audited by the government accounting unit to ensure its impartiality, independence, and integrity (<b>Doc. 1, Para. 1.1</b>).</p> <p>The Chinese Taipei Distant Water Fisheries Observer Programme (CTNOP) become an accredited regional observer programme under Western and Central Fisheries Commission (WCPFC) in December 2011 having passed its Audit in November 2011. It passed its second Audit in October 2017, although this does not specifically assess the programme on this requirement.</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, taking, harvesting or processing of fish; ii) any business selling supplies or services to any vessel or</p>	(P)	<b>Doc. 1, Para. 2.1.7</b> states that observers shall have no direct financial interest in fisheries regulated by SPRFMO and that observers shall not work on any vessel operated by an individual who had previously employed the observer.

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Evidence Provided
	processor in the fishery; iii) any business purchasing raw or processed products from any vessel or processor in the fishery.		
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;	(P)	<p>While there is no text specific to who they should not accept or solicit bribes from or what constitutes a bribe or gift, as specified in the requirement, there are a number of documents submitted that do refer to this and a procedure in place to investigate any allegations of observers receiving or asking for bribes/gratuities (<b>Doc.1 Para. 10.1</b>). The manual provided (<b>Doc. 3.4</b>) refers to the Code of Conduct and there is a training module on the Code of Conduct.</p> <p><b>Doc. 1.2.3.3, II(H)</b>, the Code of Conduct specifies the observer should not accept bribes (money or gifts).</p> <p>Copies of contracts provided for both OFDC and FA observers. OFDC contract specifically mentions bribery as grounds for dismissal (<b>Doc. 1.2.3.5, Para. 4(4)</b>). FA contract specifies in <b>paragraph 15</b> that employees shall comply with the Work Rules for Temporary Workers, Guidelines for Inspector and Observer Management, Fishery Observer Code of Conduct and staff regulations, or relevant laws and regulations of the government requirements in other documents referring to bribery (<b>Doc. 1.2.3.2, Article 11(4), Doc. 1.2.3.3, II(H)</b>).</p> <p><b>Doc. 10.1.1</b> is an assessment form in which any allegations made about the observer, including solicitation of bribes, are assessed and acted upon if appropriate once investigated and assessed. An example of this procedure is given in <b>Doc 10.2</b>.</p> <p>To date there has been no record of Chinese Taipei observers receiving or soliciting bribes or gratuities (<b>Doc 1, Para. 10.2</b>).</p>
1.2c	Shall not serve as an observer on any vessel or at any processors owned or operated by a person	(P)	<b>Doc. 1, Para. 2.1.7</b> states that observers shall not work on any vessel operated by an individual who had previously employed the observer.



#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Evidence Provided
	who previously employed the observer in another capacity within the last three years (e.g., as a crew member)		
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.	(P)	<b>Doc. 1, Para 2.1.7</b> states that the Agency shall not deploy observers on a fishing vessel which had once deployed the observer. Doc. 1.2.3.1m Para. 20 goes on to state that observers shall not accept any other work outside their observer duties, unless otherwise agreed by the Agency.

## 2 Observer Qualifications

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Evidence Provided
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 described in this annex; 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><b>Doc. 1</b> runs through the recruitment process, outlining where they are recruited from, the criteria for recruitment, required documentation and how this is reviewed. Once the documents have been reviewed, successful candidates must undergo a written exam and a face-to-face interview. While prior experience at sea is desirable and will get preference it is not a requirement, of the 89 observers currently employed only four had previous experience at sea (<b>para. 2.1.7</b>). Their physical health is also assessed.</p> <p><b>Para. 2.2</b> outlines the requirements for observers to undergo a two-month probationary period where observers will undergo training and undertake a performance assessment. At the end of the period observers must undertake a final exam. The exam appears to be fairly rigorous with only 30% of candidates being selected in 2018 and 40% in 2019. Once passed, candidates will be provided with a certificate of training, examples provided, <b>Doc. 2.4.1a-i</b>.</p> <p><b>Doc. 1.2.3.1</b> gives the guidelines for the management of observers and outlines the minimum requirements, including educational and physical (<b>para. 5</b>). <b>Para. 6</b> goes on to state the circumstances under which an observer applicant will not be employed, including any criminal offences that have not yet been judged, acted upon and completed. This only considers current convictions rather than previous ones. However this is covered in <b>Doc.1 para. 2.4.2</b> where candidates must produce a police criminal record certificate showing they have no record of convictions 'calling into question the integrity of observers or propensity towards violence'. Examples of criminal record certificates, from various Police departments in Chinese Taipei for 10 observers showing no convictions has been provided, <b>Doc. 2.4.2</b>.</p> <p><b>Doc. 1.2.2</b> gives a list of current observers (89 in total), along with details of their previous experience and highest level of education. All of the observers have achieved a diploma or over and it is noted that not all the qualifications were relevant to fisheries or marine biology (for example, Information Management). Four observers had previous experience in fisheries, with the remainder working in different areas.</p> <p>In addition to the documents previously covered, examples are also provided of passports</p>

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Evidence Provided
			(Doc 2.4.3 a-j), crew physical examination certificate (Doc. 2.4.4), general health certificate (Doc. 2.4.5), vaccinations (Doc. 2.4.6 a-b for yellow fever and Doc. 2.4.6 c-d for COVID-19).

### 3 Observer Training

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Evidence Provided
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-16-2021, and that data are being collected in line with the requirements set out in CMM 02-2020	(P)	<p><b>Doc. 1, Section 3</b> outlines the requirements for observer training, which is divided into eight categories:</p> <ol style="list-style-type: none"> <li>1) Introduction to the observer programme.</li> <li>2) Regulatory requirements.</li> <li>3) Fishing operations and gear.</li> <li>4) Species identification.</li> <li>5) Biological sampling.</li> <li>6) Report completion.</li> <li>7) Debriefing and reporting.</li> <li>8) Basic safety training.</li> </ol> <p>In addition there is a further section familiarising observers with any administrative matters they will be required to undertake.</p> <p>The training course they undergo is provided, consisting of 43 separate documents, of which 40 are PowerPoint presentations.</p> <p><b>Doc. 1, Section 3</b> goes on to highlight where all the training elements required under Annex 3 can be found. All areas are covered.</p>
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	(P)	<p>There are no specific general refresher courses outlined but training is offered when deemed necessary. Examples are given of 7 workshops held between June 2020 to June 2021, including presentations and photos from the workshops (<b>Folder 3.2</b>).</p> <p>The observer manual is updated on an annual basis with any additions or alterations to CMMs and administrative rules (<b>Doc. 1, Para 3.4.2</b>). The OFDC will also translate the CMMs and update its website when required (<b>link to website was provided</b>).</p> <p>Returning observers are also invited to share their experiences with other observers, <b>Doc. 3.3</b> gives an example of a returning observer presentation.</p>

## 4 Observer Trainers

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Evidence Provided
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	(P)	<p>Observer trainers are selected according to the needs of the particular programme and are experts in their field, the particular requirements for the trainers are listed (<b>Doc 1, Para. 4.1</b>).</p> <p>Trainers who teach the observer orientation courses are profiled in <b>Doc. 4.2</b>. This lists the particular instructor by course module giving their current position and background. This includes 30 individual trainers, many of whom hold high positions in their particular office or university. Links are given for a more detailed profile for those with a PhD or higher. Some of the more practical sessions are run by senior observers (e.g. otolith removal) or inspectors (e.g. port inspections).</p> <p>OFDC personnel in cooperation with the FA attend various RFMO meetings to update their knowledge on various issues related to observer training, such as understanding of CMMs (<b>Doc. 1, Para. 4.3 (2)</b>).</p>

## 5 Briefing and Debriefing

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Evidence Provided
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.	(P)	<p>Briefing and debriefing process (including training of debriefers) has previously been accredited by WCPFC (<b>Doc. 1.1</b>)</p> <p>Observers are given a pre-departure briefing, the template for this provided in <b>Doc. 5.1a</b>, a completed example is given in <b>Doc. 5.1b</b> (both in Mandarin Chinese). This gives guidance on subjects including observers' duties at sea, time management when observing, completing weekly reports, codes for reporting any issues, photographing fish species, measurement codes, medical procedures and reporting requirements.</p> <p>Debriefing is undertaken in two stages. Stage 1 involves an initial report (Report template submitted <b>Doc. 5.3</b>) and data validation, a template for this stage has been provided, <b>Doc. 5.3.1a</b> and a completed validation report as <b>Doc. 5.3.1b</b>. Any errors are highlighted by the debriefer and returned to the observer for correction.</p> <p>Both stage 1 and stage 2 involve a one on one debrief with the observer where the reports and data are reviewed on a field-by-field basis (there are currently a total of 373 checks. The reports will be scored based on number of errors or omissions. Scores of 70 or above will be considered a completed debrief, less than 70 and the observer will need to undergo retraining and requalification over a period of 3 days. Since 2020, should an observer fail the retraining their contract is terminated.</p> <p>A debrief template and completed debrief template common to all fisheries (e.g. safety checklist, trip monitoring summary, bycatch) have been provided (<b>Doc. 5.3.2a</b> and <b>5.3.2b</b>). The debrief template includes a section specifically for squid jiggers. Debriefing records from between 2019 to 2021 are provided in <b>Doc. 5.3.2.1</b> and a record of those observers requiring re-training is provided in <b>Doc. 5.3.3.1</b>.</p>

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Evidence Provided
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	(P)	<p>Criteria for debriefers is provided in <b>Doc. 1, para 5.2</b>. These include previous training, minimum experience at sea including experience on the distant water fleet, scores from performance reviews and a minimum number and length of trips.</p> <p>A list of 28 debriefers is provided in <b>Doc. 5.2</b>, all have at least 4 years' sea experience, with the most experienced having 16.</p>

## 6 Data Validation Process

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Evidence Provided
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. This includes ensuring that the national observer programme or service provider has in place a mechanism to receive data, reports and any other relevant information from an observer in such a way that prevents interference in that data from other sources.	(P)	<p>Training is given on completion of the relevant forms (<b>Folder 3.1</b>) and in the squid observer manual, Appendix C (<b>Folder 3.4</b>), this is provided by senior observers (<b>Doc. 4.2</b>).</p> <p>Data validation procedures are outlined in <b>Doc. 6.2</b>. Data are stored in a Microsoft Access Relational Database which allows error trapping and prevents entry outside of predefined categories. The pre-defined categories and relationships are outlined in both <b>Doc. 6.2</b> and <b>6.2a</b>. In addition to error trapping it also allows checking of observer data against vessel catch records and VMS data, the data will be visualised with any erroneous data removed (<b>Doc. 6.2</b>).</p> <p>Species IDs are validated by experts back on shore where necessary (<b>Doc. 6.2b</b>).</p>
6.2	The data validation process shall ensure that the data meet the standards laid out in Annex 3 of CMM-16-2021	(P)	<p>Copies of observer forms provided for squid jiggers and transshipments (<b>Doc. 6.1</b>) which follow the data requirements as set out in CMM 02-2021 Annex 7, including formats for the dates / times and locations. Detailed instructions on how to complete forms is given and included in the training materials.</p> <p>Data validation includes checks against vessel catch records and VMS and identification of bycatch species can be verified through photographic records. Data visualisation also allows data checkers to pick up any errors (<b>Doc. 6.2</b>).</p>
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	(P)	Observer data, including bycatch photos, are uploaded into a master database – 'Offshore Fishing Harvest Report Database'. Screenshots given ( <b>Doc. 6.2b</b> ).



#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Evidence Provided
	b) Vessel information uniquely identifies the actual vessel from which the fishing occurred	(P)	Vessel details recorded in observer forms include Country Reg. Number and IMO/LR Number. Observer confirms hull markings, ID number markings and ID format is consistent with the RFMO CMM ( <b>Doc. 6.1</b> ).
	c) Dates and times of fishing effort are included and internally consistent (for example an end time should be after a start time)	(P)	Dates and times of fishing operations recorded in format required ( <b>Doc. 6.1</b> ), the data submitted to SPRFMO are in line with the templates created by the Secretariat.  Logical errors, such as inconsistencies with times, will be filtered out prior to the data visualisation process.
	d) Location of fishing is included and valid (for example, logical latitude/longitude combinations), internally consistent and entered in the correct units	(P)	Location of fishing operations recorded in format required ( <b>Doc. 6.1</b> ) and completion of forms included in the training.  Location data checked against the vessel VMS records.
	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)	Effort data recorded as per requirements in Annex 7 of CMM 02-2021, including start and end of operations and number and type of jigs (hand or machine) ( <b>Doc. 6.1</b> ).
	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)	Catch data recorded as per requirements in Annex 7 of CMM 02-2021. List of species codes given in the observer forms and training provided on form completion ( <b>Doc. 6.1, Folder 3.1</b> ).  Database does not allow entry of nonstandard species codes, catch records are checked against vessel records and species IDs can be checked through photographs if necessary.
	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)	Biological sampling forms provided ( <b>Doc. 6.1</b> ), include date and time and vessel details to link to effort and fishing method.  Squid biological sampling methodologies given in 'Squid observer manual' ( <b>Folder 3.4</b> ) and provided in training materials ( <b>Folder 3.1 – 20200506</b> ).

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Evidence Provided
	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)	Transshipment logsheet provided ( <b>Doc. 6.1</b> ) and follows the requirements set out in Annex 7 of CMM 02-2021. A section on 'Transshipment and Market' is included in the observer manual ( <b>Doc. 3.4</b> ), and instructions on completion are included in <b>Doc. 3.4, Appendix C</b> . Training for completion of the forms was conducted through two online lessons in 2021 and will be part of the regular training in future courses.
	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)	Data recoding forms provided that follow the data requirements and standards set out in CMM 02-2021 ( <b>Doc. 6.1</b> ) and guidelines for form completion and species identification given in the Observer Manual ( <b>Doc. 3.4, Chapter VI and Appendix C</b> ).  Training also given on identification as well as handling and release ( <b>Folder 3.1</b> ).

## 7 Observer Identification Cards

#	Minimum Standard	Pass (P) / Fail (F) / Pass with conditions (C)	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	(P)	Example of card provided containing all required information apart from issue or expiry date ( <b>Doc. 7a and 7b</b> ). The cards do not expire and observers remain employed until they quit, retire or are dismissed. Chinese Taipei will be adding data of issue to future cards, examples will be provided.

## 8 Coordinating Observer Placements and Observer Deployments

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Evidence Provided
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	(P)	<p>Procedures for deploying observers are outlined in the 'Distant Water Squid Jigging Fisheries Observer Manual' Chapter II (<b>Doc. 3.4</b>). This includes vessel selection, coordinating with vessel on the time/date and location of departure, meeting the vessel and conducting safety check and briefings, together with the Fisheries Agency, outlining the roles and responsibilities of both observer and vessel. Once all three parties have agreed on the roles, a work assignment sheet is signed (<b>Doc. 8.4.3a and 8.4.3b</b>).</p> <p>Vessels are selected based on when they were last observed or if they have changed oceans, they do not request observers but they are requested to carry observers. Once a vessel has been notified of the need for an observer, the vessel company shall in turn notify the competent authority 7 business days before date of port entry or departure to allow the Agency sufficient time to deploy the observer (<b>Doc. 8.4.1, Article 40</b>).</p> <p>Observers communicate to the Agency when the vessel leaves port, along with details of communications on the vessel (satellite phone, fax machine) and appropriate contact times if the Agency need to communicate with the observer. The observer will report back to the Agency on a weekly and monthly basis using standard templates (<b>Doc. 8.5a and Doc. 8.5b</b>) so their performance can be reviewed.</p> <p>Agency will organise departure, through communications with the vessel company, when the vessel is close to end of a trip.</p>
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.	(P)	<p>Observers report any incidents with regards to their health in an emergency report form (<b>Doc. 8.6</b>).</p> <p>If the observer is already onboard</p>

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Evidence Provided
			<p>If an observer reports that he/she is unable to continue, they will be repatriated to Chinese Taipei as soon as possible. In this situation the observer is not replaced due to the difficulties of getting a replacement observer out to the vessel on the fishing grounds. Therefore, the trip will be considered finished.</p> <p>If the observer is not onboard (i.e. prior to deployment)  If an observer becomes unavailable or unable to go to sea due to a medical condition, they shall formally inform the supplier, with supporting documents, within 15 days of receiving the diagnosis (<b>Doc. 3.4, para. 2.5.2</b>). The deployment is then cancelled and another observer would be assigned to the trip.</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.	(P)	<p>A deployment status sheet is maintained that tracks the deployment of each observer throughout the year, an example is provided in <b>Doc. 8.2</b>. This prevents observers from being deployed on the same fishing vessel on multiple consecutive trips. Where possible the Agency will try to mix deployments for observers between large and small vessels.</p> <p>A waiting list of observers to be deployed is also maintained, an example is provided in <b>Doc. 8.3</b>.</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.	(P)	<p>Observer placements are administered by the Agency with a rota and deployment status sheet maintained to ensure observers are deployed on different vessels and are aware when their next deployment may be (<b>Doc. 8.2 and 8.3</b>).</p> <p>A performance review of observers is conducted on an annual basis to review, among other things, any breaches of impartiality or independence. Records of the performance reviews are provided (<b>Doc. 8.8</b>).</p> <p>Contact information for all the carrier vessels, travel agents, in country agents and customs brokers are provided to the observer (<b>Doc. 8.7</b>).</p> <p>Observer payment details and schedules are provided (<b>Doc. 1, para. 8.9</b>).</p>

## 9 Observer Safety Equipment

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Evidence Provided
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)	(P)	<p>Observers are provided with all equipment, including the required safety gear, 7-14 days prior to deployment. Equipment list provided (<b>Doc. 9.1a</b> (for template), <b>9.1b and 9.1c</b> (for completed examples)). Since the COVID outbreak, safety goggles have also been provided and become part of their permanent equipment.</p> <p>Image provided of observers wearing immersion suits (<b>Doc. 9.2</b>).</p> <p>Observers are responsible for reporting any damage to equipment incurred during deployment so it can be sent for maintenance or repairs. Consumable supplies of safety equipment (work boots raincoats etc.) are replaced every two years.</p> <p>An inventory of safety equipment held by the agency is provided (<b>Doc. 9.4b</b>) and includes those items that need to be repaired or replaced.</p>

## 10 Responding to Allegations of Observer Misconduct

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Evidence Provided
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	(P)	<p>Any allegations of misconduct are investigated internally through an Observer Routine Assessment Record Form (<b>Doc. 10.1.1</b>) which will allow the observer to respond to any allegations. Following this an action plan is developed, taking into account the requirements of the observer's contract and the observer's Code of Conduct.</p> <p>Serious cases are referred to Human Resources Section for review. More serious cases (forgery, fraud) can lead to legal action and be prosecuted by a court of law.</p> <p>No serious cases have been reported against Chinese Taipei observers. A record of misconducts by Chinese Taipei observers has been provided (<b>Doc. 10.2</b>) along with a list of observers who have been terminated for poor performance (<b>Doc. 10.3</b>).</p>

## 11 Dispute Settlement

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Evidence Provided
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	(P)	<p>Dispute settlements are covered in Chapter II of the Distant Water Squid Jigging Fisheries Observer Manual (<b>Doc. 3.4</b>) and are outlined in detail in <b>Doc. 1 para. 11.2</b>. It includes information on avoiding disputes, providing guidelines for both observers and vessel captains and crew.</p> <p>Settlement of disputes involves setting up of a mediation panel, depending on who the dispute is between (observer – Agency, observer – vessel, vessel company – Agency).</p>



## 12 Observer Safety

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Evidence Provided
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.	(P)	<p>Emergency Action Plan (EAP) provided (<b>Doc. 12.5</b>) which outlines the three types of emergency situation that may be encountered and the actions to be taken in the event of each one occurring.</p> <p>Observers maintain regular contact with the Agency (weekly and monthly) and can also make unscheduled communications if necessary (<b>Doc. 1, para. 12.3.2</b>).</p> <p>A 24-hour Fisheries Monitoring Centre is available for emergency contact (<b>Attachment 2, para. III</b>) and observers are issued with a two-way satellite phone (<b>Doc. 9.1a</b>).</p> <p>The Agency has a record of the basic information of all fishing vessels, including contact details and can be in regular communication with the vessel/master if required (<b>Doc. 12.4</b>).</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	(P)	<p>A 24-hour Fisheries Monitoring Centre is available for emergency contact (<b>Attachment 2, para. III</b>) and observers are issued with a two-way satellite phone (<b>Doc. 9.1a</b>).</p>

### 13 Insurance and Liability

#	Minimum Standard	Pass (P) / Fail (F) / Pass with Condition (C)	Evidence Provided
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.	(P)	<p>Observers are covered under Chinese Taipei's Labour Insurance Act and National Health Insurance Act, they are required to join these programmes after they are employed (<b>Doc. 1, para. 13.1</b>).</p> <p>In addition all observers are covered under the employee group insurance scheme, a copy of the scheme is provided (<b>Doc. 13.2a</b>) along with observer lists from FA (<b>Doc. 13.2b</b>) and OFDC (<b>Doc. 13.2c</b>). The cover would appear to be appropriate for the work undertaken.</p> <p>The Occupational Health and Safety Act requires all employees undergo a health examination on a regular basis, depending on their age (<b>Doc. 1, para 13.3</b>).</p>