

## Final Technical Report

TECHNICAL ASSISTANCE TO DEVELOP A STANDARD NATIONAL MCS  
OPERATIONS MANUAL IN FIVE ACP COUNTRIES IN THE PACIFIC REGION

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### ABBREVIATIONS AND ACRONYMS

ADF	Australian Defence Force
CDS	Catch Documentation Scheme
CMM	Compliance and Management Measure
EEZ	Exclusive Economic Zone
FAL	Fisheries Agreements and Licenses
FFA	Pacific Islands Forum Fisheries Agency
FFC	Forum Fisheries Committee
HMTCS	Harmonized Minimum Terms and Conditions
IATTC	Inter-American Tropical Tuna Commission
IOTC	Indian Ocean Tuna Commission
IUU	Illegal, Unreported and Unregulated fishing
MCS	Monitoring, Control and Surveillance
MCSWG	MCS Working Group
MSA	Maritime Surveillance Advisor (Royal Australian Navy)
MTU	Mobile Transmitting Unit (old terminology = ALC)
IATTC	Inter American Tropical Tuna Commission
NMFS	National Marine Fisheries Service
NMCC	National MCS Coordination Committee
NOAA	National Oceanic and Atmospheric Agency (of the USA)
NOC	National Observer Coordinator for the NOP for each country.
NOP	National Observer Programme
NPOA-IUU	National Plan of Action on Illegal, Unregulated and Unreported Fishing
NTSA	Niue Treaty Subsidiary Agreement
PICs	Pacific Island Countries
PIF	Pacific Islands Forum
PIRFO	Pacific Islands Regional Fisheries Observer
PNA	Parties to the Nauru Agreement
PPB	Pacific Patrol Boat
RIMF	Regional Information Management Facility
RMCC	Regional MCS Coordination Centre
RMCSS	Regional Monitoring, Control and Surveillance Strategy
ROP	Regional Observer Programme
RTMDS	Regional Tuna Management and Development Strategy
SIDs	Small Island Developing States
SPC	Secretariat for the Pacific Community
TUBS	TUFMAN Observer Module
TUFMAN	Tuna Fisheries Database Management System
UNCLOS	United Nations Convention on the Law of the Sea
UNFSA	United Nations Fish Stocks Agreement
VDS	Vessel Days Scheme
VMS	Vessel Monitoring System
WCPFC	Western and Central Pacific Fisheries Commission
WCPO	Western and Central Pacific Ocean

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### EXECUTIVE SUMMARY

This report presents the results of a project undertaken to provide technical assistance in developing a Standard National MCS Operations Manual in five ACP Countries in the Pacific Region. The project has been developed through a series of in country consultations with key MCS practitioners and stakeholders from the five selected countries as well as members of FFA and representatives from WCPFC, SPC and Te Vaka Moana. The primary aim of the manual was to provide guidance to national MCS officers on how to implement major MCS provisions from relevant regional MCS instruments effectively.

Following the in country consultations a validation workshop was held in Honiara, on the 24<sup>th</sup> and 25<sup>th</sup> April, where a summary of the results of the consultations were presented along with a draft version of the manual for comments from the participants. The in country consultation results are presented in more detail in Annex 4 with the outputs and recommendations from the workshop outlined in Annex 6

The Manual has been designed with a task orientated ‘front end’ to allow an MCS officer to see what needs to be done for a number of MCS elements (identified in the MRAG 2009 study<sup>1</sup>) on a daily, weekly, monthly, annual or ad-hoc basis. The bulk of the information is contained in the annexes which are linked to the front end through a series of hyperlinks, further information outlining the requirement and standard reporting templates can be accessed through these. The Manual is modular in design to allow it to be adapted to an individual country’s needs or updated as necessary. While the draft manual presented as part of this report is designed to be generic, Annex 5 gives example introduction sections from the five participating countries which can be used and developed to make the manual more country specific. Sections within the manual also allow a country to add their own operation procedures and legislation where necessary.

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<sup>1</sup> MRAG Asia Pacific (2009). Safeguarding the stocks: a report on analytical projects to support the development of a Regional Monitoring Control and Surveillance Strategy for Pacific oceanic fisheries. Report to the Forum Fisheries Agency.

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### 1 Background

Several studies have highlighted that while much of the MCS ‘architecture’ necessary to achieve effective MCS of oceanic fisheries is in place in the Pacific region, implementation is often limited by resourcing and other challenges at the national level.<sup>2</sup> These challenges have been heightened for many FFA members in recent years by the additional MCS and other obligations arising from membership of the Western and Central Pacific Fisheries Commission (albeit these come with the significant benefits flowing from improved management) and other regional organisations. This study responds directly to those challenges by aiming to develop a practical, easy-to-use Operations Manual for MCS officers in FFA countries that effectively translates the main MCS obligations arising from relevant regional, sub-regional and national conservation and management measures into practical ‘on the ground’ actions. In doing so, the project aims to strengthen the operational effectiveness of national MCS systems and contribute to the overall goals of the RMCSS and Regional Tuna Management and Development Strategy (RTMADS).

#### **There are several important considerations in ensuring the success of this project:**

The proposed MCS Operations Manual will need to adequately capture each of the main regional and sub-regional MCS obligations across the Pacific, but be flexible enough to be tailored to the unique individual circumstances and needs of each FFA Member. These individual differences in MCS needs, strengths and weaknesses have been highlighted in previous regional assessments including the recent ACP Fish II<sup>3</sup> study and in the MRAG "Safeguarding the Stocks" report.

A strong participatory approach will be required to develop the Manual, including a high level of input from senior fisheries officials and MCS operational staff in the case study countries as well as representatives from the key regional agencies (e.g. FFA, SPC, WCPFC). The ultimate yardstick of success for the project will be the widespread use of the Manual by MCS officers across the Pacific so their detailed involvement in the design will be critical.

The Manual should be technically robust, but be structured in a clear, practical format to promote uptake among MCS officers in the region. Care should also be taken in structuring the manual to ensure it can be easily updated to take account of changes in MCS obligations over time. This will help ensure the benefits of the project are enduring.

### 2 Approach to the assignment

The full approach to the assignment is available in our proposal, a brief summary outlining the main points is given below.

#### ***SA1: Briefing by the ACP Fish II Programme***

Both Key Experts (KEs) will attend an inception meeting with the ACP Fish II Programme Regional Facilitation Unit (RFU) in Honiara. We initially anticipated this would take place in February, however due to the timings of the workshop the date was changed to 16th March 2012.

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<sup>2</sup> e.g. MRAG Asia Pacific (2009). Safeguarding the stocks: a report on analytical projects to support the development of a Regional Monitoring Control and Surveillance Strategy for Pacific oceanic fisheries. Report to the Forum Fisheries Agency.

<sup>3</sup> ACP Fish II (2011) Development and Updating of National MCS Strategic Plans in line with the Regional MCS Strategy. Ref: CU/PEI/SI/10/002.



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The meeting took place with KE1, KE2, the RFU and members from the FFA Fisheries Operations team. A meeting agenda and record are appended at Annex A of the Inception Report.

***SA2: Identify and collect national MCS-related documentation such as MCS planning instruments (e.g. national MCS strategies and plans), NPOA-IUU, and MCS legislation/regulations for each of the five selected Pacific ACP States***

MRAG completed this exercise earlier in 2011 for the ACP Fish II project that aimed to align national MCS strategic plans with requirements and can also capitalise on the comprehensive suite of material already collected during the course of the analytical studies to support the development of the Regional MCS Strategy (“the FFA RMCSS Analytical Projects”).

During or prior to in country consultations we will look to obtaining any updated legislation or management plans.

***SA3: Inception Report (IR) Production: Prepare the IR within 10 days of arriving in-country.***

Consistent with the ToRs, a brief Inception Report will be submitted within 10 days of arriving in Honiara. The report will include the proposed methodology, calendar and timetable of activities and country visits, as well as the main stakeholders to be consulted. Proposals for each of these have been presented here and will be refined and finalised following close consultation with FFA and the RFU.

***SA4: Review and analyze the documentation and instruments so as to identify information and areas that need to be included or addressed in the MCS Operations Manual; Work closely with FFA to ensure coherence between the MCS Operations Manual and the regional MCS instruments; Develop a template for the MCS Operations Manual prior to in-country visits.***

The main outputs under this activity include developing a checklist of the key regional and national measures, and obligations and a set of guidelines on the requirements for implementing them, including minimum conditions needed or technical instructions for developmental and operational phases of MCS infrastructure.

A template of the Operations Manual will then be developed, including an outline of the provisional contents, using information and knowledge obtained through project activities SA2, SA4.

***SA5a: Logistical planning to visit five selected ACP Pacific countries.***

Our experience of working with FFA countries has shown that the consultation process will be more productive if conducted face-to-face. We are aware that availability prior to the planned visits may be an issue given the potential involvement of these officials at other regional initiatives (specifically the FFC80 sub-regional and WCPFC meetings held in Guam).

In addition to discussing with stakeholders the requirements, structure and specific contents of the Manual, given the multi-agency nature of most national MCS systems in the Pacific, KEs would also discuss which agencies the Manual should apply to and arrangements to ensure the manual is effectively updated over time (e.g. through National MCS Committees where they exist).

***SA5b: Make visits to the five selected ACP Pacific countries. Consult with the Government agencies involved in fisheries MCS and enforcement, the fishing industry and other fisheries stakeholders in the five selected countries: Fiji, Tonga, Vanuatu, Cook Islands and Niue.***

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### Consultation process

The Manual Template, checklist and guidelines produced under SA4 will form the basis of the consultation with representatives of the beneficiary States. Their views on implementation of regional and national MCS instruments will be discussed specifically the conditions that should be covered in the Manual that are required to effectively implement the provisions set out by regional MCS instruments. We anticipate that the breadth and scale of conditions will cover developing basic MCS infrastructure such as information and data exchange mechanisms, reporting obligations, dissemination of critical information, developing risk assessment tools such as IUU assessments, analytical tools for assessing compliance and surveillance performance and procedures for day-to-day surveillance and enforcement at-sea, on land or from the air. Furthermore the Manual template will be used to generate feedback on structure, presentation and coverage of the main themes.

***SA6: Taking account of the findings under items SA4 and SA5, prepare a draft MCS Operations Manual for the five selected countries to be distributed to the workshop participants before the workshop:***

Views expressed during direct consultations in-country (SA5b) will inform the development of the draft Manual. As such the development process will focus on the beneficiary States but in developing the Manual we will be conscious of the need to roll it out elsewhere and will structure it so that other elements (e.g. PNA measures) can be incorporated at a later date.

The content will provide guidance to individual States on how to tailor their procedures according to their fishery characteristics but ensure standardisation so that their MCS activities and records can be compared across the region with other FFA Member States.

Further sections should also clearly and succinctly set out and link MCS objectives and rationale with reference and easy look-up links to driving policy and legislation; plus the minimum infrastructure required for implementation.

Careful consideration will go into the design of the draft Manual so that as fisheries management and MCS procedures evolve over time it can address any changing situations encountered. Appropriate technical innovation will be introduced where possible provided it is accessible to all intended readers e.g. interactivity. Furthermore the Manual will include a robust document control system that encapsulates a procedure for recording the amendments, as part of our commitment to a quality assurance system and will track the evolution of the document.

***SA7a: Organize a validation workshop in Honiara, Solomon Islands to discuss the draft MCS Operations Manual (two day-workshop with 11 participants – Two representatives per country and one from FFA):***

Before commencing workshop arrangements, we would seek to agree a list of invitees/participants with FFA and the RFU. Dates for the workshop should be carefully selected and we propose it would follow-on from the MCSWG15 meeting.

***SA7b: 2-day workshop covering the scope, contents, structure of the MCS Operations Manual:***

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Arrangements for the technical aspects of the workshop will be agreed with FFA and the RFU throughout the project but specific consideration should be given to the findings established during the consultation and reported following SA5b and SA6. These would include the agenda, timing, speakers, content of presentations and expected outcomes and the validation process. The workshop would be facilitated by KE1 with assistance from KE2. Both KEs have extensive workshop experience and have strong networks amongst attendees likely to be present. Direct support on technical aspects for the workshop will be provided by Duncan Souter, Director of MRAG's Asia Pacific office, who led the analytical studies to support the development of the RMCSS and has experience in running workshops at FFA.

Suggested content of the workshop would be:

- Brief overview of the RMCSS and checklist of national obligations;
- Project's obligation for the completed Manual to be relevant to all FFA members
- Progress of the project so far, and outcomes of country consultations;
- Presentation/discussion of analysis highlighting synergies and divergence between beneficiary States and the reasons provided for both;
- Consolidation of the main themes that will be included in the draft Manual;
- How the Manual will look and how it should be used, including updating;
- How the Manual can be tested and the results incorporated;
- Where to from here? Next steps in the project and in the rollout of the RMCSS; and
- Workshop evaluation and review.

***SA8: Finalize the MCS Operations Manual by making the necessary modifications in light of the conclusions and recommendations of the workshop***

Following the two-day workshop, the draft Manual will be refined and finalised taking into account the views and recommendations of the beneficiary States and FFA. The process of finalising the Manual will be undertaken in close consultation with the FFA MCS Division and the RFU. Ongoing consultations will also occur during this stage with key stakeholders from the beneficiary States.

***SA9a: Reporting: Draft Final Technical Report (FTR) Production***

A draft Final Technical Report (FTR) will be prepared and submitted within one week of the KEs leaving the country. Based on our experience with previous projects, we suggest the report should be short and focused. It should describe the process that led to the development of the Operations Manual, with the Manual itself being the main product of the work. Observations on any cross-cutting themes in the preparation of the Manual will be made, as well as recommendations on the process by which the Manual might be most effectively rolled out across the wider FFA membership. A final report (FR) will follow the format set out in the ACP Fish II templates. The draft of the final report will be prepared following the outcomes of the workshop and in close consultation with FFA staff to ensure coherence with existing programmes and priorities. The draft FR will be revised as necessary following any comments received from Pacific ACP countries, the RFU or the CU.

***SA9b: Reporting: Final Technical Report (FTR) and Final Report (FR) Production***

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A Final Technical Report (FTR) will be submitted within 10 days after receiving comments on the draft FTR. A Final Report (FR) will then be produced following the approval of the FTR to provide a short description of the achievements including problems encountered, and recommendations and suggestions.

### 3 Comments on Terms of Reference

The terms of reference require that a validation workshop be organised in Honiara to discuss the draft MCS operations manual, that would run over two days with 11 participants, two from each country and one from the FFA Secretariat. In the technical proposal it was stated that this could prove logistically difficult and for some of the participants it would entail several days of travel. We proposed that, in order to ensure maximum participation, it would be best to hold this workshop after the 15th meeting of the MCS Working Group (MCSWG15) at the end of April when key participants would already be in Honiara. Initial consultations with the participating Members revealed that their representatives would be able to remain on and the workshop was subsequently scheduled to take place after MCSWG15 meeting.

It was also noted in the technical proposal that the oceanic fisheries occurring in the five States that have requested assistance are similar, largely dominated by the longline fishery, and may not necessarily be considered a ‘representative’ sample throughout the FFA region. No Partners to the Nauru Agreement (PNA) members, or key purse seine countries, are included. As a result, many of the management measures and MCS instruments relevant to the broader FFA region (e.g. the PNA VDS, 3<sup>rd</sup> Implementing Arrangement, FSM Arrangement, WCPFC purse seine measures, etc.) will not be picked up in a review of instruments relevant to the five case study countries alone. A key aim of the project was to ensure that the Manual could be transferred to the wider FFA region, however in practice an operations manual based solely on measures relevant to the case-study countries will not be immediately transferable to many other countries within the region without first accounting for wider MCS obligations operating elsewhere in the region. This was partially addressed through having KE1 and KE2 present at the MCSWG15 meeting where they outlined the aims of the project and consulted with key MCS staff from the other FFA Members not participating in the pilot study.

### 4 Organisation and Methodology

#### 4a) Delivery of Terms of Reference

	<b>Terms of Reference (TORs)</b>	<b>How TORs were delivered</b>
1	Briefing by the ACP Fish II Programme and the FFA.	An Inception Meeting was held on 16 April 2012 at FFA Secretariat involving the RFU Manager and FFA Secretariat staff. KE1 and KE2 held follow-up meetings with selected FFA Secretariat staff following the Inception Meeting.
2	Consult with the government agencies involved with fisheries MCS and enforcement, the fishing industry and	During visits to ACP Pacific countries KE1 and KE2 consulted with government agencies involved with fisheries MCS and

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	other fisheries stakeholders in the five selected countries.	enforcement, the fishing industry and other fisheries stakeholders.
3	Identify and collect national MCS-related documentation...for each of the five selected countries.	Items of MCS-related documentation were collected, including Tuna Development and Management Plans, and fisheries legislation from the five selected countries. Further information was sought from FFA Members, the FFA Secretariat and the SPC on a needs and case-by-case basis.
4	Work closely with the FFA to ensure coherence between the MCS Operations Manual and the regional MCS instruments.	KE1 provided selected FFA Secretariat staff with regular project updates during the delivery of this project.
5	Review and analyse the documents and instruments collected to identify information that needs to be included or addressed in the MCS Operations Manual.	KE1 and KE2 extensively reviewed and analysed the collected documents prior to, and following, the country visits before selecting those to be included or addressed in the draft MCS Operations Manual.
6	Prepare, in consultation with the selected countries and FFA, the outlines of an MCS Operations Manual for use by MCS Officers in selected countries.	KE 1 and KE2, in consultation with the selected countries and FFA Secretariat staff, prepared the outlines of an MCS Operations Manual prior to the country visits in March and April 2012.
7	Make visits to the five selected ACP Pacific countries, and taking into account the findings, prepare a draft MCS Operations Manual for the five selected countries to be distributed to the workshop participants before the workshop.	KE2 visited Fiji (20-24 March) and Vanuatu (24-28 March). KE1 visited Niue (30 March-6 April), Tonga (9-11 April) and Cook Islands (12-15 April). A draft MCS Operations Manual for these five countries, taking into account the findings, was prepared and distributed to the workshop participants prior to the workshop.
8	Organise a two-day validation workshop in Honiara for two representatives per country and selected representatives from FFA to discuss the draft MCS Operations Manual.	A Validation Workshop was held at the FFA Conference Centre, Honiara on 24-25 April 2012 involving two representatives each from Fiji and Vanuatu, one representative each from Cook Islands, Tonga and Niue, and one representative from the FFA Secretariat to discuss the draft MCS Operations Manual. A report of this workshop is appended at Annex 4.
9	Finalise the MCS Operations Manual in light of the conclusions and recommendations of the workshop.	KE1 and KE2 finalised the MCS Operations Manual from 25-27 April 2012 in light of the Validation Workshop's conclusions and recommendations.

**4b) Conduct and details of the assignment**



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This project was undertaken according to the proposed work plan presented on page 7 of the Inception Report. The main assignment activities are as follows:

- Various MCS-related documents were identified and collected. Particular use was made of the report of the May 2011 ACP Fish II Project "Developing and Updating of National MCS Strategic Plans in line with the Regional MCS Strategy". This report contains analyses of the gaps that existed in 2011 between the Strategic Objectives of the Regional MCS Strategy and respective FFA Members' national implementation of these objectives. Further documentation was sought from the FFA Secretariat, WCPFC Secretariat and the Secretariat of the Pacific Community (SPC) on a needs and case-by-case basis.
- Based on a review of collected MCS-related documents, KE1 and KE2 developed an outline of the draft MCS Operations Manual comprising a front-end linked to detailed supporting references as annexes at the rear of the Manual.
- An inception meeting was held at the FFA Secretariat, Honiara on 16 April 2012 involving the RFU and FFA staff members representing the Legal Division, Fisheries Operations Division and Fisheries Development Division. An FFA consultant assisting with the development of Fisheries Information Management Systems (FIMS) also participated. Meeting participants provided comments on the outline of the draft MCS Operations Manual. These comments and other outcomes of this meeting are presented on page 12 of the Inception Report.
- While at the FFA Secretariat KE1 and KE2 consulted selected FFA Secretariat staff regarding logistical planning for the proposed in-country visits to the five project countries. KE1's original itinerary was substantially modified to cater for the presence of senior fisheries administration officials at the WCPFC8 Meeting at Guam and the recent demise of the King of Tonga. This modification resulted in a less than optimal time being available for each of KE1's in-country visits.
- KE1 prepared and submitted to the RFU a draft Inception Report that is presented at Annex 3. The final Inception Report is dated 26 March 2012. Consistent with the TORs this report contains a Work Plan and Project Results to Date.
- KE2 visited Fiji (20-24 March) and Vanuatu (24-28 March). KE1 visited Niue (30 March-6 April), Tonga (9-11 April) and Cook Islands (12-15 April). During these visits KE1 and KE2 collected country-specific documents relevant to this assignment and consulted with government agencies involved with fisheries MCS and enforcement, and the fishing industry. Details of the institutions and individuals consulted are presented in Annex 2.
- Based on the information gathered during the assignment's assessment phase, KE1 and KE2 prepared a draft MCS Operations Manual that is MCS task-based, with text hyperlinks to reference documents in several annexes at the rear of the document.
- In the week prior to the Validation Workshop KE1 and KE2 prepared workshop materials and consulted on the margins of the 15th MCS Working Group Meeting (MCSWG15) with representatives of non-project countries. KE1 also made a presentation to the MCSWG15 meeting describing the objectives of, and progress

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with, the draft MCS Operations Manual Project. KE1 liaised closely with the RFU and the FFA Secretariat regarding workshop logistics.

- From 24-25 April 2012 KE1 and KE2 jointly facilitated the Validation Workshop at the FFA Conference Centre. A report of this workshop is appended at Annex 4. Two representatives from Fiji and Vanuatu, one each from Cook Islands, Niue and Tonga, and an FFA Secretariat representative participated in this workshop that validated the draft MCS Operations Manual and made several recommendations relating to its further development.
- Based on the workshop outcomes, draft recommendations were developed relating to the individualisation of the MCS Operations Manual for each of the five participating FFA Members. These recommendations were finalised in close consultation with the workshop participants, the FFA Secretariat and the RFU. The final recommendations are given in the workshop report (see Annex 4) and are reproduced in Section 5 below.
- This draft Final Technical Report was prepared following the conclusion of the Validation Workshop and a draft was submitted to the RFU on xx May 2012, seven days after the departure of KE1 and KE2 from Solomon Islands. It contains clear, concise recommendations for the application of the draft MCS Operations Manual to each of the five project countries, and for future integration of the Manual with developing Fisheries Information Management Systems. These recommendations take into account the views of the five project countries expressed at the Validation Workshop and throughout the course of this assignment.

### 5 Conclusions and Recommendations

As a result of this project the five participating ACP States ("Pilot States") have a technically robust MCS Operations Manual template, structured in a clear, practical format that they, and non-project FFA States, may individualise with technical assistance and mentoring provided by the FFA Secretariat. The Manual, that incorporates all relevant main regional MCS instruments, has been designed to assist FFA Member MCS Officers perform their duties as required by regional and national regulatory frameworks.

The Manual's uptake among MCS Officers in the Pacific region is likely to be promoted by its proposed use as a teaching aid for an "MCS Officers' Foundation Course" under consideration by FFA Members as part of the FFA Secretariat's Training Needs Assessment initiative. The inclusion of a "Job Aids" annex in the Manual will further promote the Manual's uptake by MCS Officers.

Throughout the project's assessment phase and validation workshop there was consistently strong support for the Manual to be published in an e-based medium, eventually as a web-based product capable of integration with developing Fisheries Information Management Systems (FIMS). The FFA Secretariat is assisting several FFA Members to develop their respective FIMS.

The project's main recommendations, as developed through the consultations and from the workshop are that it should:

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- Be an e-based publication that facilitates rapid and accurate location in its various annexes of relevant supporting documentation, templates, standard operational procedures and other reference material;
- be a task-based guide for MCS Officers to meet organisational, national and regional (FFA, WCPFC, PNA, Te Vaka Moana) MCS obligations in support of fisheries management;
- be drafted so that MCS Officers may address MCS tasks on an ad-hoc, daily, weekly, monthly, quarterly, annual and Niue Treaty operational basis;
- individual job descriptions should be incorporated giving a clearly defined role for each member of the MCS team;
- better explanation of the structure and how to use the document should be given, this would include instructions of how to update and link the document when necessary;
- the manual should be linked to other FFA initiatives such as job aids and the training needs assessment, and;
- be compiled in a manner that facilitates its further development by individual FFA Members to suit their respective national requirements.

### **Future development.**

- It should be more country specific and include areas other than offshore fisheries such as inshore and aquaculture.
- the information management components of the manual should be integrated with developing Fisheries Information Management Systems;
- being part of an integrated management system would allow external links to documents that could not be included in the structure of the manual itself;
- be further developed by the FFA Secretariat for individual FFA Members, in the first instance for those members that have included requests for such development in their respective Service Level Agreements with the FFA Secretariat. Use of in-country consultants will be essential for this process, and;
- initial testing should be undertaken in country over a fixed period, development of a standard evaluation form would allow a meaningful assessment.





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## **Annex 1 – Terms of Reference**

### **TERMS OF REFERENCE**

1. Briefing by ACP Fish II Programme and the FFA.
2. Consult with the government agencies involved in fisheries MCS and enforcement, the fishing industry and other fisheries stakeholders in the five selected countries.
3. Identify and collect national MCS-related documentation such as MCS planning instruments (e.g. National MCS strategies and plans), NPOA-IUU and MCS legislation for each of the five selected countries.
4. Work closely with FFA to ensure coherence between the MCS Operations Manual and the regional MCS instruments.
5. Review and analyse the documents and instruments collected to identify information that needs to be included or addressed in the MCS Operations Manual.
6. Prepare, in consultation with the selected countries and FFA, the outcomes of an MCS Operations Manual for use by MCS officers in selected countries.
7. Make visits to the five selected ACP Pacific countries, and taking into account the findings, prepare a draft MCS Operations Manual for the five selected countries to be distributed to the workshop participants before the workshop.
8. Organise a two-day validation workshop in Honiara to discuss the draft MCS Operations Manual involving two representatives per country and selected representatives from FFA.
9. Finalise the MCS Operations Manual in light of the conclusions and recommendations of the workshop.

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**Annex 2 – Individuals Consulted**

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**TECHNICAL ASSISTANCE TO DEVELOP A STANDARD NATIONAL MCS OPERATIONS MANUAL IN FIVE ACP COUNTRIES  
IN THE PACIFIC REGION**

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**TECHNICAL ASSISTANCE TO DEVELOP A STANDARD NATIONAL MCS OPERATIONS MANUAL IN FIVE ACP COUNTRIES  
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Annex 3– Inception Report

INCEPTION REPORT

**Inception Report**

**Technical Assistance to Develop a Standard National MCS Operations  
Manual in five ACP countries in the Pacific Region**

**PAC-2.2-B13**

**Region: Pacific**

**Countries: Cook Islands, Fiji, Niue, Tonga, Vanuatu**

**26<sup>th</sup> March 2012**

**Version 1.0**

**Assignment by:**




**AFRICA**



**CARIBBEAN**



**PACIFIC**



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## 1. Background

A number of studies have highlighted that while much of the MCS ‘architecture’ necessary to achieve effective MCS of oceanic fisheries is in place in the Pacific region, implementation is often limited by resourcing and other challenges at the national level.<sup>4</sup> These challenges have been heightened for many FFA members in recent years by the additional MCS and other obligations arising from membership of the Western and Central Pacific Fisheries Commission (albeit these come with the significant benefits flowing from improved management) and other regional organisations. This study will respond directly to those challenges by aiming to develop a practical, easy-to-use Operations Manual for MCS officers in FFA countries that effectively translates the main MCS obligations arising from relevant regional, sub-regional and national conservation and management measures into practical ‘on the ground’ actions. In doing so, the project will aim to strengthen the operational effectiveness of national MCS systems and contribute to the overall goals of the RMCSS and Regional Tuna Management and Development Strategy (RTMADS).

A number of considerations are important in ensuring the success of the project:

1. First, the proposed Operational Manual will need to adequately capture each of the main regional and sub-regional MCS obligations across the Pacific, but be flexible enough to be tailored to the unique individual circumstances and needs of each FFA member. These individual differences in MCS needs, strengths and weaknesses have been highlighted in previous regional assessments including the recent ACP II study and in the MRAG *Safeguarding the Stocks* report.
2. Second, a strong participatory approach will be required to develop the Manual, including a high level of input from senior fisheries officials and MCS operational staff in the case study countries as well as representatives from the key regional agencies (e.g. FFA, SPC, WCPFC). The ultimate yardstick of success for the project will be the widespread use of the Manual by MCS officers across the Pacific and their detailed involvement in the design will be critical;
3. The Manual should be technically robust, but be structured in a clear, practical format to promote uptake amongst MCS officers in the region. Care should also be taken in structuring the manual to ensure it can be easily updated to take account of changes in MCS obligations over time. This will help ensure the benefits of the project are enduring.

## 2. Comments on the terms of reference

The terms of reference require that a validation workshop be organised in Honiara to discuss the draft MCS operations manual that would run over two days with 11 participants, two from each country and one from the FFA Secretariat. In the technical proposal it was stated that this could prove logistically difficult and for some of the participants it would entail several days of travel. We proposed that, in order to ensure maximum participation, it would be best to hold this workshop after the MCSWG at the end of April when key participants would

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<sup>4</sup> e.g. MRAG Asia Pacific (2009). *Safeguarding the stocks: a report on analytical projects to support the development of a Regional Monitoring Control and Surveillance Strategy for Pacific oceanic fisheries*. Report to the Forum Fisheries Agency.

already be in Honiara. Initial consultation with the participating Members revealed that their representatives would be able to remain on and the workshop has subsequently been scheduled to take place after the 15th meeting of the MCSWG (MCSWG15).

It was also noted in the technical proposal that the oceanic fisheries occurring in the five States that have requested assistance are similar, largely dominated by the longline fishery, and may not necessarily be considered a 'representative' sample throughout the FFA region. No Partners to the Nauru Agreement (PNA) members, or key purse seine countries, are included. As a result, many of the management measures and MCS instruments relevant to the broader FFA region (e.g. the PNA VDS, 3<sup>rd</sup> Implementing Arrangement, FSM Arrangement, WCPFC purse seine measures, etc) will not be picked up in a review of instruments relevant to the five case study countries alone. A key aim to the project was to ensure that the Manual could be transferred to the wider FFA region, however in practice an operations manual based solely on measures relevant to the case study countries will not be immediately transferable to many other countries within the region without first accounting for wider MCS obligations operating elsewhere in the region. We hope to go some way to addressing this through having KE1 and KE2 present at the MCSWG15 meeting where they have been invited to outline the aims of the project and consult with key MCS staff from the other members not participating in the pilot study.

### **3. Approach to the assignment**

The full approach to the assignment is available in our proposal, a brief summary outlining the main points is given below. Progress against each of the components to date, as well as challenges identified and proposed solutions, are outlined in Sections 6-8 of this report.

#### ***SA1: Briefing by the ACP Fish II Programme***

Both Key Experts (KEs) will attend an inception meeting with the ACP Fish II Programme Regional Facilitation Unit (RFU) in Honiara. We initially anticipated this would take place in February, however due to the timings of the workshop the date was changed to 16<sup>th</sup> March 2012.

The meeting took place with KE1, KE2, the RFU and members from the FFA Fisheries Operations team, an agenda for the meeting and the minutes are attached in Annex 1

#### ***SA2: Identify and collect national MCS-related documentation such as MCS planning instruments (e.g. national MCS strategies and plans), NPOA-IUU, and MCS legislation/regulations for each of the five selected Pacific ACP States***

MRAG completed this exercise earlier in 2011 for the ACP project that aimed to align national MCS strategic plans with requirements and can also capitalise on the comprehensive suite of material already collected during the course of the analytical studies to support the development of the Regional MCS Strategy ("the FFA RMCSS Analytical Projects").

During or prior to in country consultations we will look to obtaining any updated legislation or management plans., We are aware for example that Fiji, Tonga and Vanuatu have recently conducted legislative reviews and Niue and Cook Islands are currently undertaking them.

***SA3: Inception Report (IR) Production: Prepare the IR within 10 days of arriving in-country.***

Consistent with the ToRs a brief Inception Report will be submitted within 10 days of arriving in Honiara. The report will include the proposed methodology, calendar and timetable of activities and country visits, as well as the main stakeholders to be consulted. Proposals for each of these have been presented here and will be refined and finalised following close consultation with FFA and the RFU. An outline of the final report structure will also be developed in consultation with the FFA/RFU.

***SA4: Review and analyze the documentation and instruments so as to identify information and areas that need to be included or addressed in the MCS Operations Manual; Work closely with FFA to ensure coherence between the MCS Operations Manual and the regional MCS instruments; Develop a template for the MCS Operations Manual prior to in-country visits.***

The main outputs under this activity include developing a checklist of the key regional and national measures, and obligations and a set of guidelines on the requirements for implementing them, including minimum conditions needed or technical instructions for developmental and operational phases of MCS infrastructure.

A template of the Operations Manual will then be developed, including an outline of the provisional contents, using information and knowledge obtained through project activities SA2, SA4.

***SA5a: Logistical planning to visit five selected ACP Pacific countries.***

Our experience of working with FFA countries has shown that the consultation process will be more productive if conducted face to face. We are aware that availability prior to the planned visits may be an issue given the potential involvement of these officials at other regional initiatives (specifically the FFC80 sub-regional and WCPFC meetings held in Guam). However, a sensitisation exercise will be performed prior to arrival in country which will inform selected MCS officials from the beneficiary States of the consultation process through using the Manual Template, checklist and guidelines developed in SA4 for conditioning purposes

In addition to discussing with stakeholders the requirements, structure and specific contents of the Manual, given the multi-agency nature of most national MCS systems in the Pacific, KEs would also discuss which agencies the Manual should apply to and arrangements to ensure the manual is effectively updated over time (e.g. through National MCS Committees where they exist).

***SA5b: Make visits to the five selected ACP Pacific countries. Consult with the Government agencies involved in fisheries MCS and enforcement, the fishing industry and other***

***fisheries stakeholders in the five selected countries: Fiji, Tonga, Vanuatu, Cook Islands and Niue.***

Consultation process

The Manual Template, checklist and guidelines produced under SA4 will form the basis of the consultation with representatives of the beneficiary States. Their views on implementation of regional and national MCS instruments will be discussed specifically the conditions that should be covered in the Manual that are required to effectively implement the provisions set out by regional MCS instruments. We anticipate that the breadth and scale of conditions will cover developing basic MCS infrastructure such as information and data exchange mechanisms, reporting obligations, dissemination of critical information, developing risk assessment tools such as IUU assessments, analytical tools for assessing compliance and surveillance performance and procedures for day to day surveillance and enforcement at-sea, on land or from the air. Furthermore the Manual Template will be used to generate feedback on structure, presentation and coverage of the main themes.

***SA6: Taking account of the findings under items SA4 and SA5, prepare a draft MCS Operations Manual for the five selected countries to be distributed to the workshop participants before the workshop:***

Views expressed during direct consultations in-country (SA5b) will inform the development of the draft Manual. As such the development process will focus on the beneficiary States but in developing the manual we will be conscious of the need to roll it out elsewhere and will structure it so that other elements (e.g. PNA measures) can be incorporated at a later date.

The content will provide guidance to individual States on how to tailor their procedures according to their fishery characteristics but ensure standardisation so that their MCS activities and records can be compared across the region with other FFA member States.

Common to most manuals, on a national and regional basis, is an introductory section which sets out the organisation/s, their mandate, responsibilities and policies with respect to fisheries management and MCS principles. This introduction should reference overarching regional legislation, mission, policy statements and organisation.

Further sections should also clearly and succinctly set out and link MCS objectives and rationale with reference and easy look-up links to driving policy and legislation; plus the minimum infrastructure required for implementation.

Careful consideration will go into the design of the draft Manual so that as fisheries management and MCS procedures evolve over time it can address any changing situations encountered. Appropriate technical innovation will be introduced where possible provided it is accessible to all intended readers e.g. interactivity. Furthermore the Manual will include a robust document control system that encapsulates a procedure for recording the amendments, as part of our commitment to a quality assurance system and will track the evolution of the document.

***SA7a: Organize a validation workshop in Honiara, Solomon Islands to discuss the draft MCS Operations Manual (two day-workshop with 11 participants – Two representatives per country and one from FFA):***

Before commencing workshop arrangements, we would seek to agree a list of invitees/participants with FFA and the RFU. Dates for the workshop should be carefully selected and we propose it would follow-on from the RMCSWG workshop.

***SA7b: 2-day workshop covering the scope, contents, structure of the MCS Operations Manual:***

Arrangements for the technical aspects of the workshop will be agreed with FFA and the RFU throughout the project but specific consideration should be given to the findings established during the consultation and reported following SA5b and SA6. These would include the agenda, timing, speakers, content of presentations and expected outcomes and the validation process. The workshop would be facilitated by KE1 with assistance from KE2. Both KEs have extensive workshop experience and have strong networks amongst attendees likely to be present. Direct support on technical aspects for the workshop will be provided by Duncan Souter, Director of MRAG's Asia Pacific office, who led the analytical studies to support the development of the RMCSS and has experience in running workshops at FFA.

Suggested content of the workshop would be:

- Brief overview of the RMCSS and checklist of national obligations;
  - Projects obligation for the completed Manual to be relevant to all FFA members
- Progress of the project so far, and outcomes of country consultations;
- Presentation/discussion of analysis highlighting synergies and divergence between beneficiary States and the reasons provided for both;
- Consolidation of the main themes that will be included in the draft Manual;
- How the Manual will look and how it should be used, including updating;
- How the Manual can be tested and the results incorporated;
- Where to from here? Next steps in the project and in the rollout of the RMCSS; and
- Workshop evaluation and review.

***SA8: Finalize the MCS Operations Manual by making the necessary modifications in light of the conclusions and recommendations of the workshop***

Following the 2-day workshop, the draft Manual will be refined and finalised taking into account the views and recommendations of the beneficiary States and FFA. The process of finalising the Manual will be undertaken in close consultation with the FFA MCS Division and the RFU. Ongoing consultations will also occur during this stage with key stakeholders from the beneficiary States.

***SA9a: Reporting: Draft Final Technical Report (FTR) Production***

A draft Final Technical Report will be prepared and submitted within one week of the KEs leaving the country. Based on our experience with previous projects, we suggest the report should be short and focused. It should describe the process that led to the development of the Operations Manual, with the Manual itself being the main product of the work. Observations on any cross-cutting themes in the preparation of the Manual will be made, as well as recommendations on the process by which the Manual might be most effectively rolled out across the wider FFA membership. A final report will follow the format set out in the ACP Fish II templates. The draft of the final report will be prepared following the outcomes of the workshop and in close consultation with FFA staff to ensure coherence with existing programmes and priorities. The draft FTR will be revised as necessary following any comments received from Pacific ACP countries, the RFU or the CU.

#### ***SA9b: Reporting: Final Technical Report (FTR) and Final Report (FR) Production***

A Final Technical Report will be submitted within 10 days after receiving comments on the draft FTR. A Final Report (FR) will then be produced following the approval of the FTR to provide a short description of the achievements including problems encountered and recommendations and suggestions.

#### **4. Set up and members of the Technical Team**

MRAG is the contactor for this proposal. The contract was signed on 3rd January 2012. The members of the technical team are:

- **Key Expert 1: Mr James Moir Clark**

Mr Moir Clark has nearly ten years experience in environmental and fisheries consultancy. He has also worked for eight years in MCS and enforcement including serving as a Senior Fisheries Protection Officer and in various regional observer programmes. Mr Moir Clark has participated in nine MCS studies in the Atlantic, Pacific and Indian Oceans as a manager, consultant and adviser. He has worked on the development of the WCPFC Regional Observer Programme and as Key Expert 1 and on the ACP Fish II project on Developing and Updating National MCS Strategic Plans in line with the Regional MCS Strategy.

- **Key Expert 2: Andrew Richards**

Mr Richards has worked extensively in the Western Pacific for nearly 20 years. He served as the FFA Fisheries Research Coordinator for three years and as the MCS Manager for 11 years. Mr Richards was WCPFC Compliance Manager for four years and has served as a consultant to that organisation on various matters. Mr. Richards worked with Mr. Moir Clark as KE2 on the ACP Fish II project on Developing and Updating National MCS Strategic Plans in line with the Regional MCS Strategy.

- **Mr Duncan Souter**

Mr Souter is manager of the MRAG Asia Pacific office, based in Brisbane and will provide assistance with communications between the Key Experts and MRAG. Mr Souter has extensive recent experience with national and regional MCS strategies operating in the FFA

region, including the Regional MCS Strategy. He coordinated and led the analytical projects to support the development of the Regional MCS Strategy commissioned by FFA, including lead authoring the final report, “Safeguarding the Stocks”. Of the five individual projects making up the analytical studies, Mr Souter led the risk assessment of Pacific oceanic fish stocks, and contributed to the compliance review of national MCS arrangements, the development of new arrangements for regional cooperation and the review of regional aerial and surface surveillance and response capability. He also attended and participated in the regional workshop to develop the Regional MCS Strategy at the invitation of FFA.



## 5. Proposed work plan

The assignment will be undertaken according to the work plan set out below. This has been revised from the original plan given in the proposal to take into account the restructuring of the country consultations, and the timings of the inception meeting and workshop.

Activity/milestone/output		Month	March				April				May				Jun	Total
			1-7	8-14	15-21	22-31	1-7	8-14	15-21	22-31	1-7	8-14	15-21	22-31	1-7	
<b>PHASE 1: INCEPTION</b>																
SA1	Inception Meeting, Honiara, Solomon Islands	KE1			1											1
		KE2			1											1
SA2	Identify and collect national MCS-related documentation	KE1		1												1
		KE2			1											1
SA3	Interim Technical Report (ITR)	KE1				1										1
		KE2				1										1
<b>PHASE 2: ASSESSMENT &amp; CONSULTATION</b>																
<b>a) Desk Studies</b>																
SA4	Review and analysis of MCS-related documents and instruments. Development of MCS Manual Template	KE1		2												2
		KE2			1											1
<b>b) Country visits and consultations</b>																
SA5a	Logistical planning for in-country visits	KE1			1											1
		KE2			1											1
SA5b	Niue - Consultation with Gov. MCS Agencies & Stakeholders	KE1				2	6									8
	Vanuatu - Consultation with Gov. MCS Agencies & Stakeholders	KE2				5										5
	Tonga - Consultation with Gov. MCS Agencies & Stakeholders	KE1						4								4
	Fiji - Consultation with Gov. MCS Agencies & Stakeholders	KE2			5											5
	Cook Islands - Consultation with Gov. MCS Agencies & Stakeholders	KE1						2	1							3
	KE2															0
<b>c) Develop Manual</b>																
SA6	Draft of MCS Operations Manual	KE1							5							5
		KE2						3	3							6
<b>PHASE 3: WORKSHOP</b>																
SA7a	Workshop preparation of materials and logistics	KE1							1	1						2
		KE2								2						2
SA7b	Workshop Delivery	KE1								2						2
		KE2								2						2
<b>PHASE 4: REPORTING</b>																
SA8	Finalise MSC Operations Manual	KE1								3						3
		KE2								2						2
SA9a	Draft Final Technical Report	KE1									2					2
		KE2									2					2
SA9b	Final Technical Report	KE1											2			2
		KE2														0
	Key Expert Homebase	KE1	0	3	2	3	6	6	7	6	2	0	0	2	0	37
	Country Visit	KE2	0	0	9	6	0	3	3	6	2	0	0	0	0	29
	Mission Hub	KE1	0	3	2	3	6	6	7	6	2	0	0	2	0	37
	Total	KE2	0	0	9	6	0	3	3	6	2	0	0	0	0	29
	Total		0	3	11	9	6	9	10	12	4	0	0	2	0	66



## 6. Project results to date

- Initial contact was made with the heads of fisheries from participating countries through a letter, outlining the aims of the project and introducing the terms of reference (Annex 1). It also gave proposed dates for the in country consultations and suggested workshop dates. We suggested that this may be best scheduled to run after the annual MCSWG at the end of April to allow participants attending the WG to remain in Honiara for the extra two days of the workshop and reduce the amount of travel they would be required to do.
- Follow up e-mails established participants would be available on the proposed dates, the dates have subsequently been confirmed for the 24<sup>th</sup> and 25<sup>th</sup> April, formal invitations to confirm attendance will be sent out over the next couple of days (Annex 2).
- A date for the inception meeting was agreed by KE1, KE2, the RFU and FFA for March 16<sup>th</sup>. This was the last date before key FFA staff would be departing for the FFC80 sub-regional meetings and WCPFC meeting in Guam between 20<sup>th</sup> and 30<sup>th</sup> March. KE1 and KE2 arrived in Honiara on the 14<sup>th</sup> March and the meeting was held at the FFA Secretariat, Honiara. Minutes and the meeting agenda are presented in Annex 3.
- During the inception meeting a proposed template for the Manual was presented. This was based around the reporting obligations of the member States obtained from analysis of regional MCS instruments. The manual was intended to be ‘front light’, giving simple guidelines as to what an MCS officer must report on a daily, weekly, monthly and ad-hoc basis; the majority of technical information would be included as appendices.
- Comments from the group suggested that the reporting obligations only represent part of an MCS officers role and that the scope of the manual should be expanded to be more task orientated and that information submitted by members as a result of it should be aligned with information collected for a National FIMS. Possible different formats for the manual were discussed, including electronic on a CD-ROM or web-based.
- The format of the template has subsequently been revised for the in country consultations, the current template is given in Annex 4.
- In country consultations have already commenced, KE2 has met with a number of stakeholders in Fiji.

## 7. Key issues to be addressed/solved

- Due to the timing of the inception meeting and the workshop it was considered that the best time to hold the in country consultations would be between these two dates (16<sup>th</sup> March and 24<sup>th</sup> April). However, this coincides with two major regional meetings, FFC80 and sub-regional meetings and the WCPFC8, both held in Guam. This has meant that some key MCS stakeholders will not be available in-country at the time of the proposed visits and communication has been difficult as many of them have been in transit. However both KE1



and KE2 will be attending the MCSWG15 meeting prior to the Project workshop and will arrange separate meetings to consult with any MCS-related staff not present during in-country consultations.

## **8. Recommendations**

- From initial meetings at FFA and in country consultations in Fiji, it seems there is interest in developing a web based system, whereby all the relevant materials and reports can be accessed and submitted through an on line portal. While this is out of the scope of this project, the Manual that is produced can be used as a basis for future developments.





## Annex 1 – Letter to heads of fisheries



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Internet: [www.mrag.co.uk](http://www.mrag.co.uk)

22<sup>nd</sup> February 2012

Dear XXX,

MRAG has recently been awarded a contract under the EU-funded ACP Fish II programme entitled 'Technical Assistance to Develop a Standard National MCS Operations Manual in five ACP countries in the Pacific region (PAC-2.2-B13)'. I enclose the Terms of Reference of this project for your information.

One of the main activities planned for this project involves conducting in-country consultations with key members from local Government agencies involved in fisheries MCS and enforcement, industry representatives and other related fisheries stakeholders. As XXX will be participating in this pilot study, an MRAG consultant is planning to visit your country between XX<sup>th</sup> and XX<sup>th</sup> March. We would therefore like to make arrangements for some of the main stakeholders to meet and discuss this project with our consultant. I would be grateful if you could please let me know who I should liaise with on this matter during this period.

Another key activity we are planning for this project is a regional workshop for all five participating Member States. This would cover the scope, contents and structure of the MCS Operational Manual. Provisional dates we are considering at this time are between 25<sup>th</sup> and 26<sup>th</sup> April, to be held in Honiara. This would enable our meeting to be held directly following the MCSWG (16<sup>th</sup> and 24<sup>th</sup> April) so that participants from relevant Member States could extend their stay in Honiara and minimise any further travel. Please let me know if your representatives will be available to during this time. We have budgeted for 2 persons to attend from each of five participating states. If you require any further information, please let me know.

Yours sincerely,

Robert Wakeford  
Director, MRAG Ltd.

Encl.

## Terms of Reference

- Briefing by ACP Fish II Programme and the FFA
- Consult with the Government agencies involved in fisheries MCS and enforcement, the fishing industry and other fisheries stakeholders in the five selected countries.
- Identify and collect national MCS-related documentation such as MCS planning instruments (*e.g.* National MCS strategies and plans), NPOA-IUU and MCS legislation for each of the five selected countries.
- Work closely with FFA to ensure coherence between the MCS Operations Manual and the regional MCS instruments.
- Review and analyse the documents and instruments collected to identify information that needs to be included or addressed in the MCS Operations Manual.
- Prepare, in consultation with the selected countries and FFA, the outlines of an MCS Operations Manual for use by MCS officers in selected countries.
- Make visits to the five selected ACP Pacific countries and taking into account the findings, prepare a draft MCS Operations Manual for the five selected countries to be distributed to the workshop participants before the workshop.
- Organise a 2 day validation workshop in Honiara to discuss the draft MCS Operations Manual, 2 representatives per country and selected representatives from FFA.
- Finalise the MCS Operations Manual in light of the conclusions and recommendations of the workshop.

## Annex 2 – FFA Member Workshop Invitations.



**Invitation to attend Workshop on  
Developing a Standard National MCS Operations  
Manual in five ACP countries in the Pacific region  
24<sup>th</sup> and 25<sup>th</sup> April 2012**

Dear XXX,

MRAG Ltd has recently been contracted by the EU-funded ACP Fish II programme to undertake the project *Technical Assistance to Develop a Standard National MCS Operations Manual in five ACP countries in the Pacific region (PAC-2.2-B13)*.

The purpose of the project is to “*Support the 5 selected South Pacific ACP Countries of Cook Islands, Fiji, Niue, Tonga and Vanuatu fisheries administrations to improve their global MCS capacity by developing a pilot regional MCS Operations Manual.*”

National level consultations for the project will be undertaken, after which we will be holding a regional workshop for FFA members from the participating countries to seek input on possible recommendations arising from the project. The details of the workshop are as follows:

**Dates:** 24<sup>th</sup> and 25<sup>th</sup> April 2012  
**Venue:** FFA Conference Centre,  
Honiara, Solomon Islands

The workshop will be facilitated by MRAG’s Key Experts, Mr James Moir Clark and Mr Andrew Richards. An agenda will be sent to participants prior to the workshop.

**I write to invite you to participate in the workshop.** Funding has been provided by the ACP Fish II Programme to assist up to two representatives from each participating member State with the costs of attending the workshop. To confirm your attendance and to receive assistance with costs and logistical arrangements, please RSVP to Anna Martinez at [a.martinez@mrag.co.uk](mailto:a.martinez@mrag.co.uk).

We welcome your participation in this project and look forward your attendance at the workshop.

Yours sincerely



Robert Wakeford  
Director, MRAG Ltd.

### **Annex 3 – Inception Meeting Minutes and Agenda**

#### **TECHNICAL ASSISTANCE TO DEVELOP A STANDARD NATIONAL MCS OPERATIONS MANUAL IN FIVE ACP COUNTRIES IN THE PACIFIC REGION (PAC-2.2-B13)**

Project Inception Meeting, FFA Secretariat, Honiara, Solomon Islands

Friday, 16 March 2012

#### **INTRODUCTION**

On Friday, 16 October 2012 a Project Inception Meeting was held at the FFA Secretariat, Honiara. A list of meeting participants is appended at Attachment 1. A draft meeting agenda is appended at Attachment 2.

#### **1. Aim of the Project**

James Clark briefed the meeting on the Project's aims and basis, noting that the five countries involved have specifically requested this assistance from the ACP Fish II Project. Mark Young stressed the need for the Project to tie in closely with recent work by the FFA Secretariat on the Fisheries Management Information System (FIMS).

#### **2. Approach**

##### **2.1 Suggested format of the Manual**

Andrew Richards outlined the basis for the report-based structure of a draft template for the Standard National MCS Operations Manual, copies of which were provided to meeting participants. He noted that this structural option was chosen because reporting is a common element of all MCS Operations involving FFA member MCS Officers. This option also lends itself to expansion of the reach of the MCS Operations Manual to the other nine ACP FFA States. In relation the medium in which the draft template may be published, three main options were proposed for the meeting's consideration - CD, web-based and hard-copy.

Of the media proposed, Nick Reese, Ramesh Chand and Nesh Petrovic expressed a preference for a web-based approach.

In response to a comment from Lamiller Pawut regarding the large number of manuals on various subjects already available, Andrew Richards advised that the project's intention is for the National MCS Manual to refer to these existing manuals, where appropriate.

Mark Young noted that knowing what reports need to be generated as part of an officer's job was a separate issue to knowing how to do the job. He also emphasised that the need for reporting noted in the Manual to be linked to the FIMS, Nick Reese advised that this is possible within the FIMS project.

Fraser McEachan commented that reports are the end product of procedures conducted by MCS Officers and that "Report Procedures" would be one of the many procedures that should be developed at the national level. The importance of having "reporting procedures" is so that the people putting reports together will know when and where to obtain the data. Noting that most other procedures, such as boarding procedures, will have reporting requirements embedded in them.

Manu Tupou-Roosen queried the scope of the task involved in producing a draft Manual noting that information suggested as being required in the Manual should be aligned with the

information being collected for a National FIMS. She also noted the growing need for capacity building in this area for FFA Members.

Nick Reese described a changing perception of a "Report", noting the current perception is more about access to existing electronic information than writing a hard-copy report.

Nesh Petrovic commented that the draft Manual describes several MCS areas requiring "outputs" rather than "reports". He suggested that a matrix be included in the draft Manual linking MCS areas to their particular outputs.

Mark Young noted the need for the draft Manual to show how the MCS components are linked to each other for data/threat analysis purposes.

Apolosi Turaganivalu noted the need for the draft Manual to reflect national-level views.

## **2.2 In-Country Consultations**

James Clark briefed the meeting on the timing of the country consultations (Andrew Richards to visit Fiji and Vanuatu in the coming two weeks: James Clark to visit Cook Islands, Niue and Tonga in the coming three weeks) , the national personnel involved in these consultations and the structure of the proposed consultations (using a standard set of questions).

## **2.3 Workshop**

James Clark advised that member country participants (from the five project countries) to the forthcoming Regional MCS Working Group (RMCSWG) Meeting have indicated that they will stay for the Project Workshop on 25-26 April. Mark Young advised that the SPC and PNA membership will be represented at the RCMSWG Meeting, while responses to invitations are pending from the WCPFC Secretariat and Te Vaka Moana Secretariat.

## **3. Coordination with ACP RFU**

James Clark advised that in addition to regular updates being provided by the consultants to the ACP RFU, these updates will also be provided to the FFA Secretariat. The consultants would appreciate feedback from update recipients on project-related issues.

## **4 Coordination with FFA on parallel MCS initiatives and strategies.**

Meeting participants offered to provide briefing material to the consultants on several project-related MCS initiatives and strategies.

## **5. AOB**

A request from the consultants for updates on Tuna Development and Management Plans for the five Project countries was acknowledged, with follow-up to be provided by the FFA Secretariat.

Lamiller Pawut suggested that the consultant visiting Fiji may find value in discussing the project with the Forum Regional Security Advisor based at the Forum Secretariat, Suva.

**LIST OF PARTICIPANTS**

<b>Name</b>	<b>Title</b>	<b>Organisation</b>	<b>E-mail Address</b>
Len Rodwell	Director, Fisheries Development	FFA Secretariat	len.rodwell@ffa.int
Mark Young	Director, Fisheries Operations	FFA Secretariat	mark.young@ffa.int
Manu Tupou- Roosen	Legal Counsel	FFA Secretariat	manu.tupou-roosen@ffa.int
Tim Park	Observer Programme Manager	FFA Secretariat	tim.park@ffa.int
Nick Reese	ICT Manager	FFA Secretariat	nick.reese@ffa.int
Fraser McEachan	MCS Specialist	FFA Secretariat	fraser.mceachan@ffa.int
Ramesh Chand	VMS Manager	FFA Secretariat	ramesh.chand@ffa.int
Lamiller Pawut	Surveillance Operations Officer	FFA Secretariat	lamiller.pawut@ffa.int
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Nesh Petrovic	Consultant	Taz-E Limited	neshp@magna.com.au
Augustine Mobiha	Manager	Regional Facilitation Unit	afmobiha@yahoo.com
James Clark	Project Consultant	MRAG	J.Clark@mrag.co.uk
Andrew Richards	Project Consultant	MRAG	andrew@fismarconsultancy.com



**Agenda: ACP Fish II MCS Manual (PAC-2.2-B13)  
FFA Headquarters, Honiara 16<sup>th</sup> March 2012, 10:00am**

**1 Aim of the Project**

- Develop a manual to provide guidance to national MCS Officers from 5 selected ACP Pacific countries on how to implement major MCS provisions from relevant regional MCS instruments.
- Initially to 5 Countries but with aim of including all FFA member countries.

**2 Approach**

**2.1 Suggested format of the Manual**

- Report based.
- Modular design, can adapt to individual countries' needs.
- Provides templates and structure for reports.

**2.2 In country consultations**

- Timings
- Available personnel
- Structure of the proposed meetings.

**2.3 Workshop**

- Logistics
- Current attendees
- Invitations to representatives from WCPFC, SPC, PNA, Te Vaka Moana?

**3 Coordination with ACP RFU.**

- Reporting schedules.

**4 Coordination with FFA on parallel MCS initiatives and strategies.**

- MCSWG
- Job aid workshop
- FFA VMS - updates to the manual for VMS operators following recent review.
- FFA region-wide training needs assessment.
- Legislative reviews: Fiji, Tonga and Vanuatu. Current status with Cook Islands and Niue?
- Status of Niue Treaty changes.
- Other initiatives.

**5 AOB**



**Annex 4 – Draft Template for MCS Operations Manual**

**DRAFT TEMPLATE FOR A STANDARD NATIONAL MCS  
OPERATIONS MANUAL**

Version 1.6  
20 March 2012

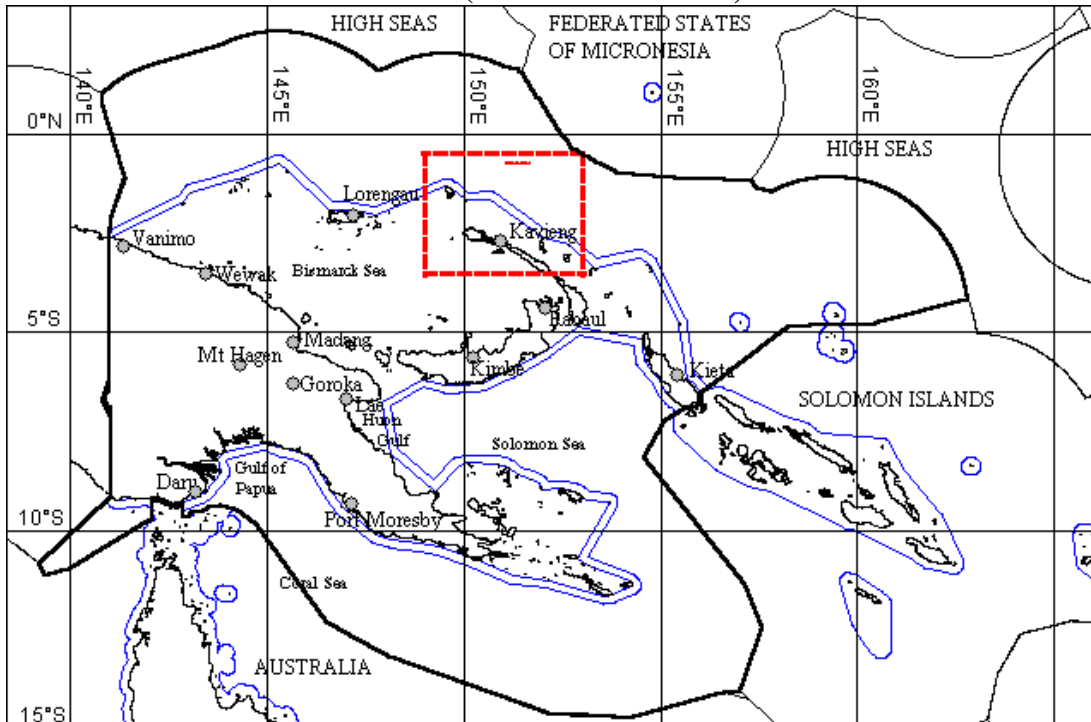
## TABLE OF CONTENTS

### INTRODUCTION

1. How to use this manual.
2. National organisations responsible for Fisheries MCS.
3. Mandate of each of these organisations.
4. Agreed Fisheries MCS-related responsibilities of these organisations.
5. Policy statements of each Fisheries MCS-related organisation.
6. Organisation chart of each Fisheries MCS-related organisation.
7. Description of fisheries inside and nationally-flagged vessels in the High Seas (if any).
8. Description of National Fisheries Legislation currently in force.
9. Physical description of the nation.

**Map of EEZ boundaries containing territorial seas, archipelagic waters (if any) and exclusion zones (if any).**

**(EXAMPLE ONLY)**



### DAILY TASKS

MCS Element	Task	Task Basis	Action	Output	Report Originator	Report Receiver	Action Deadline
VMS	Check vessel positions in EEZ.	MOU between National Fisheries and National Police	Notify National Police of vessel position status.	"Snapshot" of vessel positions in EEZ.	National Fisheries	National Police	8.30am daily
Observers	Record change of Observer Coordinator.	Paragraph 13 of CMM 2007-01.	Notify WCPFC Secretariat of change of Observer Coordinator.	Details of name and contact details of new Observer Coordinator.	National Fisheries	WCPFC Secretariat <sup>5</sup>	As soon as possible after the change is made.
Vessel Registration	Record changes to National Record of Fishing Vessels.	Paragraph 7 of CMM 2009-01.	Notify WCPFC Secretariat of changes to National Vessel Register.	Vessel details required by WCPFC Secretariat.	National Fisheries	WCPFC Secretariat	As soon as possible after changes are made.
Vessel Licensing	Record changes to list of licensed fishing vessels.	National Fisheries Act (1988).	Add vessels to, or delete vessels from, the list of licensed fishing vessels.	Revised list of licensed fishing vessels.	Licensing Officer, National Fisheries.	National Police and FFA Secretariat.	As soon as possible after the changes are made.
Boarding and Inspection							

<sup>5</sup> See Annex 14 for MCS Contacts.

Dockside Boarding							
Logsheet Data Collection	Check for incoming logsheets.	Harmonised MTCs as amended by FFC77.	Scan logsheets and send copies to SPC.	Scanned logsheets.	National Fisheries	SPC, Noumea	As soon as possible after receipt of logsheets.
Maritime Surveillance	Check for incoming sightings reports.	National MCS Committee Decision, March 2010.		Sightings of unauthorised fishing vessels by patrol vessel.	National Police	National Fisheries	
Aerial Surveillance	Check for incoming sightings reports.	National MCS Committee Decision, April 2009.		Sightings of unauthorised vessels by Aerial Surveillance Craft.	National Fisheries	National Police	
Niue Treaty							
Ship-Rider Agreement							
Port State Measures							
Catch Documentation Scheme	Check for incoming catch documents.						
Other							

### WEEKLY TASKS

MCS Element	Task	Task Basis	Action	Output	Report Originator	Report Receiver	Action Deadline
VMS							
Observers	Compile list of national observers on fishing vessels.	National MCS Committee decision, May 2008.	Notify WCPFC Secretariat of status of national observers on fishing vessels.	Details of observers' names and fishing vessel identifiers.	National Fisheries	WCPFC Secretariat <sup>6</sup>	By close of business each Friday.
Vessel Registration							
Vessel Licensing							
Boarding and Inspection							
Dockside Boarding							
Logsheet Data Collection							
Maritime Surveillance							
Aerial Surveillance							
Niue Treaty							
Ship-Rider Agreement							
Port State							

<sup>6</sup> See Annex 14 for MCS Contacts.



Technical Assistance to Develop a Standard National MCS Operations Manual in five ACP countries in the Pacific Region

Measures							
Catch Documentation Scheme							
Other							

### MONTHLY TASKS

MCS Element	Task	Task Basis	Action	Output	Report Originator	Report Receiver	Action Deadline
VMS							
Observers							
Vessel Registration							
Vessel Licensing							
Boarding and Inspection							
Dockside Boarding							
Logsheets Data Collection							
Maritime Surveillance	Inform National MCS Committee of monthly patrol vessel activities.	MOU between National Fisheries and National Police.	Send report of patrol vessel's operations for preceding month.	Details of patrol vessel's operations.	National Police	National Fisheries	Close of business of last day of each month.
Aerial Surveillance							
Niue Treaty							
Ship-Rider Agreement							
Port State Measures							
Catch Documentation Scheme							
Other							



**QUARTERLY TASKS**

<b>MCS Element</b>	<b>Task</b>	<b>Task Basis</b>	<b>Action</b>	<b>Output</b>	<b>Report Originator</b>	<b>Report Receiver</b>	<b>Action Deadline</b>
VMS							
Observers							
Vessel Registration							
Vessel Licensing							
Boarding and Inspection							
Dockside Boarding	Inform National MCS Committee of vessels boarded in national ports.	MOU between National Police and National Fisheries.	Provide National MCS Committee with a report of vessels boarded in national ports.	Details of vessels boarded in national ports for the preceding quarter.	National Police	Chair, National MCS Committee.	Close of business of last day of each quarter.
Logsheet Data Collection							
Maritime Surveillance							
Aerial Surveillance							
Niue Treaty							
Ship-Rider Agreement							
Port State Measures							
Catch Documentation Scheme							

Other							
<b>ANNUAL TASKS</b>							
<b>MCS Element</b>	<b>Task</b>	<b>Task Basis</b>	<b>Action</b>	<b>Output</b>	<b>Report Originator</b>	<b>Report Receiver</b>	<b>Action Deadline</b>
VMS							
Observers							
Vessel Registration							
Vessel Licensing							
Boarding and Inspection							
Dockside Boarding							
Logsheet Data Collection							
Maritime Surveillance							
Aerial Surveillance							
Niue Treaty							
Ship-Rider Agreement							
Port State Measures							
Catch Documentation Scheme							
All MCS Elements	Compile Annual Report (Part 2).	WCPFC6 Report, (Attachment R).	Compile report of national compliance	Indication of national compliance or non-compliance	National Fisheries.	WCPFC Secretariat.	One month prior to the annual meeting of the TCC.

			with CMMs using agreed template.	with CMMs during the preceding year.			
All MCS Elements	Compile Country Statement to the annual MCS Working Group Meeting.	Guidelines for Country Statement to annual MCS Working Group Meeting.	Compile summary of MCS activities for preceding year using agreed Guidelines.	Details of MCS activities for preceding year.	National Fisheries and National Police.	FFA Secretariat.	As early as possible prior to the annual meeting of the MCS Working Group.
All MCS Elements	Compile national report on implementation status of the RMCSS.	(Guidelines for report preparation to be developed)	Compile annual update to the National MCS Strategy.	Details of national implementation of the RMCSS.	National Fisheries and National Police.	FFA Secretariat.	As early as possible prior to the annual meeting of the MCS Working Group.

**NIUE TREATY OPERATION TASKS**

<b>MCS Element</b>	<b>Task</b>	<b>Task Basis</b>	<b>Action</b>	<b>Output</b>	<b>Report Originator</b>	<b>Report Receiver</b>	<b>Action Deadline</b>
VMS							
Observers							
Vessel Registration							
Vessel Licensing							
Boarding and Inspection							
Dockside Boarding							
Logsheet Data Collection							
Maritime Surveillance							
Aerial Surveillance							
Niue Treaty							
Ship-Rider Agreement							
Port State Measures							
Catch Documentation Scheme							
Other							

**Annex 1****REPORT TEMPLATES**

- a) AD-HOC EVENT (SUB-DAILY) REPORTING
- b) DAILY REPORTING
- c) WEEKLY REPORTING
- d) MONTHLY REPORTING
- e) QUARTERLY REPORTING
- f) ANNUAL REPORTING
  - Guidelines for Country Statement to the annual MCS Working Group Meeting
  - Revised Template for the Annual Report (Part 2)
- g) NIUE TREATY REPORTING

**Annex 2****VMS OPERATIONAL PROCEDURES**

1. National VMS Operational Procedures (if any).
2. FFA VMS Operational Procedures (see Annex 1 of the FFA National VMS Assistance Policy)
3. Commission VMS Standards, Specifications and Procedures (as agreed at WCPFC5).
4. PNA/Te Vaka Moana Operational Procedures (if any).

**Annex 3****OBSERVER PROGRAMME PROCEDURES**

1. National Observer Programme Operational Procedures.
2. FFA Observer Programme Operational Procedures.
3. WCPFC Observer Programme Operational Procedures.
4. PNA/Te Vaka Moana Observer Operational Procedures.

**Annex 4****VESSEL REGISTRATION OPERATIONAL PROCEDURES**

1. National Vessel Register Operational Procedures.
2. FFA Vessel Register Operational Procedures.
3. WCPFC Record of Fishing Vessels Operational Procedures.

**Annex 5****VESSEL LICENSING OPERATIONAL PROCEDURES****Annex 6****BOARDING AND INSPECTION OPERATIONAL PROCEDURES**

1. National Boarding and Inspection Procedures (Based on the 2007 edition of the FFA Boarding Manual?).

**2. WCPFC Boarding and Inspection Procedures (CMM 2006-08/WCPFC Circular #2008/03 dated 18 February 2008/WCPFC Circular #2008/09 dated 20 March 2008).**

<b>DOCKSIDE BOARDING OPERATIONAL PROCEDURES</b>	<b>Annex 7</b>
<b>LOGSHEET DATA COLLECTION OPERATIONAL PROCEDURES</b>	<b>Annex 8</b>
<b>AERIAL SURVEILLANCE OPERATIONAL PROCEDURES</b>	<b>Annex 9</b>
<b>NIUE TREATY SUBSIDIARY ARRANGEMENT OPERATIONAL PROCEDURES</b>	<b>Annex 10</b>
<b>SHIP-RIDER AGREEMENT OPERATIONAL PROCEDURES</b>	<b>Annex 11</b>
<b>PORT STATE ENFORCEMENT OPERATIONAL PROCEDURES</b>	<b>Annex 12</b>
<b>CATCH DOCUMENTATION SCHEME OPERATIONAL PROCEDURES</b>	<b>Annex 13</b>
<b>LIST OF MCS CONTACTS</b>	<b>Annex 14</b>
<b>JOB AIDS</b>	<b>Annex 15</b>
<b>LIST OF COMMONLY USED ACRONYMS</b>	<b>Annex 16</b>

- CDS - Catch Documentation Scheme
- CMM - WCPFC Conservation and Management Measure
- FFA - Pacific Islands Forum Fisheries Agency
- FFC - Forum Fisheries Committee
- HMTCs - Harmonised Minimum Terms and Conditions of Foreign Fishing Vessel Access
- MCS - Monitoring, Control and Surveillance
- VMS - Vessel Monitoring System
- VMS - Vessel Monitoring System
- WCPFC - Western and Central Pacific Fisheries Commission

## **Annex 4 – In Country Consultation Summaries**

### **Introduction**

As part of the assessment phase of the project KE2 visited Fiji from 20-24 March 2012 and Vanuatu from 24-28 March 2012, while KE1 visited Niue from 1-5 April, Tonga from 9-10 April and Cook Islands from 11-13 April 2012. During these visits, in-country consultations were conducted with national fisheries agencies, fisheries surveillance agencies and fishing companies.

### **6 Project Aims and Approach**

During each consultation KE1 and KE2 (the consultants) briefed the consultation participants on the Project's aims and basis, noting the strong recommendations for an MCS Operations Manual arising from the 2011 gaps analysis for the Regional MCS Strategy.

The consultants then outlined the basis for the task-based structure of a draft template for the draft Standard National MCS Operations Manual, noting that this structural option was chosen because of its relative clarity and brevity compared with organisation-based or MCS element-based options. This option also lends itself to expansion of the reach of the MCS Operations Manual to the other nine Pacific ACP FFA States.

In relation the medium in which the draft template may be published, three main options were proposed for consideration: CD-ROM, web-based and hard-copy. The consultation participants were advised that of these three, IT experts at the FFA Secretariat have expressed a strong preference for a web-based approach. A web based system would allow for easy submission of data in the correct format through a 'portal', based around a similar system being developed for the Niue Treaty Subsidiary Agreement for members to submit relevant MCS data. It could also be easily updated when required, for example with a change in CMMs data requirements or reporting formats.

While noting the large number of manuals on various MCS-related subjects already available, the consultants advised that the project's intention is for the National MCS Manual to refer to these existing manuals, where appropriate, for example the FFA Boarding Procedures Manual and the FFA Observer Programme Procedures Manual (Draft). They also described a changing perception of a "Report", noting the current perception is more about access to existing electronic information than writing a hard-copy report.

The consultation participants were briefed on the stand-alone TUFMAN-MCS being developed by the SPC that is intended to provide a means for FFA Members to enter, manage and report on certain MCS data, excluding VMS. Mention was also made of Fisheries Information Management Systems (FIMS) initiatives being developed around the region. The latter are over-arching systems intended to integrate existing systems and provide a means of producing management-level reporting using summarised data from several systems (e.g. VMS, TUFMAN, etc.).

### **7 Request for project-related materials**

During each in-country consultation the consultants asked several project-related questions. Some of these questions related to the provision of project-related materials, e.g. Standard Operating Procedures for Fisheries MCS currently used in each country, policy statement and organisational structure for the Fisheries Department, and materials used in training newly-recruited staff. These questions and the respective responses to them from each national

MCS-related organisation in Fiji and Vanuatu are appended at **Attachment 1** while those for Cook Islands, Niue and Tonga are appended at **Attachment 2**.



## In-Country Consultations Questions and Responses

Questions		Fiji	Vanuatu
1	What SOPs for fisheries MCS do you currently have in place and how often are these used and referenced?	A set of "National Data Receiving Procedures" that include a Data Administrator, are currently under development with SPC assistance. The Fiji Navy uses a set of SOPs for patrolling and boarding developed in 2003 from the Pacific Patrol Boat Boarding Manual. These SOPs are not in the public domain. The VMS procedures are provided by the FFA Secretariat.	The FFA Standard Boarding Manual is used for dockside boardings. The Fisheries Department has a flow-chart for foreign fishing licence approval (hard-copy provided). The Vanuatu Police Force uses a set of SOPs for patrolling and boarding developed from the FFA Boarding Manual (2007).
2	How much of an MCS element is written into your current Tuna Development and Management Plan?	There is a strong MCS element written into the draft Tuna Development and Management Plan that will be further considered by all stakeholders at a consultation in early April 2012, with a final draft possibly being submitted to Cabinet by August 2012.	There was a brief discussion on the role of MCS in the development of the Tuna Development and Management Plan.
3	How many government personnel are responsible for running MCS operations?	The Fisheries Department has 34 staff committed to MCS operations. The Fiji Navy has 100+ personnel to crew its patrol vessels, 30 officers gazetted as fisheries officers and 10 VMS personnel.	The Fisheries Department has seven staff responsible for running MCS operation and 30+ observers who are employed on contracts. The Vanuatu Police Force has 43 personnel to crew its patrol vessel.
4	What national organisations are responsible for fisheries MCS and what roles do they	Included in the Fisheries Department Corporate Plan there is a policy statement that includes a Vision, Mission and	The Fisheries Department and the Police Force are the two main national organisations responsible for Fisheries MCS. The Fisheries Department is

	Questions	Fiji	Vanuatu
	play? Do they each have a particular policy statement?	<p>Values, together with an organisation structure and reporting requirements (copy provided).</p> <p>The Fiji Navy has a secure log-in for the FFA VMS. Is responsible for boarding and inspection in the Fiji EEZ and plans to become authorized to conduct High Seas boarding and inspection.</p> <p>The Fiji Navy has a policy statement that includes a Vision, Mission and Values (copy provided).</p>	<p>responsible for dockside boarding, observers, licensing, catch logsheet collection and VMS. The Fisheries Department doesn't have a policy statement, though policy relating to tuna fishing is included in the Tuna Development and Management Plan. Vanuatu Police Force is responsible for boarding and inspection in the Vanuatu EEZ and plans to become authorized to conduct High Seas boarding and inspection.</p> <p>The Vanuatu Police Force has a set of Standing Orders governing patrols that includes a safety at sea policy (copy provided).</p>
5	How are the different organisations linked? Have any MOUs been developed since the last consultation in 2011?	<p>No formal MCS Coordination Committee has been established although regular meetings are held between Fisheries and the Fiji Navy and roles have been established in an informal way with the patrols planned and organised by the Fiji Navy based in information obtained from the Fisheries Department and VMS records No MOUs have been developed since the RMCSS-related consultation in 2011.</p>	<p>No formal MCS Coordination Committee has been established although the revised Tuna Management Plan does lay out an administrative framework which defines which organisations should sit on the Tuna Management Advisory Committee (pursuant to Section 21(2) (b) of the Fisheries Act No. 55 of 2005. The Management plan goes on to define who should be responsible for planning and coordinating patrol boat patrols (and where necessary aerial patrols). The Police Operation Centre and Police Maritime Wing, in consultation with the Compliance Division of the Department of Fisheries, are responsible for coordinating and strategically deploying the patrol vessel based in information from the VMS, licensing list, aerial surveillance or any VOIthat has been highlighted.</p> <p>The Fisheries Department has not been participating</p>

Questions		Fiji	Vanuatu
			<p>in meetings of the Border Control Committee comprising the Police Force, Customs and Immigration.</p> <p>Although there is no MOU between the MCS-related organisations, before each maritime patrol commences a coordinating group known as the Combined Law Enforcement Agencies meets to share information. This group includes the Vanuatu Police Force, Fisheries Department, Customs, Immigration and Trans-National Crime Unit.</p>
6	What MCS reports do you generate on a daily/weekly/monthly/annual basis?	<p>There is quarterly and annual reporting, as follows: Licensing and Permitting; Enforcement; National and Regional Observers; Compliance; and Data Management.</p> <p>A FISHREP (Fisheries Report) is sent immediately after a vessel is boarded at sea and a SITREP (Situation Report) is sent from the patrol vessel to base after completion of a patrol. These reports are sent using HF radio.</p>	<p>Daily VMS reports are prepared during patrols by the Vanuatu patrol vessel.</p> <p>A FISHREP (Fisheries Report) is sent immediately after a vessel is boarded at sea and a SITREP (Situation Report) is sent from the patrol vessel to base after completion of a patrol. These reports are sent using HF radio e-mail.</p>
7	What materials are used in training newly-recruited staff?	There are currently no training materials for newly-recruited staff except for observers who undergo SPC/FFA certification followed by fieldwork and	There are currently no training materials for newly-recruited staff except for observers who undergo SPC/FFA certification and for personnel who undertake dockside boarding training provided by

Questions		Fiji	Vanuatu
		<p>safety-at-sea training at the Maritime College.</p> <p>Navy officers are trained at the Navy Training School and through specialised workshops. VMS training is accomplished "on-the-job".</p>	<p>the FFA Secretariat.</p> <p>Patrol vessel personnel are trained using materials prepared by the Pacific Patrol Boat Programme.</p>
8	Is there any particular way you would like to see the draft template for an MCS Operations Manual structured as opposed to that presented at this consultation?	This proposed draft template using a web-based approach seems to be the way to proceed. There should be a standard approach to developing these guidelines for all FFA Members across the region.	<p>The proposal to keep all SOPs in one manual should be further developed. This will inform FFA Members on where gaps exist in their national MCS strategies.</p> <p>This proposed draft template using a web-based approach seems to be the most appropriate way to proceed.</p>
9	Is there anything else you would like to be included in the draft template for an MCS Operations Manual?	There should be a strong emphasis on Job Aids to assist Fiji Navy personnel in completing their assigned tasks. The e-mail addresses used in the manual's List of Contacts should be for the organisation, not for individuals.	A Prosecution Manual should be included to provide guidance on the preparation of cases.

## In-Country Consultation Questions and Responses

Questions	Cook Islands	Niue	Tonga
1 What SOPs for fisheries MCS do you currently have in place and how often are these used and referenced?	<p>The PPB boarding Manual is used by the police for Patrols, along with the Captain's standing orders which outline responsibilities of all the various operations on board the vessel. Information on aerial surveillance (from France and New Zealand) is passed onto the Patrol to help patrol planning when available.</p> <p>Procedures are in place for other MCS operations although not in a formal document. SOPs are largely driven by the legislation in place (Marine Resources Act 2005) and the Regulations based on the HMTCs.</p> <p>Through these a workflow is generated requiring a number of stages and checks to be completed before, for example, a licence is issued.</p> <p>There are plans to create a digital licensing register.</p>	<p>There are procedures in place for boarding and inspections of fishing vessels in port and VMS (The Niue Government's Vessel Monitoring Systems Standard Operating Procedures, provided). Aerial flyovers run roughly on a quarterly basis, the NZ High Commission notifies DAFF when a flyover is about to happen, information is passed over to NZ on licensed vessels that are in zone.</p>	<p>The Ministry of Fisheries has developed its own set of operating procedures for its MCS programme which are accessed when necessary.</p> <p>The Navy has a boarding and inspections manual developed as part of the PPB programme which contains the required reporting templates. It also has copies of the boarding and prosecutions manuals developed by FFA.</p>

Questions	Cook Islands	Niue	Tonga
	<p>VMS is checked on a daily basis, information from it is used for a number of purposes:</p> <ul style="list-style-type: none"> <li>i) Alerts are generated when vessels enter and exit the EEZ, they can be checked against the licence list, whether they are actively fishing or just transiting through the zone.</li> <li>ii) Flights and other logistics can be organised for observers' embarkation / disembarkation from vessels on their way to port.</li> <li>iii) Quarterly checks are done on vessels' logsheet returns against those that have returned to port.</li> <li>iv) VMS tracks have been used successfully as evidential value against unlicensed vessels fishing in the EEZ (and domestic vessels fishing within the 12nm territorial seas).</li> <li>v) As the Cook Islands has a data sharing agreement with other countries, alerts can be given to them if VOI enter their zone.</li> </ul>		

Questions		Cook Islands	Niue	Tonga
		<p>vi) Weekly checks are carried out on vessels that aren't polling.</p> <p>vii) Prior to patrols a VMS snapshot (and licence list) is passed onto the Police. Procedures are in place for observer deployments, payments, data collection and submission, as most vessels go into Pago Pago, observers are deployed and recovered from there, debriefers meet the vessels there and observer data and reports and posted back to Cook Islands from there. Current observer deployments are aimed at meeting the WCPFC coverage requirements.</p> <p>A Ship rider agreement is in place with the US through a formal letter of agreement.</p>		
2	How much of an MCS element is written into your current Tuna Development and Management Plan?	The current Management Plan (the Longline Fisheries Management Plan (2008)) contains no MCS provisions.	The draft Management and Development Plan for the Niue Pelagic Fishery has procedures for to allow for the development of processes to allow a number of MCS activities to take place. These	

Questions	Cook Islands	Niue	Tonga
		<p>include port monitoring of landings, authorisation of patrols from neighbours (Samoa, Tonga) under Niue treaty, ship rider agreements with NZ and France, data sharing and provision of observers.</p> <p>There is also the provision to set up a Fisheries Management Advisory Committee (FMAC) to coordinate MCS activity and information flow on the island (this would presumably meet the requirement for establishing an MCS Coordination Committee under the RMCSS).</p> <p>It is unclear when the Plan will become operational.</p> <p>The Territorial Sea and Exclusive Economic Zone Act 1997 is currently being redrafted to include the contiguous zones and coordinates for the territorial seas and EEZ. There are no current plans to redraft the Domestic Fishing Act 1995 or the Domestic Fishing</p>	



Questions		Cook Islands	Niue	Tonga
			Regulations 1996. Latest copies of the licensing terms and conditions incorporate the updated HTMCs.	
3	How many government personnel are responsible for running MCS operations?		Three - two in fisheries and one at DAFF.	Seven within the Ministry of Fisheries, they are assigned to different operations but there is a certain amount of job sharing that occurs when key staff members are away.
4	What national organisations are responsible for fisheries MCS and what roles do they play? Do they each have a particular policy statement?	<p>Ministry of Marine Resources (MMR) runs the VMS, observer programme, licensing regime, logbook data collection.</p> <p>Maritime Cook Islands is responsible for maintaining the island's vessel register, although any fishing vessels are applying are checked, informally, through MMR first before being registered.</p> <p>The Cook Islands Police run the patrol vessel, are responsible for boardings, investigations and any arrest. Patrols normally have one or</p>	<p>Fisheries is the main department responsible for MCS, but customs and the police also have a role. There is a corporate plan for DAFF which outlines the roles of each of the elements within the organisation.</p> <p>Niue do not operate a patrol vessel, although occasionally will coordinate with the Cook Islands when their vessel is operating near Niue's EEZ,</p>	<p>Monitoring and control is carried out primarily by the Ministry of Fisheries, the policy statement is given in the Tuna Management Plan. Surveillance is carried out by the Tongan Defence Force, Navy Section, investigations and prosecutions are carried out by the Police. It was commented that the manual should promote the understanding of the respective roles and procedures amongst all the organisations.</p>

	Questions	Cook Islands	Niue	Tonga
		<p>two Fisheries Officers and 11 or 12 police on board. Prior to patrols there is a briefing with key stakeholders from customs. Patrols are planned by the police, using intelligence gathered from the MMR through VMS, vessel licence list or sightings reported from aerial surveillance.</p>		
5	<p>How are the different organisations linked? Have any MOUs been developed since the last consultation in 2011?</p>	<p>There are no formal MOUs in place between the different departments, however close links are retained. The Combined Law Enforcement Group (CLEG) was developed to assist with MCS coordination however time constraints make formal meetings difficult.</p>	<p>There are currently no MOUs in place between the different agencies, although their roles are defined in the corporate plan, MCS issues are discussed as and when they occurred between the different organisations. The structure and implementation of the MCS Coordination Committees (MCC) was questioned, the system that is in place now, though informal, works for Niue and there was some reluctance to have a formal protocol that they would need to agree to. It is also stated in the Management and Development Plan that a</p>	

Questions		Cook Islands	Niue	Tonga
			FMAC will be set up (see (2) which would link the organisations. The consultant stated that a ‘best practice’ procedure would be integrated into the manual that would outline how to set up an MCC, when it should meet, agencies that should participate and suggested agendas that should be followed.	
6	What MCS reports do you generate on a daily/weekly/monthly/annual basis?	<p>Part 2 reports for WCPFC and reports to the FFA MCSWG are generated on an annual basis.</p> <p>A pre-patrol briefing is given to the patrol highlighting any vessels in the zone or any vessels of interest, and a licensing list. During patrols e-mails are sent to from the vessel to MMR so checks can be made on any previous boardings or infringements (the data aren’t held on the vessel). Reports are generated after each inspection and entered into the TUFMAN MCS database at the end of the patrol. A post patrol report</p>	A monthly report outlining any MCS matters is generated, annual reports also go off to WCPFC and FFA. Weekly VMS reports are received from FFA along with reports of VOI as and when they occur.	<p>Within the Ministry of Fisheries a monthly report is generated and forwarded on to the relevant ministers, annual reports are prepared for WCPFC and the FFA MCSWG. VMS snapshots and a licensing list is provided to the navy prior to any patrols conducted. Observer data and vessel logbook data are also scanned and send sent through to SPC when required.</p> <p>Within the Navy, prior to any patrols notice is given to FFA so it can be coordinated with any planned aerial surveillance. After a boarding a report is generated, although not in the</p>

Questions	Cook Islands	Niue	Tonga
	<p>is generated at the end of each trip outlining dates of the patrol, area covered, any incidents and boardings conducted.</p> <p>Checks are done on a quarterly basis to ensure all vessels that returned to port have submitted logbook data.</p> <p>Reports are also submitted quarterly from logsheet submissions, observer data, port sampling data and offloading data.</p>		<p>format outlined in the PPB manual, this format would need to be approved by the Commanding Officer.</p> <p>However given the current limited number of offshore vessels, boardings are rarely conducted.</p> <p>Because there is no Internet connectivity on the vessel, any reports are currently written out by hand and they are not stored electronically.</p> <p>A report is generated after each patrol, although this is an internal report and not circulated to fisheries unless requested.</p> <p>A version of the TUFMAN system has been installed at Fisheries and at the Navy HQ.</p> <p>While the system at Fisheries is used, limited training for Naval staff means that the system at Naval HQ it is not updated, more training was requested.</p>

Questions		Cook Islands	Niue	Tonga
7	What materials are used in training newly-recruited staff?	New staff are regularly recruited by the police for the patrol vessel, they undergo formal training on seamanship and boarding SOPs.	There are training materials available for newly recruited staff (list to be obtained). It was considered that the manual would be a useful addition. It was noted that there was some difficulty recruiting observers for the programme, the last observer training had taken place in 2004, however once trained the observers did not go on any vessels.	Materials (the operating procedures) are available for new staff as well as information on the security policy, guidelines for data entry etc. It was commented that the Manual could be useful training aid.
8	Is there any particular way you would like to see the draft template for an MCS Operations Manual structured as opposed to that presented at this consultation?	<p>Cook Islands has long supported and pushed for the development of the FIMS through FFA and has requested that this should be prioritised so all data could be held on a single database.</p> <p>Developing the system as a web-based format was therefore supported, although it was noted that given the limitations of some member States' internet facilities a totally web-based system would not be practical and applications should be</p>	<p>There was general approval as to the layout and structure of the manual and for the project as a whole. CD-ROM and web based versions were favoured.</p> <p>In response to a question regarding who would be responsible for evaluating the success of the pilot study and expanding its use to the remaining FFA countries, the consultant stated that according to the TOR this would be done with the assistance of the FFC.</p>	The current design, as a task orientated manual with daily/weekly/monthly tasks it may not be so relevant for patrols, boardings and inspections as they are done on an ad-hoc basis. They will generate their own reports that may not fall into these particular scheduled categories and may require the development of a separate 'front end' section for these procedures.

Questions		Cook Islands	Niue	Tonga
		developed whereby data entered can be stored and submitted by the member State as a text file on a daily or weekly basis.		
9	Is there anything else you would like to be included in the draft template for an MCS Operations Manual?		It was requested that there was a section on media awareness or creating press releases to make people more aware of the MCS work that was being conducted.	<p>It was commented that there should be more interaction and data sharing between Fisheries and the Navy without unnecessarily burdening either department , these requirements are something that could be addressed under the MCS Coordination Committee, the SOPs for which can be outlined in the manual.</p> <p>A section should be included on observer safety, specifically outlining the responsibility for observer safety when they are on the vessel.</p>

## Annex 5 – Country Summaries for Manual Introduction.

### 1 National organisations responsible for Fisheries MCS in Cook Islands

Organisation Name	Staff / Organisational Structure	Mandate	Policy Statement	Agreed Fisheries MCS-Related Responsibilities
Combined Law Enforcement Group (CLEG)				To assist with information sharing around the relevant departments
Ministry of Marine Resources	Departments 1. Offshore 2. Inshore and aquaculture 3. Extension and FADs 4. Legal and International 5. Corporate Services	1. To seek and promote a rational approach to the development, exploitation, management, and conservation of all living and non-living resources that are found in waters under Cook Islands jurisdiction, and to exploit such resources in a manner that will ensure maximum benefits accruing to the people of the Cook Islands; and 2. To increase self-sufficiency in fish and protein production at the household and national levels; and 3. To rapidly expand development in areas offering the greatest potential for export or import substitution or both: and 4. To assess and introduce cost-effective fisheries technology appropriate to the Cook Islands and to ensure that such technological innovations are primarily geared to assist subsistence, artisanal, and full-time fishermen; and	<b>Offshore division:</b>  To provide services that increases the profitability and sustainability of commercial offshore fisheries. This will include the provision of assistance aimed at improving the effectiveness of industry organisations, and the adoption of management measures, including compliance monitoring, to maintain the sustainability of the key fish stocks.	1. Offshore Fisheries Licensing and Permitting 2. National Observer Programme 3. Dockside Boarding 4. Catch Logsheets Collection

Organisation Name	Staff / Organisational Structure	Mandate	Policy Statement	Agreed Fisheries MCS-Related Responsibilities
		<p>5. To develop the exploitable marine resources in the Outer Islands that offer opportunities for self-employment, thereby raising the standard of living and slowing down emigration; and</p> <p>6. To work in close co-operation with all those in Government and in the private sector that are involved or will be involved in the development of marine resources of the Cook Islands</p>		
Cook Islands Police Force, Police Maritime Wing		Responsible for patrol planning the force develop a tasking plan for patrols for up to 6 months based on information from MMR. While the responsibility for patrol planning is not defined formally in any legislation, the powers of arrest and designation of a fisheries officer are defined under the Police Act of 1981.		<ol style="list-style-type: none"> <li>1. At-Sea Boarding and Inspection</li> <li>2. Maritime Patrolling</li> <li>3. Vessel Monitoring System</li> <li>4. Investigation and arrests</li> </ol>



## 2 Description of fisheries inside EEZ and nationally-flagged vessels in the High Seas (if any)

Offshore fisheries are undertaken on an industrial basis by locally-based longline vessels, and to a limited degree by U.S. flag purse seine fishing vessels. The longline fleets operating near the Cook Islands EEZ are characterised by two sub-fleets:

- vessels in the southern Cook Islands fishery based at Rarotonga are small-scale vessels conducting fresh fish operations catering for domestic and international markets (New Zealand, Japan, USA). These vessels target tuna and swordfish, with by-catch being sold at local markets;
- vessels operating in the northern fishery based at Pago Pago, American Samoa that target albacore tuna for canning.

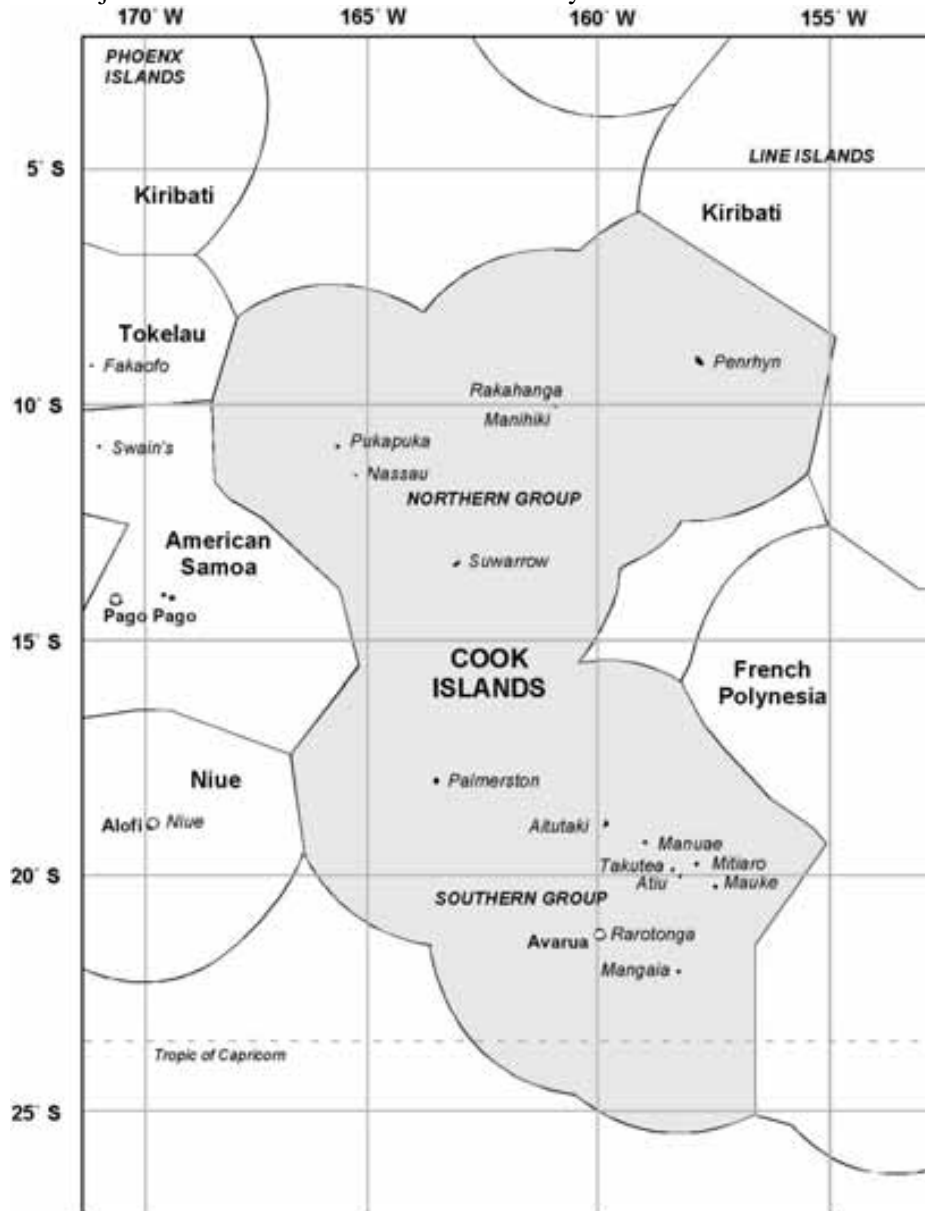
## 3 Status of instruments relating to Fisheries MCS

Instrument Type	Title and / or Current Status
National Fisheries Legislation	Marine Resources Act 2005 is currently in force.
Membership of Regional Fisheries Bodies and agreements	<ol style="list-style-type: none"> <li>1. Forum Fisheries Agency (FFA)</li> <li>2. Western and Central Pacific Fisheries Commission (WCPFC)</li> <li>3. Secretariat to the Pacific Community (SPC).</li> <li>4. Te Vaka Moana Agreement and Te Vaka Toa Arrangement</li> <li>5. Niue Treaty</li> <li>6. Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean.</li> <li>7. US Treaty</li> <li>8. Vava'u Declaration</li> <li>9. Management arrangement developed with French Polynesia and Kiribati for the high seas pocket.</li> <li>10. Cooperation in fisheries surveillance with Niue.</li> </ol>
National Plan of Action on IUU Fishing (NPOA-IUU)	<ul style="list-style-type: none"> <li>• Cook Islands has adopted a National Plan of Action for IUU Fishing (NPOA-IUU).</li> </ul>
Tuna Development and Management Plan	<ul style="list-style-type: none"> <li>• The Marine Resources (Designation of the Large Pelagic Longline Fishery) Order 2011.</li> <li>• This Order entered into force on 15 March 2011 to provide for the designation of the Large Pelagic Longline Fishery and the related Fishery Plan.</li> </ul>
SOPs currently in place	<ul style="list-style-type: none"> <li>• The patrol vessel operates according to procedures outlined in the Pacific Patrol Boat Manual when in Cook Islands EEZ.</li> <li>• New set of procedures have been developed for inspections on the High Seas to meet the WCPFC requirements.</li> <li>• Procedures for licensing are dictated by the legislation and have been developed as a series of checks.</li> </ul>

**4 Physical Description of Cook Islands, and a map of EEZ boundaries containing territorial seas, archipelagic waters (if any) and exclusion zones (if any)**

Located between 156 and 167° W longitude and between 8 and 23° S latitude, the 15 islands of Cook Islands, which fall naturally into the northern and southern groups, have a land area of 237 sq. km distributed in an EEZ of over 1.8 million sq km. The Cook Islands EEZ adjoins the zones of Niue, American Samoa, Tokelau, Kiribati and French Polynesia.

The islands of the northern group as well as Manuae and Takutea in the south are typical coral atolls formed around submerged volcanic peaks, generally enclosing a lagoon. The southern group islands, apart from Manuae and Takutea, are volcanic in origin with elevated encircling reef platforms adjacent to the coast. All are surrounded by recent coral reefs.



## 1 National organisations responsible for Fisheries MCS in Fiji

Organisation Name	Staff Structure	Mandate	Policy Statement	Agreed Fisheries MCS-Related Responsibilities
Department of Fisheries Takayawa Building Government Buildings Suva Fiji	<ul style="list-style-type: none"> <li>• Director of Fisheries</li> <li>• Principal Fisheries Officer (Central)</li> <li>• Principal Fisheries Officer (Eastern)</li> <li>• Principal Fisheries Officer (Western)</li> <li>• Principal Fisheries Officer (Northern)</li> <li>• Principal Fisheries Officer (MS)</li> </ul>	Management of Fiji's Offshore Fisheries	Vision - Our future generations will inherit a prosperous and enhanced fisheries sector.  Mission - Improving livelihoods through smart policies on sustainable management of fisheries.	<ol style="list-style-type: none"> <li>1. Offshore Fisheries Licensing and Permitting</li> <li>2. National Observer Programme</li> <li>3. Offshore Boarding and Investigation</li> <li>4. Data and Database Management</li> </ol>
Fiji Navy Stan Brown Naval Base Laucala Bay Suva Fiji		<ol style="list-style-type: none"> <li>1. Defence of Fiji.</li> <li>2. Implementation of Maritime Policies.</li> <li>3. Coordination and conduct of search and rescue.</li> <li>4. Rural development in reef blasting.</li> <li>5. Provision of assistance to Fiji Government in time of natural disasters.</li> </ol>	Mission - To contribute to the security of Fiji by maintaining a professional maritime force capable of protecting Fiji's people and interests at sea.	<ol style="list-style-type: none"> <li>1. Vessel Monitoring System</li> <li>2. At-Sea Boarding and Inspection</li> <li>3. Maritime Patrolling</li> </ol>

## 2 Status of instruments relating to Fisheries MCS

Instrument Type	Current Status
National Fisheries Legislation	<ul style="list-style-type: none"> <li>• The laws relating to marine resources in Fiji are enshrined in Chapters 158, 158A and 149 of the Laws of Fiji. Chapter 158 is the Fisheries Act (1942). The Minister for Agriculture, Fisheries and Forests may make regulations under the Fisheries Act relating to the management of fisheries resources, which after Cabinet discussion and approval, are promulgated by publication in the Fiji Gazette.</li> <li>• Chapter 158A, the Marine Spaces Act, provides the legal basis for maritime operations of the Fiji Navy.</li> <li>• Preparation of three decrees relating to Fiji's offshore, inshore and aquaculture fisheries resources is well advanced. The offshore decree will meet international requirements and include NPOAs on IUU Fishing, Seabirds, Turtles and Sharks, and other MCS components to harmonise it with WCPFC requirements.</li> </ul>
Membership of Regional Fisheries Bodies	<ol style="list-style-type: none"> <li>1. Forum Fisheries Agency (FFA)</li> <li>2. Western and Central Pacific Fisheries Commission (WCPFC)</li> </ol>
National Plan of Action on IUU Fishing (NPOA-IUU)	Fiji has adopted an NPOA-IUU.
Tuna Development and Management Plan	The Fiji Tuna Development and Management Plan was adopted in 2002 with the objective to provide for maximum sustainable benefits to Fiji from the resource. This plan, that specifies a total allowable catch, a limit on the number of licences to be issued, and criteria for distributing the available licences among applicants, is currently being revised.

### **3 Description of fisheries inside EEZ and nationally-flagged vessels in the High Seas (if any)**

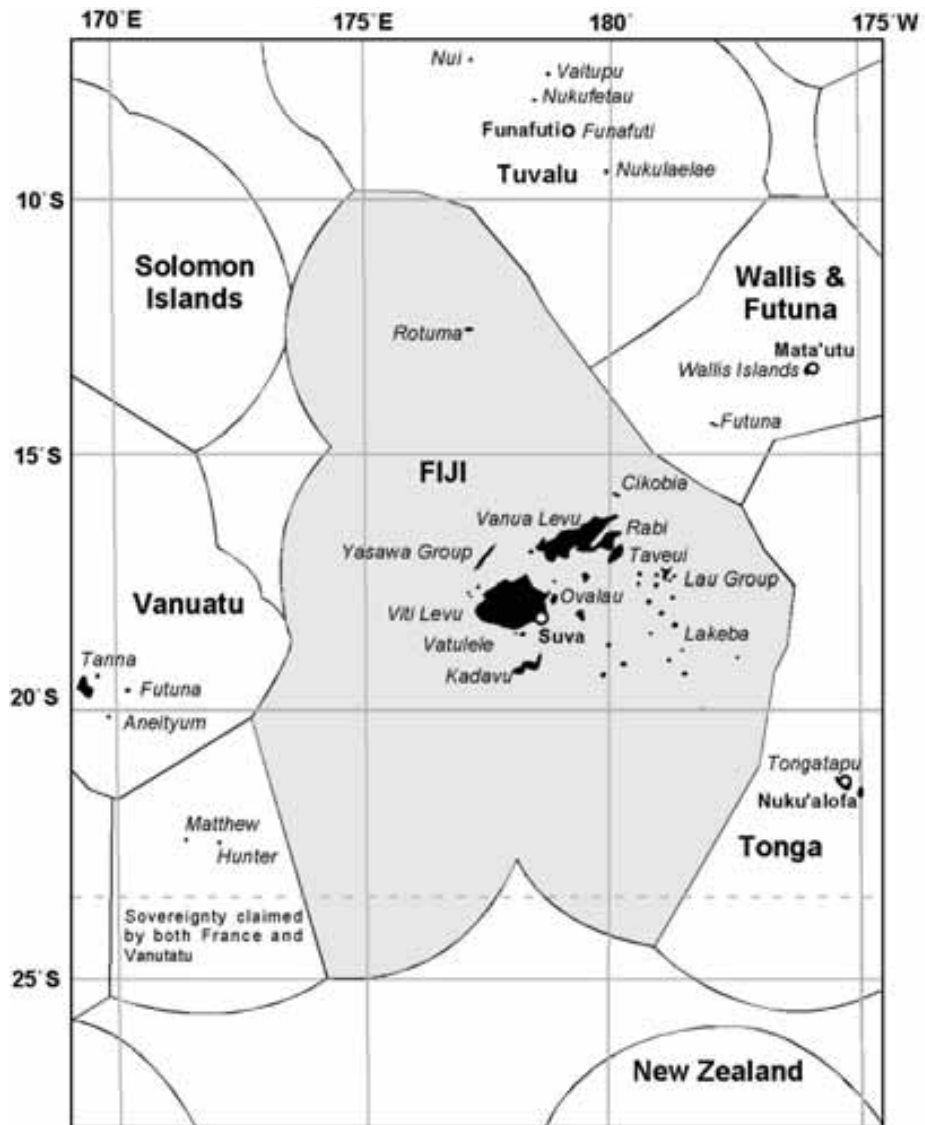
Offshore fisheries consist almost exclusively of tuna longlining from vessels that are both local and foreign-based. The annual catch from locally-based offshore fisheries has ranged in recent years between approximately 12,000 and 22,000 metric tonnes. Approximately 80 per cent of the catch is tuna, with various species of by-catch making up the remainder. The foreign-based offshore fleet fishing in Fiji's waters usually catches annually between 100 and 1,000 metric tonnes of tuna and by-catch.

In recent years the size of the locally-based longline fleet has ranged from 40 to 100 operational vessels. A small amount of tuna fishing by U.S. flag purse seine fishing vessels occurs sporadically in the northern part of the Fiji EEZ.

### **4 Physical Description of Fiji and a map of EEZ boundaries containing territorial seas, archipelagic waters (if any) and exclusion zones (if any).**

The Fiji group lies within the influence of the predominantly westward-flowing, south sub-tropical currents. The strength of the surface currents depends mainly on the strength and regularity of the south-east trade winds, and is most marked from September to November. Its rate seldom exceeds one knot. Water temperatures are always above 20° C, with a summer ocean maximum of about 30° C and a mean annual variation of about 6° C. Tidal range is very small, neap tides having a mean range of 0.9 m and springs of 1.3 m. Tides are semi-diurnal with the lower low-water springs falling during the night in summer but during the day in winter.

The climate is tropical with high humidity, and temperatures may rise to 35° C, but these are modified by the south-east trade winds from May to November. Spells of northerly and north-westerly winds occur during the hurricane season from December to March, when light and variable winds predominate. Strong trade winds from September to December restrict fishing operations. The summer is hot and wet with several tropical cyclones while the winter months are drier and cooler. Mean monthly temperatures range from 23° C in July and August to 27° C in January. Annual rainfall is unevenly distributed owing to the rain shadow caused by the mountains and high plateaux (1,200+ m) of the larger islands (mean 3,000 mm on the east coast, 1,650 mm on the west coast).



## 1 National organisations responsible for Fisheries MCS in Niue<sup>7</sup>

Organisation Name	Staff / Organisational Structure	Mandate	Policy Statement	Agreed Fisheries MCS-Related Responsibilities
Fisheries Management Advisory Committee (FMAC)	Comprises of a core membership with the ability to invite extra advisors / observers if required.	A key role of the FMAC will be to agree to the principles and measures of 'The Niue Pelagic Fishery Management and Development Plan' and provide a means of ensuring application of the Plan at all levels from fisher to Government.		Facilitate information flow between all members.
The Department of Agriculture, Forestry and Fisheries (DAFF)	Departments: 1. Crop Research Extension 2. Fisheries 3. Animal Health 4. Quarantine / Plant Protection 5. Administration 6. Forestry	Responsible for the management of Niue's natural resources.	Economically viable and sustainable industry development in the Agriculture, Forestry and Fisheries sectors of Niue, while ensuring food and nutritional security, resource management, environmental sustainability, and support to subsistence level activities and traditional practices.	<ol style="list-style-type: none"> <li>1. Cross checking VMS and telex reporting data with log sheets to ensure compliance with reporting requirements.</li> <li>2. Maintaining a database of total tuna catch and bycatch in Vanuatu waters.</li> <li>3. Prosecuting all fishing related offences in Vanuatu waters.</li> <li>4. Operating and managing VMS</li> <li>5. Offshore Fisheries Licensing and Permitting</li> <li>6. National Observer Programme</li> <li>7. Dockside Boarding and port sampling including monitoring of transshipments</li> </ol>
The Fisheries Division	<ol style="list-style-type: none"> <li>1. Principal Fisheries Officer</li> <li>2. MCS and Development Officer</li> <li>3. Assistant MCS and Development</li> </ol>	Responsibilities include vessel licensing, port inspections, monitoring the VMS, collecting fisheries data, deploying observers, coordination of aerial surveillance with the New Zealand High Commission and any surface patrols under the Te Vaka Moana Arrangement.	To actively facilitate the utilization of Niue's marine resources through sustainable and environmentally sound fisheries development strategies at all levels aimed at increasing economic development opportunities. Specifically for MCS and data	<ol style="list-style-type: none"> <li>1. Revising and update existing guidelines for the monitoring and surveillance of all fisheries waters in line with changes to national and regional standards.</li> <li>2. Monitoring and reporting on all long line fishing activities for all licensed vessels within Niue's fishery waters</li> <li>3. Developing joint MCS arrangements under the Niue Treaty with bordering island nations.</li> </ol>

<sup>7</sup> Sources: The Niue Pelagic Fishery Management Plan (Draft) and Department of Agriculture, Forestry, Fisheries and Moui Fakaniue. Corporate Plan 2009-2013.

Organisation Name	Staff / Organisational Structure	Mandate	Policy Statement	Agreed Fisheries MCS-Related Responsibilities
	Officer 4. Research and Management 5. Fisheries Officer.		collection these include:  <ul style="list-style-type: none"> <li>• Developing and implementing effective monitoring, control and surveillance programs across all fisheries waters, legislation, and licensing and management systems.</li> <li>• Maintaining and implementing effective licensing and data collection programs for both offshore and inshore fisheries</li> </ul>	4. Continuing to implement data collection protocols for commercial longline fishery (logbooks, port sampling, offloadings data, etc). 5. Meeting deadlines and reporting requirements as a member country to respective secretariats such as the WCPFC and SPC.
Port Authorities	1. Customs 2. Immigration 3. Fisheries 4. Police	Carry out pre-fishing inspections on all licensed vessels.		1. Checking and collection of relevant documentation and certificates prior to fishing.
The Police and Office of the Attorney General				1. Conduct investigations into any arrests made, conduct prosecutions and administer penalties.



## 2 Description of fisheries inside EEZ and nationally-flagged vessels in the High Seas (if any)

Since 2003 there has been no authorized foreign fishing in Niue's EEZ. U.S. flag purse seine fishing vessels are permitted to fish in Niue's EEZ but actual fishing by those vessels in Niue's EEZ has not occurred for many years.

In early 2005 Niue began licensing longline fishing vessels to operate under a charter arrangement. Production from these vessels reached a maximum in 2006 and early 2007, but poor catches meant the fishery ceased in December 2007, although 5 Taiwanese vessels did fish in Niue waters for a short time in 2010..

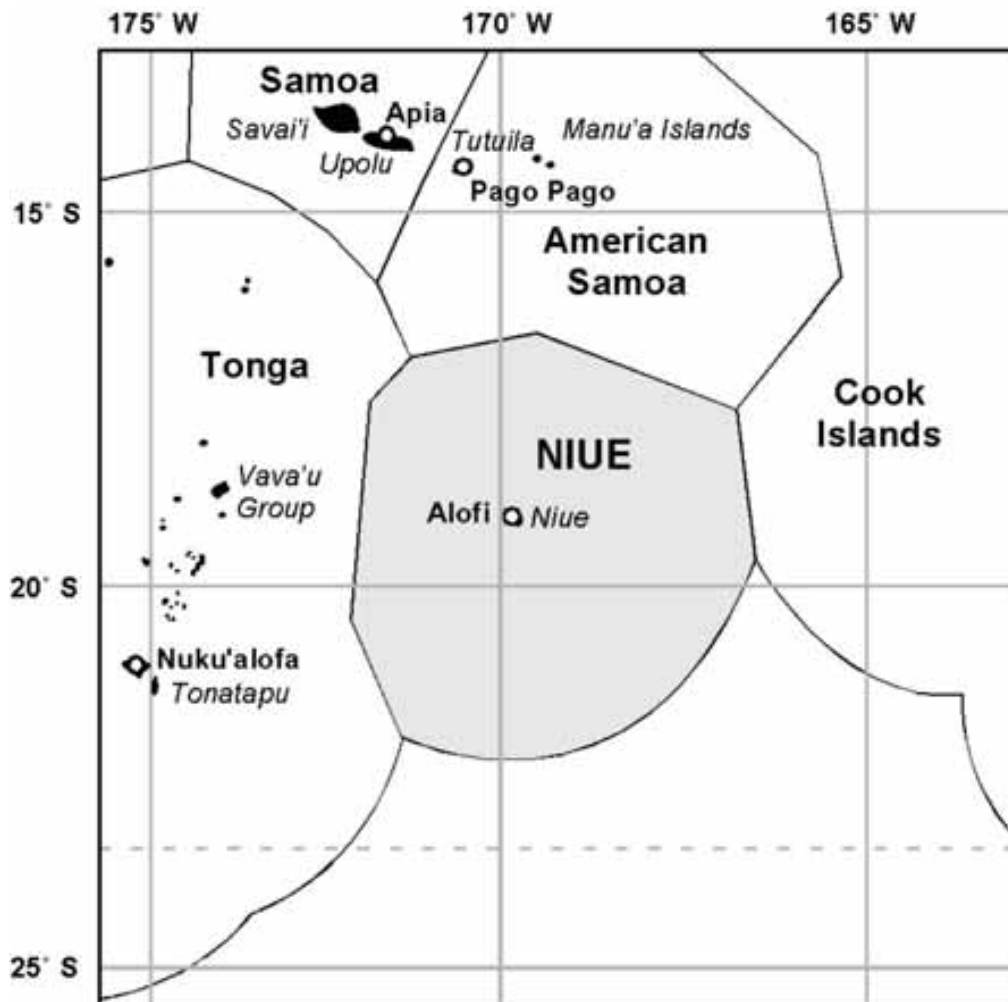
## 3 Status of instruments relating to Fisheries MCS

Instrument Type	Title and / or Current Status
National Fisheries Legislation	<ol style="list-style-type: none"> <li>1. Territorial Sea and Exclusive Economic Zones Act 1997 Currently being reviewed and updated as the Maritime Zones Bill 2012 to include exact coordinates for its territorial waters, contiguous zone and EEZ.</li> <li>2. Domestic Fishing Act 1995</li> <li>3. Domestic Fishing Regulations 1996</li> </ol> <p>These acts are still in force and there are no plans to update them in the next 2 years.</p>
Membership of Regional Fisheries Bodies and agreements	<ol style="list-style-type: none"> <li>1. Forum Fisheries Agency (FFA)</li> <li>2. Western and Central Pacific Fisheries Commission (WCPFC)</li> <li>3. Secretariat to the Pacific Community (SPC).</li> <li>4. Te Vaka Moana Agreement and Te Vaka Toa Arrangement</li> <li>5. Niue Treaty</li> <li>6. US Treaty</li> <li>7. Vava'u Declaration</li> <li>8. Cooperation in fisheries surveillance with Cook Islands</li> </ol>
National Plan of Action on IUU Fishing (NPOA-IUU)	<p>In 2010 a draft NPOA-IUU was sent to Cabinet for consideration but is yet to be adopted.</p>
Tuna Development and Management Plan	<p>The Niue Pelagic Fishery Management and Development Plan (The Plan).</p> <p>The Pelagic fishery is a designated fishery under Section 12 of the Territorial Sea and Exclusive Economic Zone Act 1997 with provisions for The Plan defined under Section 13.</p> <p>The objective of the Plan is to allow for the management and development of the fishery resource while acknowledging the significance this plays to tourism, and tourism's importance to the Niue economy. The overall thrust of the Plan is to take an Ecosystem</p>

	<p>based Approach to Fisheries Management (EAFM) that has a broader focus than simply that on the sustainability of target species and takes into consideration the interactions that the fishery has on other sectors and the wider ecosystem.</p> <p>The Plan is still in draft format and is awaiting review by the Niue Parliament before being Gazetted as a Regulation.</p>
SOPs currently in place	<p>Procedures for Operation of Transshipment (within the port of Niue)</p> <p>Operational Procedures for Data Collection. Includes:</p> <ul style="list-style-type: none"> <li>• Pre-fishing inspections</li> <li>• Recording unloadings of returning vessels</li> <li>• Port Sampling</li> </ul> <ul style="list-style-type: none"> <li>• The Niue Governments Vessel Monitoring Systems (VMS) Standard Operating Procedures</li> </ul>

**4 Physical Description of Niue, and a map of EEZ boundaries containing territorial seas, archipelagic waters (if any) and exclusion zones (if any)**

Niue is an uplifted coralline island with the greater part of its coast comprised of an ancient, raised reef platform forming cliffs rising to approximately 60 m above sea level. Niue has no lagoon and the outer reef slope descends precipitously to 1,000 m within 5 km of the shore. Cliffs predominate along much of the coastline and there are relatively few locations for coastal access. Although the island's land area is only 259 sq km, Niue's EEZ extends over an area of 390,000 sq km.



## 1 National organisations responsible for Fisheries MCS in Tonga

Organisation Name	Staff / Organisational Structure	Mandate	Policy Statement	Agreed Fisheries MCS-Related Responsibilities
National Monitoring, Control and Surveillance Committee.	Representation from: 1. Ministry of Fisheries 2. Ministry of Foreign Affairs 3. Tonga Defense Forces 4. Police 5. Customs 6. Marine Ports	To focus on all aspects of monitoring, control and surveillance, including those related to the tuna fishery.		<ol style="list-style-type: none"> <li>1. Allocation and sharing of inter-agency MCS resources.</li> <li>2. Cost recovery between agencies.</li> <li>3. Lead authorities and processes for MCS activities</li> <li>4. Contacts between agencies</li> <li>5. Training and standards for marine enforcement and joint enforcement activities</li> <li>6. Procedures for liaison with outside government agencies and / or other FFA Member Countries</li> <li>7. Procedures to address special operations and issues, including violations</li> <li>8. Effectiveness of MCS programmes</li> <li>9. Other issues, i.e. Niue treaty, observer programmes etc.</li> </ol>
Ministry of Agriculture and Food, Forests and Fisheries		To build a better economy from agriculture, forestry & fisheries for present and future generations.	An Island Kingdom where agriculture, fisheries & forestry contributes significantly to better living standards of all, in an economically, socially & environmentally sustainable manner.	
Fisheries Department	The Fisheries Department is a division of the Ministry of Agriculture & Food,	The core function of the Fisheries Department involves conserving, managing, developing and sustainable utilization of the Kingdom's	The development of Tonga's living aquatic resource industries to the highest level of use compatible with	<ol style="list-style-type: none"> <li>1. Offshore Fisheries Licensing</li> <li>2. National Observer Programme</li> <li>3. Dockside Boarding</li> <li>4. Catch Logsheet Collection</li> <li>5. Vessel Monitoring System</li> </ol>

Organisation Name	Staff / Organisational Structure	Mandate	Policy Statement	Agreed Fisheries MCS-Related Responsibilities
	Forests and Fisheries. Seven staff are currently responsible for Fisheries MCS	aquatic resources to ensure food security and improve the social and economic well-being of the people of Tonga.	ecological sustainability with structures of ownership, participation and technology that maximise the benefits to the people of Tonga.	
Tonga Defence Services (Navy)				1. At-Sea Boarding and Inspection 2. Maritime Patrolling
Tonga Police Force				1. Investigation and prosecution

## 2 Description of fisheries inside EEZ and nationally-flagged vessels in the High Seas (if any)

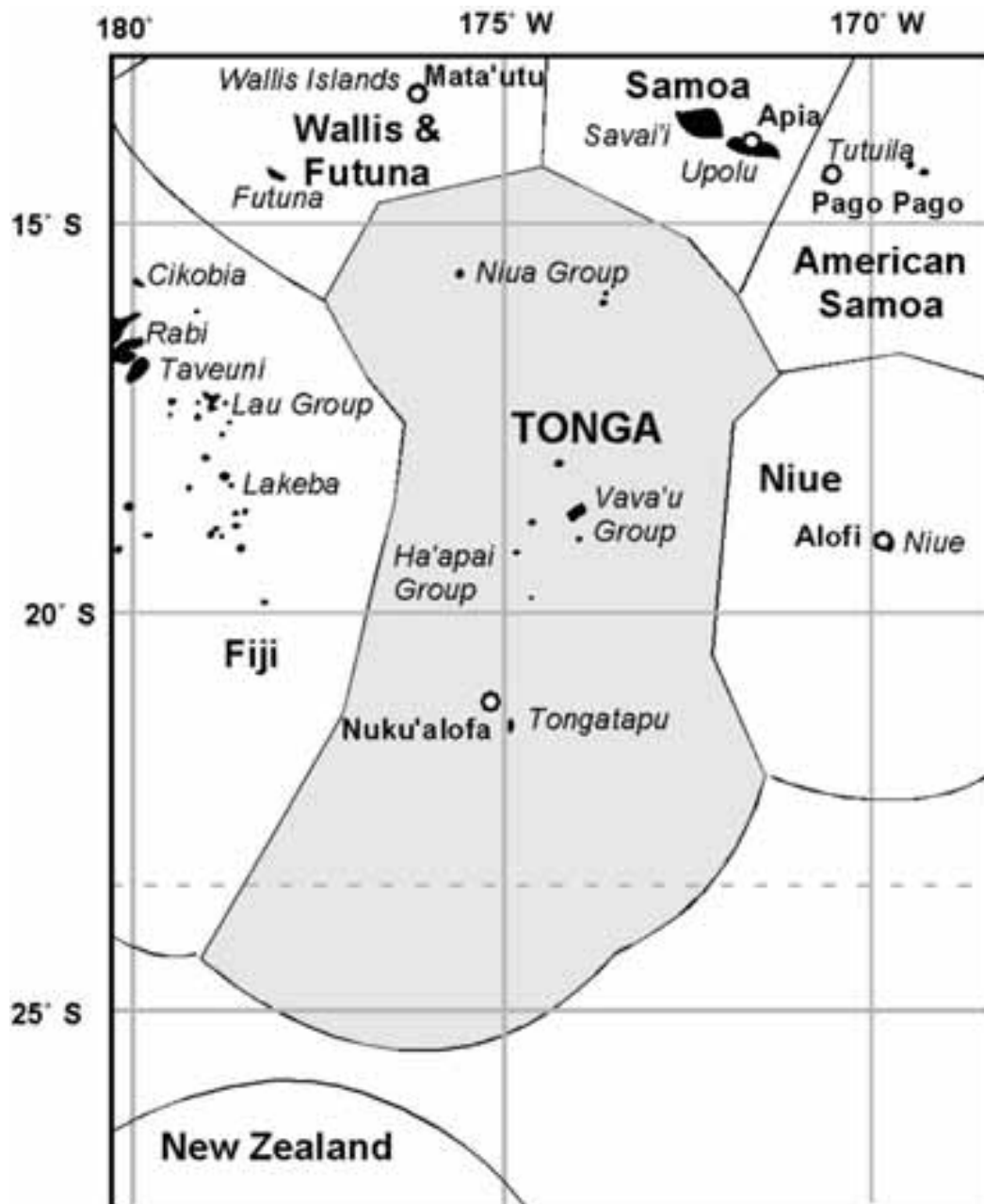
Offshore fisheries are undertaken on an industrial scale by locally-based longline vessels that offload their catches at Nuku'alofa. These vessels range in size from 18-39 m LOA. Fishing trips are usually between 5-10 days long for the smaller longliners that use ice to preserve the catch, whereas the larger vessels using freezers may remain at sea for up to a month. Albacore tuna comprises 34-56 per cent of the total tuna and tuna-like species of the longline catch, followed by yellowfin tuna (24-45 per cent) and bigeye tuna (8-27 per cent).

## 3 Status of instruments relating to Fisheries MCS

Instrument Type	Title and / or Current Status
National Fisheries Legislation	Fisheries Management Act (2002)
Membership of Regional Fisheries Bodies and agreements	3. Forum Fisheries Agency (FFA) 4. Western and Central Pacific Fisheries Commission (WCPFC) 5. Secretariat to the Pacific Community (SPC). 6. Te Vaka Moana Agreement and Te Vaka Toa Arrangement 7. Niue Treaty 8. US Treaty 9. Vava'u Declaration
National Plan of Action on IUU Fishing (NPOA-IUU)	Tonga has not adopted an NPOA-IUU although their National Tuna Management and Development Plan does contain a section on Monitoring, Compliance and Surveillance that covers some aspects of this (licensing terms and conditions, VMS requirements, requirement to carry an observer).
Tuna Development and Management Plan	Tonga National Tuna Management and Development Plan (2002)
SOPs currently in place	Tonga have SOPs in place for all relevant MCS elements, procedures for licensing are defined in their legislation and Management Plan.

## 4 Physical Description of Tonga, and a map of EEZ boundaries containing territorial seas, archipelagic waters (if any) and exclusion zones (if any)

Tonga's geography exerts a large influence on fishing in the country. Tonga comprises approximately 150 islands, of which about 36 are inhabited, as well as many smaller islets and reefs. These islands, whose collective land area is approximately 747 sq km, are distributed in three main groups - Tongatapu and neighbouring islands in the south, the Ha'apai Group located centrally, and the Vava'u Group in the north. Other islands extend the archipelago further north and south beyond the main groups.



## 1 National organisations responsible for Fisheries MCS in Vanuatu

Organisation Name	Staff / Organisational Structure	Mandate	Policy Statement	Agreed Fisheries MCS-Related Responsibilities
Tuna Management Advisory Committee	Includes representatives from: <ul style="list-style-type: none"> <li>• Department of Fisheries</li> <li>• Vanuatu Maritime Authority</li> <li>• Foreign Affairs Department</li> <li>• Police Maritime Wing</li> <li>• State law office</li> <li>• Civil society</li> <li>• Department of Finance</li> <li>• Vanuatu Investment Promotion Authority</li> <li>• Tuna Industry Association</li> <li>• National Fishermen Association</li> <li>• Provincial Government</li> </ul>	Responsible for implementing all aspects of the Tuna Management Plan, will meet once a year to review plans implementation status and twice a month to deal with specific issues.		<ol style="list-style-type: none"> <li>1. Ensure the MCS elements of the Tuna Management Plan are implemented.</li> <li>2. Assist with coordination between agencies.</li> </ol>
Department of Fisheries, Port Vila		Management of Vanuatu's tuna fisheries		<ol style="list-style-type: none"> <li>1. Cross checking VMS and telex reporting data with log sheets to ensure compliance with reporting requirements.</li> <li>2. Maintaining a database of total tuna catch and bycatch in Vanuatu waters.</li> <li>3. Prosecuting all fishing related offences in Vanuatu waters.</li> <li>4. Operating and managing VMS</li> <li>5. Offshore Fisheries Licensing and Permitting</li> <li>6. National Observer Programme</li> <li>7. Dockside Boarding and port sampling including monitoring of transshipments</li> </ol>



Organisation Name	Staff / Organisational Structure	Mandate	Policy Statement	Agreed Fisheries MCS-Related Responsibilities
Vanuatu Police Force, Maritime Wing, Paray Bay, Port Vila				6. Operating patrol boat and coordinating air and surface surveillance
Vanuatu Maritime Authority				<ol style="list-style-type: none"> <li>1. All direct interaction with foreign flagged vessels operating outside of Vanuatu's EEZ, including informing them when they are authorised to fish by the Department of Fisheries.</li> <li>2. Maintaining a record of all Vanuatu flagged foreign tuna fishing vessels and their catches and activities.</li> </ol>
Tuna Fishing Vanuatu Ltd.				<ol style="list-style-type: none"> <li>1. Monitoring and managing all Vanuatu flagged fishing vessels</li> <li>2. Provide monthly reports on Vanuatu flagged foreign fishing vessel activities (to fisheries) in IOTC, IATTC, ICCAT, CCAMLR and WCPFC.</li> <li>3. Provide information on actions taken against Vanuatu flagged foreign fishing vessels.</li> </ol>

## 2 Description of fisheries inside EEZ and nationally-flagged vessels in the High Seas (if any)

Offshore fisheries are undertaken on an industrial scale by locally-based longline and purse seine fishing vessels as well as by foreign-based longline fishing vessels. Regarding foreign-flag vessels, the Chinese fleet is currently the dominant fleet operating in the Vanuatu EEZ, both in terms of vessel numbers and capacity, followed by Taiwan and Fiji.

In 2007 the major species in the longline catch was albacore tuna (60 per cent by weight), yellowfin tuna (16 per cent) and bigeye tuna (10 per cent). Approximately 80 per cent of the purse seine catch is skipjack tuna.

In 2009 Vanuatu had a fleet of 90 vessels (larger than 18 m LOA) comprising 27 purse seiners, 62 longliners and one pole-and-line.

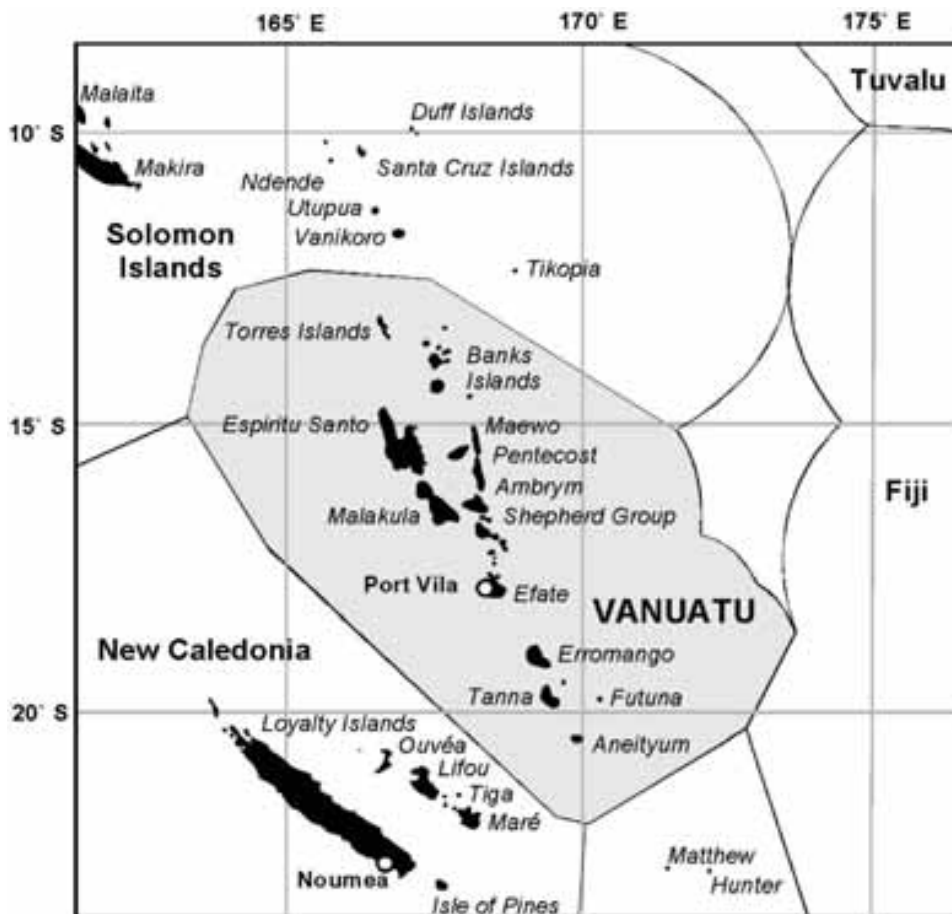
## 3 Status of instruments relating to Fisheries MCS

• Instrument Type	• Current Status
National Fisheries Legislation	The Vanuatu Fisheries Act No. 55 of 2005 is currently being revised.
Membership of Regional Fisheries Bodies	<ol style="list-style-type: none"> <li>1. Forum Fisheries Agency (FFA)</li> <li>2. Western and Central Pacific Fisheries Commission (WCPFC)</li> <li>3. Inter-American Tropical Tuna Commission (IATTC)</li> <li>4. Indian Ocean Tuna Commission (IOTC)</li> <li>5. International Commission for the Conservation of Atlantic Tunas (ICCAT)</li> <li>6. Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) (Party to the Convention but not Member of the Commission).</li> </ol>
National Plan of Action on IUU Fishing (NPOA-IUU)	Vanuatu has no NPOA-IUU, although one is being developed but is yet to be finalized. Currently the revised Tuna Management Plan developed in conjunction with the FFA and SPC, focuses on strategies concerned with improved MCS and licensing systems for foreign and Vanuatu flagged vessels to reduce IUU.
Tuna Development and Management Plan	<p>The "Revised Tuna Management Plan - A National Policy for the Management of Vanuatu Tuna Fisheries" identifies the fishery and assesses its present state of exploitation, specifies the objectives to be achieved, and specifies the management and development measures to be taken. The revised Plan was endorsed by the government and launched by the Minister Responsible for Fisheries in December 2008. The Minister is in the process of appointing members to the Tuna Management Advisory Committee (TMAC) under the Plan.</p> <p>The main objectives of management of tuna fisheries in the Plan are:</p> <ol style="list-style-type: none"> <li>a) to ensure that the exploitation of the tuna resources that are found in, and pass through Vanuatu waters, is compatible with the sustainability of the stocks throughout their range;</li> <li>b) to ensure the harvest is taken in a way that maximises the long-term economic and social benefits received by the</li> </ol>

	<p>peoples of Vanuatu;</p> <p>c) to contribute to the food security of Ni-Vanuatu;</p> <p>d) to meet regional and international responsibilities for tuna management.</p> <p>The main measures provided in the Plan to achieve these objectives are:</p> <p>a) a licensing programme for all commercial fishing vessels;</p> <p>b) limitations to be applied to fishing operations; and</p> <p>c) a total allowable catch for foreign fishing, locally-based foreign, local and sport fishing vessels.</p>
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**4 Physical Description of Vanuatu, and a map of EEZ boundaries containing territorial seas, archipelagic waters (if any) and exclusion zones (if any)**

Vanuatu is a "Y"-shaped archipelago of about 80 islands, 67 of which are inhabited, and twelve of which are considered major. The islands and associated reefs lie between latitudes 13-21°S and longitudes 166-172°E in the western Pacific Ocean. The archipelago is approximately 850 km long.



## **Annex 6 – Workshop Report**



### **ACP FISH II MCS Operations Manual Validation**

#### **Workshop**

FFA Headquarters, Honiara, Solomon Islands

24<sup>th</sup> – 25<sup>th</sup> April

**Draft MCS Manual Report #1**

## **Introduction**

1. The MCS Operations Manual Validation Workshop, held at FFA Headquarters, Honiara, Solomon Islands on 24<sup>th</sup> and 25<sup>th</sup> April 2012, was funded through the ACP FISH II Programme. Participants from five (5) Pacific Island FFA Members attended, as listed in **Attachment 1**. The workshop was delivered according to the schedule appended at **Attachment 2**.

## **Workshop Objectives**

2. The main objectives of the workshop were to:

- Present a summary of key findings established during the assessment phase;
  - Key MCS instruments covered by Manual
  - Guidance on:
    - Establishing principal MCS infrastructure
    - Direction and instructions for performing day-to-day operational obligations.
- Discussion on:
  - How these findings should be integrated into the Manual;
  - The structure and format of the Manual
  - How the Manual will be used/applied by intended readers
  - How the Manual can be tested and or updated following national and regional MCS developments
- Evaluation of workshop
  - Feedback/appraisal exercise

3. The main outputs of the workshop were expected to be:

- A report summarising the development, design and delivery of workshop plus evaluation of the workshop by invited participants.
- Assessment of structure and format of the Manual by the participants.
- A set of recommendations for development.

## **Workshop Outline**

4. Workshop activities consisted of presentations by the two key consultants on the project, the FFA Secretariat and a representative from the RFU on the background of the project. Participants were divided into small groups to discuss the structure, layout and practicality of using the draft Manual developed by the consultants which, when revised, would be presented to the FFA Secretariat as part of the Final Technical Report (FTR).

## **Workshop Activities**

### Day One

5. The FFA Director of Fisheries Operations, Mark Young, opened the workshop and thanked the delegates for attending and hoped that they would be able to provide some useful feedback on the project. He went on to state the importance of putting processes in place to allow MCS practitioners to perform their tasks on a repeatable and consistent basis. Many organisations other than FFA were involved in developing MCS procedures in the FFA region and it was important to ensure that their collected efforts weren't overlapping. With this particular project there would be something in place at the end where the secretariat would be engaged in continuing the process. A number of FFA Members had clearly indicated within their Service Level Agreements (SLAs) with the secretariat that they were interested in developing a set of SOPs. It would be a living document, which would develop as a country's respective MCS abilities develop. Work conducted during this workshop was important as it would lead to follow on work through, for example the secretariat's Job Aids programme or the Training Needs Assessment initiative.
6. The ACP Fish II RFU Manager, Augustine Mobiha, made some welcoming remarks and stressed the importance of inputs from the participants. He noted that ACP Fish II is involved in around 20 projects in this region, involving MCS and fisheries management, and that these projects were only as good as the inputs from the participants.
7. The workshop schedule and annotated agenda was presented by workshop facilitator, James Moir Clark and agreed on by the group.
8. Workshop facilitator, Andrew Richards' presentation outlining the project background and Terms of Reference.
9. The project approach and methodology presented to the workshop provided a description of the project objectives and the methodology used to achieve these goals.
10. The facilitators then presented the assessment phase outcomes, the results were presented as a general summary arising from the country consultations, rather than country specific outcomes which will be presented in the FTR.
11. The participants were given draft version of the manual and a brief description of the content, the concept behind it and how it should be used. Comments from this were received and are included as general comments in **Attachment 3**.
12. The workshop was divided into two groups to evaluate the structure and format of the draft Manual and produce recommendations on how it could be further developed or altered as part of this project as well as the future of the Manual after the project. The

results of these discussions were presented to the workshop by a spokesperson from each group.

## Day 2

13. The facilitators summarised some of the outcomes from Day 1 based on the group discussions. Comments made by the groups are included in **Attachment 3**.

14. The workshop was once again divided into small groups this time to try to use the templates as drafted in the manual. The aim was to see how the templates would work against when developing countries' own SOPs, whether they would be useful as they stand or need further development. These were again presented by group.

15 Group 1 worked on developing procedures for patrol vessels while group 2 looked at licensing. There was general agreement that the format of the tables would facilitate the development of SOPs, although more guidance was needed as to how the tables should be used and what information needs to be inserted under each of the headings

15. Supt. John Taleo, Commander of the Vanuatu Police Maritime Wing, gave a presentation on a new set of SOPs that has been developed by his department. This involved re-establishing close links with other government departments which allowed greater information sharing and subsequently more targeted and efficient patrols. The conveners thanked Supt. Taleo for his participation, noting the importance of establishing links with other departments to ensure the sharing of relevant information between them. Colin Brown (Cook Islands) noted that meetings do not necessarily have to be held face-to-face but can be conducted virtually via telephone or Skype.

## **Workshop Evaluation**

17. Written evaluations of the workshop were carried out to assist in planning similar workshops in the future. A summary of the completed evaluation forms and participants' written responses is appended at **Attachment 4**.

## **Final Recommendations**

18 A summary of recommendations discussed and developed during the workshop is given below. These can be divided between recommendations for the current project and recommendations for future development.

- Be an e-based publication that facilitates rapid and accurate location in its various annexes of relevant supporting documentation, templates, standard operational procedures and other reference material;

- be a task-based guide for MCS Officers to meet organisational, national and regional (FFA, WCPFC, PNA, Te Vaka Moana) MCS obligations in support of fisheries management;
- be drafted so that MCS Officers may address MCS tasks on an ad-hoc, daily, weekly, monthly, quarterly, annual and Niue Treaty operational basis;
- individual job descriptions should be incorporated giving a clearly defined role for each member of the MCS team;
- better explanation of the structure and how to use the document should be given, this would include instructions of how to update and link the document when necessary;
- the manual should be linked to other FFA initiatives such as job aids and the training needs assessment, and;
- be compiled in a manner that facilitates its further development by individual FFA Members to suit their respective national requirements.

### **Future development.**

- It should be more country specific and include areas other than offshore fisheries such as inshore and aquaculture.
- the information management components of the manual should be integrated with developing Fisheries Information Management Systems;
- being part of an integrated management system would allow external links to documents that could not be included in the structure of the manual itself;
- be further developed by the FFA Secretariat for individual FFA Members, in the first instance for those members that have included requests for such development in their respective Service Level Agreements with the FFA Secretariat. Use of in-country consultants will be essential for this process, and;
- initial testing should be undertaken in country over a fixed period, development of a standard evaluation form would allow a meaningful assessment.



**TECHNICAL ASSISTANCE TO DEVELOP A STANDARD NATIONAL MCS  
OPERATIONS MANUAL IN FIVE ACP COUNTRIES IN THE PACIFIC  
REGION**

FFA Conference Centre, Honiara, Solomon Islands

24<sup>th</sup> 25<sup>th</sup> April 2012

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**WORKSHOP SCHEDULE**  
**PROJECT WORKSHOP - DEVELOPMENT OF A STANDARD NATIONAL MCS**  
**OPERATIONS MANUAL**

FFA Conference Centre, Honiara, Solomon Islands  
 24-25 April 2012

**REVISED PROVISIONAL SCHEDULE**

**Day 1: 24 April 2012**

09:00	Opening of Workshop	FFA Secretariat
09:15	Welcoming Remarks	ACP Fish II RFU
09:30	Draft Workshop Schedule	Facilitators
09:45	Project Background/TORs	Facilitators
10.00	Refreshment Break	
10:30	Project Approach/Methodology	Facilitators
11:30	Outcomes of Assessment Phase, including In-Country Consultations	Facilitators
12.30	Lunch Break	
13:30	Progress with Development of Fisheries Management Information Systems	FFA Secretariat
14:30	Small group discussion*	Small Groups
15:30	Refreshment Break	
16:00	Small group discussion (continued)	Small Groups
17.00	End Day 1	

**Day 2: 25 April 2012**

08:30	Summary of Day 1	Facilitators
09:00	Development of Draft Standard Operating Procedures	Small Groups
10.00	Refreshment Break	
10:30	Draft Workshop Recommendations	Facilitators
11:00	Group Discussion of Draft Workshop Recommendations	Facilitators
12.30	Lunch Break	
13.30	Implementation of Workshop Recommendations	Facilitators/FFA Secretariat
14:30	Project/Workshop Evaluation by Participants	Participants
14.45	Close of Workshop	Facilitators
15:00	Refreshments	

**\*Discussion Points**

- How the Assessment Phase outcomes should be integrated into the draft Manual.
- The structure and format of the draft Manual.
- How the draft Manual will be used/applied by the intended users.
- How the draft Manual can be tested and/or updated following national and regional MCS developments.

**Annotated Agenda  
Day 1**

- **Opening of Meeting**
- **Welcoming Remarks**
- **Draft Workshop Schedule**
- **Project Background / Terms of Reference**
- **Project Approach and Methodology**

A brief description of the methodology used to collect the information required to develop the recommendations and the rationale behind the development of the manual template.

- **Outcomes of Assessment Phase, including in Country Consultations**

A summary of the findings of the in country consultations and the implications of these on the structure and scope of the manual template.

- **Draft Project Recommendations**

Outline of the draft recommendations that have come out as a result of the first phases of the project will be presented here. These recommendations include that the manual should:

1. be a task-based guide for MCS Officers to meet organisational, national and regional (FFA, WCPFC, PNA, Te Vaka Moana) MCS obligations in support of fisheries management;
2. be drafted so that MCS Officers may address MCS tasks on an ad-hoc, daily, weekly, monthly, quarterly, annual and Niue Treaty operational basis;
3. be compiled in a manner that facilitates its further development by individual FFA Members to suit their respective national requirements;
4. be an e-based publication that facilitates rapid and accurate location in its various annexes of relevant supporting documentation, templates, standard operational procedures and other reference material;
5. for its information management components rely on existing and developing MCS information systems, e.g. TUFMAN-MCS, Fisheries Management Information Systems, Regional Information Management Facility;
6. be further developed by the FFA Secretariat for individual FFA Members, in the first instance for those members that have included requests for such development in their respective Service Level Agreements with the FFA Secretariat.

The recommendations will help drive the small group discussions under item 9 where advice will be sought from the participants as to whether they are appropriate, need amending or are any recommendations that can be added.

- **Small Group Session on Draft Recommendations**

Participants divided into smaller groups to review draft recommendations developed under item 7. Each group will present the results of their discussions at the end of the session.

## **Day 2**

- **Summary of Day 1**

- **Development of Standard Operating Procedures**

Discussion on the development of SOPs for the MCS Elements against the regional, sub-regional and national requirements.

- **Draft Workshop Recommendations**

Summary of the advice given by the small groups on the draft recommendations, if there is an overall consensus then we will look at developing the final wording for some of the recommendations, otherwise a summary of the advice will be presented.

- **Group Discussion of Draft Workshop Recommendations**

Any key recommendations that should be singled out for special attention can be agreed upon by the group and prioritised, this will help to inform the project and relevant agencies which areas to focus on. These will be presented in the final report.

- **Implementation of Workshop Recommendations**

This will involve a discussion on the next steps required for implementing the take up and use of the manual and the key recommendations developed during the workshop. The aim will be to ensure that participants leave with a clear idea of what the final output will be.

- **Feedback from the workshop given by participants.**

- **Close of Workshop**

## Comments by the Group on the structure and format of the manual.

### General comments

Colin Brown (Cook Islands) commented that the Cook Islands is working towards a fully electronic information management system. He noted the importance of SOPs needing to be an integral component of the overall Fisheries Information Management System and allow optimal access to information by those that need it.

‘Ana Taholo (Tonga) stated that the Manual needed to more country specific to reflect the needs of the participating States, the measures currently outlined in the manual had already been adopted into their SOPs. She also questioned whether, as a web-based product, the manual would be a publically available document.

Colin Brown added that the Manual was primarily based on offshore fisheries, however inshore fisheries were more significant in some of the participating countries and provisions should be made for that.

Fraser McEachan (FFA) suggested alternative formats for making the manual available should be explored, this could be electronically using CDs or thumb drives, breaking the document into electronic folders and subfolders with appropriate hyperlinks. This would to make the main document easier to navigate and has been used in other FFA members’ procedures manuals. He also stated that caution should be taken when deciding to include CMMs as part of the SOPs. The challenge and key benefit in developing SOPs is to give effect and translate the international obligation into not only national law but also operational procedures, noting the uniqueness of each member in terms of existing procedures and legislation. He also noted the inclusion in the draft procedures document of national MCS Strategy and referred to a recent 2012 MCSWG15 outcome and recommendation to FFC in which a template MCS Strategy is proposed to be used as a basis for members in the development of national MCS Strategies.

### Small Group Discussions

1. *Have the consultants fully integrated the assessment phase outcomes into the draft MCS Manual?*
  2. *Which of the assessment phase outcomes still require integration into the draft MCS Manual?*
- There was a general agreement that a manual was needed, however that it should be more specific to each country and agencies within that country so that all agencies are operating to the same standards. As some countries have individual job descriptions these should be incorporated into the consolidated manual.
  - The manual was based around offshore fisheries, however inshore elements should also be incorporated which would be more relevant to some of the participating countries. There should also be SOPs developed for an MCS analyst.

- Regional and international obligations need first to be incorporated into national law and procedures (Crown Law are unaware of CMMs – unless it is enshrined in national law).
- Sections of the manual should be linked to other FFA initiatives.

3. *Are the structure and format of the draft MCS Manual clear and easy to follow?*

4. *Does the draft MCS Manual permit easy location of referenced documents?*

5. *How should the draft MCS Manual be revised to enable ready reference of documents?*

- The structure of the manual was thought to be ok, having the links inserted in the document and in the table of contents helped navigation around the document.
- If a document was not referenced in the manual then it couldn't be easily accessed if not in the structure of the manual itself. If it were part of an integrated management system then this would be possible as some of the required links would be external and could not be included in the structure of the manual itself (suggested vessel records, licence lists, universal codes).
- While the manual would be available in hard copy, an electronic version was preferable to get over paper based reporting systems so integrated reporting capabilities can be developed.

6. *Does the draft MCS Manual lend itself to ease of use by national MCS Officers?*

7. *How should the MCS Manual be revised to increase the likelihood that it will be readily used by MCS Officers?*

- The hyperlinks in the document should make it easy to use. However better explanation of the structure and how to use the document is needed, the use of a help icon was suggested.
- A filtering system to access specific information for example regarding a certain vessel, should be incorporated.
- It should lend itself to ease of use by national MCS officers and would be useful when new staff are employed.

8. *Is the draft MCS Manual currently structured so that it can be relatively easily tested and updated following national and regional MCS development?*

9. *How should the draft MCS Manual be revised so that such testing and updating may be readily achieved?*

10. *Which agencies should be responsible for undertaking such testing and updating?*

- Field testing in regional operations or at a national level can be easily undertaken with weaknesses or gaps revised accordingly. Tested through regional operations or nationally

over a period of a month, fisheries of patrol boat agencies can test it depending on their duties (in the SOPs).

- Changes and updates to the manual should be easily undertaken electronically although docs that need referencing/appendix need to be linked either through hyper-link or electronically through the Information System.
- A standard evaluation form should be developed and sent out with each trial version.



**VALIDATION WORKSHOP - TECHNICAL ASSISTANCE TO DEVELOP A  
STANDARD NATIONAL MCS OPERATIONS MANUAL IN FIVE ACP COUNTRIES  
IN THE PACIFIC REGION**

FFA Conference Centre, Honiara, Solomon Islands

24-25 April 2012

**WORKSHOP EVALUATION BY PARTICIPANTS**

**Introduction**

The workshop participants were asked to respond to the following three sets of questions:

1. What did you expect to gain from your participation in the workshop? Using the ratings 1-5<sup>8</sup> how well did the workshop meet your expectations?
2. Please comment on the workshop presentations and the presenters. You may refer to the quality of the information provided and how clearly it was presented. Using the ratings 1-5, how well did the workshop presentations meet your needs?
3. Please comment on whether or not this workshop has positively contributed to the development of the draft Standard National MCS Operations Manual. You may also indicate if the workshop, or any part of the workshop, will not be useful in this task, and why. Using the ratings 1-5, how much will this workshop increase the probability of the draft Manual being widely used by MCS Officers across the FFA Region?

The participants were also requested to provide any additional comments that may assist in improving future project workshops delivered under the ACP Fish II Programme.

**Responses**

The seven numerical responses to the three sets of questions are provided in Table 1.

**Table 1 - Responses by participants to questions about the workshop**

<b>Participant Number</b>	<b>Question 1</b>	<b>Question 2</b>	<b>Question 3</b>
1	4	5	5
2	3	3	3
3	3	3	3
4	5	5	5
5	4	5	5
6	4	5	5
7	4	5	5

<sup>8</sup> 1 = Does not meet needs, 2 = Needs improvement, 3 = Adequate, 4 = Good, 5 = Very good

The written responses were as follows:

### *Question 1*

- To enhance my awareness and ability to effectively undertake MCS tasks in a manner that accounts for the requirements and expected outputs in terms of national, sub-regional and regional obligations.
- I expected to gain an overview of the template, the template in context and the need for national involvement.
- The workshop was informative in terms of explaining what the project was about, so in that sense the workshop was useful. But in terms of getting direct feedback on the draft Manual we would still need time to digest this and to be able to provide feedback on it.
- I expected experience/tips of drafting an SOP Manual for MCS Practitioners and to gain additional knowledge of the importance of having such manuals in place in the region.
- I expected a comprehensive presentation so I can have a broader understanding of what this project is all about and to see some merits towards my line of work.
- Initially was not well briefed on the purpose of the workshop but during the workshop I saw the relevance and reinforced what I needed to know.

### *Question 2*

- They were clear and concise, and shows the experience of the presenters.
- Presentations were good and interventions were allowed.
- Presentations were clear and well presented.
- Workshop presentations and presenters were clear and concise, and relevant to the workshop aims.
- Clear and understandable in my area of operations, for our national interest and obligation.
- Good presentations and I like the presenters - very clear.
- Presenters were good and we understood from the presenters what was needed.

### *Question 3*

- Provides a good basis/template for countries to adapt it to suit their national needs, but ensures that they can link this to FFA MCS initiatives effectively. Once fine-tuned, the template will be issued to improve better MCS tasking in a coordinated and organised manner.
- Positive because the workshop put the template into context - IMS, the development of national MCS strategies, the Niue Treaty etc.

- As it's going to be a NATIONAL MCS Operations Manual I am still of the view that it needs to be country-specific. However, this is a positive start.
- Yes, the workshop has indeed opened my eyes in relation to the need for consolidating SOP Manuals for MCS practitioners in-country and has indeed greatly contributed to the ease in compilation of a national MCS SOP Manual. All aspects of the workshop were relevant and will definitely be used to enhance our capacities in improving our existing manuals.
- Very valuable for our MCS Officers but need more/further training of MCS Officers for our national expectation.
- I think it will certainly be of use to my country, the workshop has contributed some input towards the manual which will help strengthen it.
- Current systems are ad-hoc or overlap, or do not tie into other systems. This will do a lot to iron out these gaps.

#### *Additional Comments*

- Just pay per diem.
- Provide draft document (e.g. Manual) in advance in order to allow us to be able to meaningfully comment on it.
- Because the length of time (two days) was quite short, I propose a three-four day workshop. Facilitation of expenses reimbursement is not convenient - must consider alternative ways which do not have as much "red tape" associated with them.
- I suggest that the ACP Fish II Programme should carry out monitoring and evaluation of this project for 6-8 months or quarterly to note the progress. But I think this project has improved delivery compared with past workshops. Thanks for having me here for this two day workshop - very beneficial and valuable and I have learned with interest.
- Just want to acknowledge the work done by the ACP team so far, especially the in-country visit to assist MCS Officers in the development of the MCS Manual.

## **Annex 7\_– List of Reports and Documents Consulted**

1. ACP Fish II - "Developing and Updating of National MCS Strategic Plans in line with the Regional MCS Strategy", May 2011.
2. Cook Islands - Marine Resources Act 2005.
3. Cook Islands – The Marine Resources (Designation of the Large Pelagic Longline Fishery) Order 2011.
4. Coventry, R., J. (198?) South Pacific Fisheries Forum Agency Fisheries Prosecutions Manual. Funded by International Centre for Oceanic Development, Halifax, Canada.
5. FFA Boarding Manual (2007)
6. FFA Observer Programme Procedures Manual (2012) (Draft)
7. FFA National VMS Assistance Policy - "Key National VMS Officer Activities". Annex 1 of MCSWG15 WP13, April 2012
8. FFA Report 98/18 (1998) - "Consultant's Report: In-Country, Inter-Agency MCS Coordination Mechanisms"
9. FFA - Template of Legislative Provisions for the Implementation of Obligations under the WCPFC Convention and WCPFC Conservation and Management Measures by FFA Member Countries. March 2012
10. FFA - JOBAID Workshop Summary Record (Final), April 2012
11. FFA - Regional Monitoring, Control and Surveillance Strategy 2010-2015 (Adopted by FFC74, May 2010)
12. FFA - The Harmonised Minimum Terms and Conditions for Foreign Fishing Vessel Access (as amended by FFC77, 24-27 May 2011)
13. Fiji Ministry of Fisheries and Forests - Annual Corporate Plan 2012
14. Fiji Fisheries Department - SOP Manual for Assistant Fisheries Officer Debriefers / ROP Coordinator, March 2012.
15. Fiji Navy Brief, March 2012
16. Flewwelling, P.; Cullinan, C.; Balton, D.; Sautter, R.P.; Reynolds, J.E. Recent trends in monitoring, control and surveillance systems for capture fisheries. FAO Technical Paper. No. 415. Rome, FAO. 2002.
17. Gillet, R. (2011). Fisheries of the Pacific Islands: Regional and national information. FAO Regional Office for Asia and the Pacific, Bangkok, Thailand. RAP Publication 2011/03, 279 pages.
18. MRAG Asia Pacific (2009). Safeguarding the stocks: a report on analytical projects to support the development of a Regional Monitoring Control and Surveillance Strategy for Pacific oceanic fisheries. Report to the Forum Fisheries Agency.
19. Niue - Pelagic Fishery Management Plan (Draft)
20. Niue - Department of Agriculture, Forestry, Fisheries and Mouti Fakaniue. Corporate Plan 2009-2013
21. Niue - Territorial Sea and Exclusive Economic Zones Act 1997.
22. Niue - Domestic Fishing Act 1995

23. Niue - Domestic Fishing Regulations 1996
24. Laws of the Republic of Vanuatu, Consolidated Edition 2006, Chapter 315 – Fisheries
25. Su’a N. F Tanielu, Director-General Pacific Islands Forum Fisheries Agency. Guide to Application for Registration and Good Standing on the FFA Vessel Register. March 2012
26. Tonga Fisheries Management Act (2002)
27. Tonga National Tuna Management and Development Plan (2002)
28. Vanuatu Police Force - Brief for COMPOL: RVS Tukoro - New Patrol Concept, March 2012
29. Vanuatu Fisheries Department - Flow Chart for Foreign Fishing Vessel Licence Approval, March 2012
30. Vanuatu Revised Tuna Management Plan (2008)
31. Vanuatu Fisheries Act No. 55 (2005)
32. Western and Central Pacific Fisheries Commission (WCPFC) - Conservation and Management Measures (CMMs)
  - CMM 2004-03 (Vessel Marking)
  - CMM 2005-03 (North Pacific Albacore)
  - CMM 2006-04 (Striped Marlin)
  - CMM 2006-08 (High Seas Boarding and Inspection Procedures)
  - CMM 2007-01 (Regional Observer Program)
  - CMM 2007-02 (Vessel Monitoring System)
  - CMM 2007-04 (Seabirds)
  - CMM 2008-01 (Yellowfin and Bigeye Tuna)
  - CMM 2008-03 (Sea Turtles)
  - CMM 2008-04 (Driftnets)
  - CMM 2009-01 (Record of Fishing Vessels)
  - CMM 2009-02 (FAD Closure and Catch Retention)
  - CMM 2009-03 (South Pacific Swordfish)
  - CMM 2009-05 (Data Buoys)
  - CMM 2009-06 (Transshipment)
  - CMM 2009-08 (Charters)
  - CMM 2010-01 (North Pacific Striped Marlin)
  - CMM 2010-02 (Eastern High Seas Pocket Special Management Area)
  - CMM 2010-03 (Compliance Monitoring)
  - CMM 2010-05 (South Pacific Albacore)
  - CMM 2010-06 (IUU Fishing)
  - CMM 2010-07 (Sharks)

33. WCPFC Circular #2008/03 dated 18 February 2008 - "HS Boarding and Inspection Procedures"
34. WCPFC Circular #2008/09 dated 20 March 2008 - "HS Boarding and Inspection Procedures"
35. WCPFC VMS Standards, Specifications and Procedures (as agreed at WCPFC5), December 2008.

**Annex 8 – Photographs of Key Events**



**Photo 1 and Photo 2 – Validation workshop held on 24<sup>th</sup> and 25<sup>th</sup> April**