Observer Programme Progress and Update

# Recommendations from the Regional Observer Coordinator Workshop

The 13th Regional Observer Coordinators Workshop was held in the Cook Islands during February 11-15, 2013. ROCW-13 was attended by representatives from the observer programmes of the Cook Islands, Fiji, FSM, Kiribati, Nauru, Papua New Guinea, Samoa, RMI, Solomon Islands, Tuvalu, Tonga, Vanuatu, the USA (NMFS), FFA and SPC. Representatives of the Korean observer programme also attended Apologies were made by Palau.

The theme of the meeting was ‘Designing Our Future’. Key issues of the meeting included dealing with allegations of observer corruption, developments of the PAO, participation in the ROP TAG, transhipment monitoring and the role of observers, WCPFC CMM’s monitoring by observers, observer safety equipment, insurance, PIRFO debriefing developments and observer training schedule, The theme ‘Designing our Future’, was to look to the evolving role, tools and administration of observers to pre-empt fisheries management developments. Future directions included, shifts among the regional and subregional agencies, MSC requirements, issues with data submission, a demo on e-reporting and OPM developments, FFA support and funding and developments in the observer programme management system.

# Programme Capacity Status

A summary of Members observer programmes is summarised in Table 1.

Table 1. FFA Member Observer Programme status and capacities.

|  |  |  |  |
| --- | --- | --- | --- |
| **Member** | **Observers Cert/Trainee** | **Debriefers Cert/Trainee** | **Trainer Cert/Trainee** |
| Cook Is | 9 LL | 1/1 |  |
| FSM | 76 | 1/6 | 1 |
| Fiji | 30 (8 Nat) | ½ |  |
| Kiribati | 125 (50% active) (9 X- endorsed) |  | 1 |
| RMI | 27 (16 active) |  |  |
| Nauru | 14/5 | 0/3 | 1 |
| PNG | 265 (22 women) | 12/55 | 0/2 |
| Samoa | 2 |  |  |
| Solomon Is | 80/12 | 1/6 | 1 |
| Tokelau | 3 |  |  |
| Tonga LL+beche de mere+snapper | 20 |  |  |
| Tuvalu | 21 |  |  |
| Vanuatu | 32 + 2 transhipment | 0/3 |  |
| FP | 5/1 (LL) |  |  |
| Korea | 11 | 0 |  |
| FFA | 3 | 1/1 | 1 |

# PIRFO Training

PIRFO Training standards have been implemented and developed since 2008. A tentative training schedule for 2013 was presented and accepted. This is shown as Appendix 1.

The ROCW reiterated that there needs to be a commitment to recruitment of suitable applicants for training. The pre-selection test that proved successful in sifting applicants. Some programmes were running pretraining courses.

Some Members have had trainees attend observer training conducted in Taiwan. However, while the training appeared to meet PIRFO standards in the areas of Sea Safety and regional regulations (CMMs), it did not address the data collected or the forms used in the region. ROCW noted that there is a need to investigate how TW training can be better integrated with PIRFO training.

Recommendation:

* Endorse the PIRFO Observer Training Accreditation Standards and training schedule for 2013.

## Marine Stewardship Certification

The Chain of Custody (CoC) requirements of the Marine Stewardship Certification (MSC) process was also briefly described. PIRFO observers will have extra responsibility and require extra training, as there are specific reporting requirements required to meet the MSC CoC requirements. Draft PIRFO MSC standards have been developed and initial training is proposed in FSM for PNA certified trainers. Concerns were expressed that observer programmes were not more fully involved in development of the PNA MSC certification standards since the implications for extra work and pressure. The ROCW queried the source of funding for MSC training and whether it would be cost recovered.

The draft MSC PIRFO Training and Accreditation standards have been developed with the perspective of being generic CoC but meeting the standards required by MSC. These are given as Appendix 2. MSC training is planned to be initiated in FSM in mid to late march and then taken to all PNA countries.

Recommendation:

* Endorse the CoC MSC PIRFO Training and Accreditation standards and initiation of MSC training.

## PIRFO Debriefing

Debriefing was recognised as critical to ground-truth observer data and ensuring the transmission of observer reported incidents to MCS authorities. Developing debriefing capacity in the region has become a priority for 2013.

The ROCW13 agreed that NOAA be asked to provide assistance with longline debriefing.

### **Current status of debriefer training**

**Process of accreditation and certification of debriefers under PIRFO standards is a three-stage process. For those that have completed the requisite observer experience and data quality standards, there is an initial Part A :‘Introduction to Debriefing Workshop’ of one week. This is then followed by Part B: ‘On the Job Experience’ this involves the trainee** observing a certified PIRFO debriefer conduct two full debriefings; then the trainee conducts at least three fulldebriefings supervised by a certified PIRFO Debriefer; complete all the tasks contained in the observation checklist in the PIRFO Debriefer Assessment Record (DAR) and have them verified and signed as Competency Achieved by a certified PIRFO Debriefer. Then the completed DAR is then submitted to the PIRFO Certification Management Committee Secretariat for verification and filing. The final stage of assessment is a short final assessment workshop.

Currently there are 25 certified debriefers with 65 trainee debriefers. The trainees have all done the Introduction to Debriefing workshop and are in the On the Job Experience phase. Generally they are prevented from completing this phase not have insufficient certified debriefers to supervise their completing this stage. Thus a series of mentoring attachments are planned.

Table 2. **Current debriefing capacity status and planned intro to debriefing course allocations**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Programme** | **Certified Debriefers** | **Trainee Debriefers** | **1st Subregional Debriefer Intro****May PNI** | **2nd Subregional Debriefer Training****Oct Honiara** |
| **Cook Islands** | **1** | **1** |  | **1** |
| **FSM** | **1** | **5** | **5** |  |
| **Fiji** | **1** | **2** |  | **2** |
| **Kiribati** | **1** | **3** | **1** | **1** |
| **Marshal Is** | **0** | **1** | **3** |  |
| **Nauru** | **0** | **2** | **1** | **1** |
| **PNG** | **16** | **37** |  |  |
| **Solomon Is** | **1** | **8** |  | **2** |
| **Tonga** | **0** | **0** | **1** | **2** |
| **Tuvalu** | **0** | **1** | **1** | **1** |
| **Vanuatu** | **0** | **2** |  | **1** |
| **FFA** | **1** | **3** |  |  |
| **SPC** | **3** | **0** |  |  |
| **TOTAL** | **25** | **65** | **12** | **11 (+1 FP)** |

## **Full Certification of Trainee Debriefers**

ROCW13 noted that many programmes noted that they have trainee debriefers who have completed their phase 2 training and are just waiting for the application of phase 3. SPC acknowledged that this final step for those that are ready should be facilitated as soon as possible. Other programmes did not yet have certified debriefers yet aspired to become more engaged as observer providers for the region.

To meet this need 6 Mentoring Attachment Workshops to mentor the trainee debriefers to certification status are planned for 2013. The trainee debriefers from the table above will be attached in the busier ports with certified debriefers to mentor them in actual debriefing situations. The proposed ports and months are Pohnpei (May), Tonga (June), Majuro (July), Pago (July).

# Training Trainers

The training of national trainers is on-going. However the meeting agreed that debriefer training should take a higher priority, especially as this was a proving ground for future trainers.

**Recommendations:**

* Continue to endorse the PIRFO Debriefing Training standards.
* Endorse the 2013 Debriefing Training schedule for two Introduction to Debriefing Workshops
* Endorse the regional agencies conduct the six Mentoring Debriefing Attachment Workshops .
* Endorse the focus on debriefing in their training resources for 2013/14.

### Communications to assist placement of and facilitate debriefing of observers

Coordinators expressed need for a mechanism to ensure payments for debriefing in foreign ports. ROCW13 suggested that MOU between programmes to provide observer debriefing for other Members to develop arrangements to have the debriefing paid for.

The PNA Members “*Memorandum of Agreement To Support Multijurisdictional Observer Activity”* highlights that “*The costs of observer placements will be through the established national observer programme’s process”* however most national programmes do not have an established process for efficient and timely debriefing of observers between trips in foreign ports.

**Recommendation:**

* Members discuss whether bilateral arrangements or draft regional MOU for provision of debriefing should be drafted.

# Transhipment Observers.

Most transhipment observers are placed by Kiribati and Vanuatu but other countries have also been involved. There have been reliable reports of problems with WCPFC transhipment observers being reported by IATTC transhipment observers through the provider. This is thought to be due to a lack definition of the role of a transhipment observer due to a lack of specific training and regional data collection protocols and forms. ROCW recommended the development of a PIRFO Transhipment training unit and forms.

WCPFC have established minimum data standards for transhipment monitoring by observers. ROCW-12 tasked Cook Island to develop a longline transhipment workbook, which they presented to ROCW13. These were based on WCPFC minimum data standards and their proposed regional FC-1, FC-2 and FC-3 forms. Recommendation was made for the transhipment workbook is looked at by the mini DCC (Data Collection Committee) to be held in the week following ROCW 13.

**Recommendations**:

* Endorse the development of PIRFO Transhipment Observer Training and Accreditation Standards
* Endorse the development and production of Transhipment Monitoring forms and production of a workbook.

# Bribery/Corruption/Extortion Allegations

In an Otago Times article by a purse seiner’s helicopter pilot questioned the integrity of Pacific observers, the author alleged widespread corruption and incompetence among Pacific observers.

The issue of corruption, in particular cases of bribery or extortion, involving observers have been alleged against and reported by observers. The meeting proposed ways of deterring these incidents occurring including higher salaries for observers, programmes refrain from using vessels or agents to pay observers (advances, teickets etc), limiting the number of trips on same vessel, train debriefers to look for signs of unethical or illegal behaviour, ensure that successful investigations result in severe penalties that are widely reported.

 The meeting recommended that the WCPFC ROP Technical Advisory Group (TAG) to produce a paper with clear recommendations on operational mechanisms to decrease incidents of corruption such as bribery, blackmail and extortion.

## Improvement of Remuneration of Observers

To deter temptation PNG have increased their daily rate for observers with a maximum of $65/day.

FFA will also increase their rates for observers by approximately 20% to $35/$45/$65 per day depending on experience and data quality. This will require an increase in the placement fees charged to vessels being supplied observer services through FFA.

Some Members requested that observers are made aware of the entitlements and that they have access to their final reconciliation calculations, so they are comfortable with their remuneration.

## TAG (Technical Advisory Group)

TAG was set up by the WCPFC as an operational and technical advisory group to the Commission on observer issues until March 2014. It has no role in discussing policy but provides technical advice to observer policy makers.

The first TAG input to the last WCPFC was disappointing with no inputs from the coastal state members, which strengthened the position of the DWFN flag state members that did respond. TAG includes all Observer Coordinators, including those in sub-regional organisations. It is important that ROCW members respond to the topics circulated to ensure their interests are expressed in this advisory forum. FFA proposed to engage directly at the technical level with members to ensure their views are expressed.

**Recommendations**

* Endorse the participation in TAG and promotion of mechanisms that deter corrupt behaviour and the perception of corrupt behaviour by observers.
* Endorse that FFA review programmes administration to recommend appropriate remuneration and financial administrative process for paying observers.
* Endorse FFA encourage Members programmes involvement in the TAG paper with recommended mechanisms to reduce the likelihood of corruption in observers.
* Endorse the FFA proposed increase in daily pay scales by observers.
* FFA provides outline of entitlements for observers on FFA trips and a statement of reconciliation calculation on request.

# *****Observer safety equipment*****

The WCPFC audit found many programmes did not provide their observers basic safety equipment, yet it was one of the requirements for ROP authorisation in the WCPFC audits. Some programmes audited by the WCPFC did not equip observers with safety equipment. While safety gera is generally supplied on purse seiners, this is likely to be an issue in some fleets of longliners. The meeting agreed that the absolute minimum safety gear issued to an observer on a longliner should be a fitting life-jacket and a personal EPIRB or GPIRB.

The Commission list for auditing recommends that equipment that should be available for observers include: camera, hand-held GPS, sunglasses or protective glasses, wet weather gear for the climate, sampling gear, callipers, workbooks, personal GPIRBs. Equipment must be inspected maintained and updated when required. NMFS requires observers to wear life-jackets at all times while on-deck.

The ROCW recommends that observer safety comes before concerns about costs of safety equipment.

Observer programmes should supply adequate personal safety equipment appropriate for the gear type before the observer departs on the trip. Items may include wet weather gear, life jacket, deck boots, personal EPIRB/GPS, working gloves, hard hat, safety glasses, (Polaroid) and freezer equipment etc.

PIRFO standards demand that all observers are trained to recognised IMO STCW standards.

Recommendation:

* Supply of safety equipment should be built into cost recovery model built into the fees charged to vessels.

# *****Observer insurance*****

Ensuring observers are covered by insurance is an ongoing issue at ROCW. On purse seiners the observer is usually covered under crew insurance, additional coverage is required in travelling to and from the vessel. On longliners there is a problem that many (particularly smaller longliners) may not have adequate insurance coverage that can cover observers.

While obtaining insurance can be difficult Vanuatu and PNG stated they had policies that cover their observers and FFA has an insurance coverage for travel to and from the vessel.

The ROCW recommended that all programmes have a rigorous insurance check to ensure their observers are properly covered under each different arrangement they enter into. Note insurance while onboard is already a requirement within the WCPFC advised vessel safety check (VSC). In considering insurance of observers, programmes must consider periods travelling to and from vessel, while on vessel and periods onshore between trips.

Recommendation:

* Endorse that insurance for observers should be built into cost recovery model built into the fees charged to vessels.

## **Signing of indemnities**

Some vessel’s have asked observers to sign papers that release the vessel from responsibility if the observer suffers injury or otherwise. Captains have also asked observers to sign documents to take responsibility for actions by the observer that result in perceived damage to vessel or vessel company.

Recommendation:

* The ROCW recommended that observers must not sign any non-approved documentation presented by the vessel or vessel company.

# Pago Pago subregional office

The Cook Islands have been working to establish an office in Pago Pago to better meet their monitoring obligations to their flagged and licensed vessels. A Memorandum of Understanding on Mutual Cooperation in Fisheries Management Development and Conservation was signed on 31 August 2012 by the Governments of American Samoa and the Cook Islands. Since the signing of the MOU, other Members as well as the regional fisheries agencies, have expressed interest in participating in the initiative. In addition the Western Pacific Fisheries Council has made a commitment to support the Office. This has effected the broadening of the initiative from supporting the needs of the Cook Islands to sub-regional level.

The Cook Islands, Samoa, Tonga, Vanuatu and Fiji all have observers embarking and disembarking in Pago on a regular basis and all have limited debriefing capabilities at home. As a result their observers are inadequately debriefed. FFA Observer programme are looking to support the initiative through paying for debriefing services as well as using donor funding for some start up costs.

A further visit immediately preceding this MCS16 is planned by Cook island’s officers and FFA staff with US and American Samoan authorities is planned will facilitate the establishment of such an office.

### Recommendation:

* Endorse that FFA support establishing an observer support office in Pago Pago, American Samoa

## Observer Database Tools/E- reporting

24. Both SPC and FFA are developing different observer database tools:

* TUBS: For data the observer collects (has data entry capability)
* TUBS Viewer: A reporting module that provides access to data that observers collect (in TUBS) but lacks data-entry capability (read only)
* ODDS: For data related to the management of debriefing and the assessments derived from debriefing
* Observer Programme Manager (OPM): For data related to the management and administration of observers
* SLOPS: A programme that facilitates and tracks the scanning and dissemination of observer data
* Voice recognition software for deck sampling and measuring of fish.

TUBS has been trialled by an observer on board the vessel using a laptop, it was found to be twice as much work. FFA with support from NFD are trialling androids for e-logsheets and Delorm-Android tablets with observers. PNG NFA are trialling e-reporting including for port sampling. WCPFC had trialled Osprey units with FSM observers.

A demonstration of the FFA developed OPM database was presented. The ROCW13 strongly endorse the roll-out of OPM to Members this year. FFA responded that it was being Beta tested in FSM and Fiji and that funding was available to support the role-out and technical support.

Recommendations:

* FFA broadens the installation of OPM to Members national observer programmes.
* FFA broadens trials of e-reporting technology.

# WCPFC CMMs

Seven new CMMs were established at the 2012 WCPFC meeting. Four of these had significant implications for observers. CMM 2012-01 replaces CMM 2008-01, (Bigeye, Yellowfin and Skipjack Measure) that established the 100% observer coverage on purse seiners. The new CMM still includes 100% purse seine observer coverage and 5% observer coverage of longliners. However there are some new significant issues such as an exemption from the high seas pockets closure for Philippine ice group-seine vessels and a complicated extension to the FAD closure. CMM 2012-03 establishes 5% coverage by observers sourced from ROP programmes for fresh fish longliners fishing north of 20 degrees north by the end of 2014. CMM 2012-04 prohibits setting on whale sharks, which will be monitored through observer reports. CMM20012-07 requires additional seabird mitigation data to be collected by observers.

ROCW 13 suggested was made that the WCPFC provide an up-to-date summary of issues in CMMs that affect observer activities for issue to all active observers.

At the WCPFC9 DWFNs advocated that observers allow Captains to review their data on board. This is a currently contentious issue between DWFNs and FFA Members. The DWFNs criticised data submission by observer programmes preventing the management of their vessels, FFA Members citing observer safety as of the highest importance as well as data rules and the independence of the observer and his data. Consensus was not reached and this will be an ongoing issue for 2013. There have also been reports of NGOs boarding vessels and demanding to view the observer data.

Recommendations:

* FFA request the WCPFC Secretariat provide a summary of existing CMMs and implications to observer programmes for use at the operational level and training purposes.
* Members endorse that observers must not show their data or reports to vessel operators, crew or non-authorised persons.

# FFA Support and Funding for National Agencies

FFA/National Agency Country Service Level Agreements (CSLAs) are used to guide FFA in it allocation of resources including funding and staff time for support of national agencies. The current CSLAs have been developed at a high level and in many cases do not reflect current requests for support at an operational level, thus operational support is difficult to provide. Example of the disparity between operation al requests and CSLAs are: only one CSLA requests Observer training, one for observer staff training attachment and two for debriefer training and two for programme reviews. Thus justification for FFA Observer staff providing support is weakened. Resultantly funding for support of national programmes is not being fully utilised. Operational staff are urged to make sure that their needs are considered in the development of a CSLA for their country to ensure that the assistance they want from FFA can be delivered.

The ROCW13 recommended that operational level personnel are involved in the development of CSLAs and that they are educated and helped to ensure that observer programmes are properly serviced by FFA.

## National Observer Programme Resources

Some programmes reported that a lack of resources or funding to obtain resources was affecting their ability to operate in the delivery of observer services. PNG and FFA indicated that their cost recovery. FFA also pointed out the US national administrative funding was being under utilised by members.

The MOUs for observer service provision have proven problematic in that programmes did not have dedicated observer financial systems in place. Resultantly the national programmes continued to rely on FFA to provide advances and travel costs to observers despite their having been prepaid for all placement costs in the MOU. In addition the programmes that had entered into MOUs with FFA for observer service provision were still demanding FFA pay for debriefing, training and equipping of their observers despite these being elements of the prepaid MOUs.

ROCW13 recommended that regional agencies be asked to assist in the development of cost recovery in national programmes.

**Recommendations:**

* FFA advises and involves national operations staff in development of support areas for CSLAs.
* FFA supports development of cost recovery in national programmes.
* Discuss the structure of the MOUs for observer service provision for the US Treaty fleet.