Western and Central Pacific Fisheries Commission

TECHNICAL AND COMPLIANCE COMMITTEE
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ANNUAL REPORT ON THE ADMINISTRATION OF THE WCPFC DATA ACCESS RULES AND PROCEDURES

Paper by the Secretariat

Purpose

1.   This paper provides an update on WCPFC's non-scientific data holdings and their administration.

Introduction

2.   The rules categorising data as public or non-public, and the administration of that data is governed by the Rules and Procedures for the Protection, Access to, and Dissemination of Data Compiled by the Commission (2007 data RaP).

3.   There are additional rules for non-scientific data holdings in the Rules and Procedures for the Protection, Access to, and Dissemination of High Seas Non-Public Domain Data and Information Compiled by the Commission for the Purpose of Monitoring, Control or Surveillance (MCS) Activities and the Access to and Dissemination of High Seas VMS Data for Scientific Purposes (2009 MCS data RaP). Non-scientific data holdings are summarised in **Annex 1**[1].

Access to WCPFC data holdings

Accessing public and non-public domain data
4.   Access to public domain data is through the WCPFC webpages and more recently via Application Programming Interface (API) where possible. However, some data requests for more detailed, typically scientific data are received. These are actioned on a case-by-case basis where the information is not available from the WCPFC webpages.

5.   The Secretariat has an established system for the case-by-case review and approval of requests for access to WCPFC non-public domain data. All approved data request review forms, correspondence requests and a record of released data are kept in the Information Management System. The Secretariat recognises the need to improve CCM's ability to manage their data requests and timely access to data, particularly given the number of requests now being made. Improved access to VMS data through a TrackWell API has been available for a couple of years. In 2023, an API giving access to transhipment data

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[1] TCC11 requested that the Secretariat summarize data holdings WCPFC for TCC12.

was developed and trialed and is now a potential option for CCMs. The Secretariat intends to also consider opportunities to also improve the transparency and speed of the processing of data requests.

Who has access to data

6. The 2007 data RaP categorises those who have access to WCPFC data that is necessary to perform their duties as:
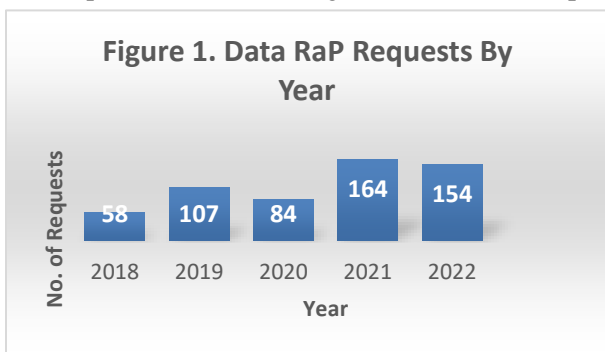   i. WCPFC Secretariat and Service Providers authorised by the Executive Director; and
    ii. Officers of the Commission and its subsidiary bodies.

7. A register of access to all WCPFC non-public domain data is maintained by the Secretariat.[2] The register records the Secretariat staff positions, Service Providers and any other individuals that have access to this data (refer to **Annex 2 A**). The Secretariat also maintains records of access to individual Commission systems (refer to **Annex 2 B** for a summary of access during 2022/2023**).** A list of all CCMs that access the WCPFC VMS system is shown in **Annex 3**.

8. Secretariat staff and those individuals working with the Secretariat for short periods, such as interns, are required to sign a confidentiality agreement. Service providers have a confidentiality agreement as part of their contract with WCPFC.
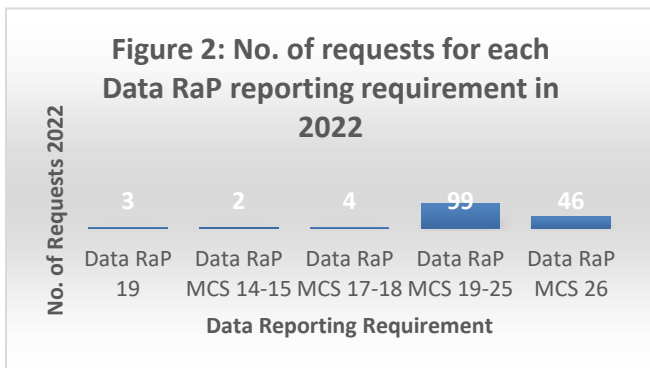
Numbers and types of non-public domain data requests

9. **Figure 1** below shows an increasing number of approved data requests since 2018, with 164 and 154 requests received during 2021 and 2022, respectively. While the level of requests in 2020 was less than in 2019 it was still higher than in 2018. The 2020 figure reflects the effect of COVID-19 on the level of operational MCS activities, particularly port/landing inspections and High Seas Boarding and Inspections.

Figure 1. Data RaP Requests By Year

Year	No. of Requests
2018	58
2019	107
2020	84
2021	164
2022	154

10. **Figure 2** shows that in 2022, 64% of requests were for VMS data (MCS data RaP 19-25) and 30% for transhipment reports (MCS data RaP 26 of 2009)[3]. Around 40% of requests seek access to multiple non-public domain data sets, principally VMS and transhipment reports. Detailed information on data requests approved in 2022 is available to CCMs at https://www.wcpfc.int/administration-wcpfc-data-access-rules-and-procedures.

Figure 2: No. of requests for each Data RaP reporting requirement in 2022

Data Reporting Requirement	No. of Requests 2022
Data RaP 19	3
Data RaP MCS 14-15	2
Data RaP MCS 17-18	4
Data RaP MCS 19-25	99
Data RaP MCS 26	46

11. Anecdotal information indicates the effect of the conditions arising from COVID-19 on 'in-person' inspection activities added impetus to CCMs using new technology and analytical tools to enhance risk assessments, operational planning and the monitoring of vessel activity. In turn, this has increased the use of WCPFC data.

12. The Secretariat has also noted an increase in the data requested to support port State reviews

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[2] Required by 2007 data RaP paragraph 18
[3] Data RaP MCS 14 – 15: Regional Observer Programme; Data RaP MCS 17 – 18: High Seas Boarding and Inspection Reports; Data RaP MCS 19 – 25: high seas VMS data; Data RaP MCS 26: high seas transhipment notices and declarations

of port entry applications and inspections. This will be driven by the increased emphasis on applying port State related measures by Pacific Island port CCMs, some of whom are or are intending to be signatories to the UN Port State Measures Agreement. During 2022, requests from two CNMs for non-public domain data were denied, as the data rules do not currently allow for CNMs to have access.

13.   Since 2022, the Secretariat has been assisting members to become more familiar with the rules and processes for requesting WCPFC non-public domain data through online training. Short guidance will be prepared in early 2024 to support this work with members.

CCMs Annual Reporting on their implementation of MCS data RaP for 2022

14.   Annual Report Part 2 for RY2022 included a review of CCMs implementation of MCS Data RaP paragraph 44. CCM responses in 2021 and 2022 were similar. Just over half indicated they have implemented the obligations with the remainder indicating it is not applicable as they do not request data.

Administrative Notes

15. The WCPFC webpages available through the CCM Portal gives details of each CCMs Official Contacts. These Contacts are used to assess the authority of those requesting access to non-public domain data. It is important that CCMs ensure the information is kept up to date to reduce potential delays in processing their requests.

16. The Secretariat intends to identify opportunities to improve CCM's ability to manage their data requests and to ensure timely access to data. While improvements to how VMS and transhipment data are accessed have been achieved, the Secretariat will consider opportunities to improve the transparency and speed of its review and processing of data requests.

Recommendation

17. TCC19 is invited to note the report on the administration of the WCPFC data access rules and procedures.

Annex 1: Summary of WCPFC non-scientific data holdings

Data Holdings	Relevant CCMs that required the data
WCPFC Record of Fishing Vessels (RFV) data and associated fished and did not fish reports	CMM 2018-06 (or its earlier versions)
List of Chartered Vessels	CMM 2021-04 (or its earlier versions)
WCPFC IUU vessel list and associated correspondence	CMM 2019-07 (or its earlier versions)
Cooperating Non-Members requests and associated correspondence	CMM 2019-01 (or its earlier versions)
Non-public domain data requests and associated correspondence and documentation	2007 Data RaP and 2009 MCS Data RaP
VMS related: o WCPFC VMS o Vessel MTU Register o VMS Manual Reporting o MTU Audit Inspections list o List of approved ALCs o "Flick the switch" notifications	o CMM 2014-02 o VMS SSPs o VMS SSPs o VMS SSPs o VMS SSPs o CMM 2014-02 6c
HSBI related: o Register of Authorised Inspection Vessels o HSBI event reporting o Authorities of fishing vessels o Authorities of inspection vessels	o CMM 2006-08 o CMM 2006-08 o CMM 2006-08 o CMM 2006-08

Compliance Case File System related
 	
o   Article 25(2) compliance cases (2013 onwards)
o   Alleged infringements based on ROP observer reporting data
    •   FAD Set alleged infringements (2015 to current)
    •   Observer Obstruction alleged infringements (2015 to current)
    •   Shark-catch alleged infringements (2015 to current)
    •   Marine Pollution (2019 to current)
    •   ROP Pre-notification issues (2016 to current)
    •   Cetacean and Whale Shark interactions (2016 to current)
	o Convention Article 25 and Article 23 (5)
	
	o CMM 2021-01 (or its earlier version)
	
	o CMM 2018-05 15 (g) (CMM 2007-01 or its earlier version) and WCPFC12 para 569 Att U
	o CMM 2022-04 (2010-07, 2011-04, 2013-08, 2014-05 and CMM 2010-07 or its earlier version)
	o CMM 2017-04
	o WCPFC12 para 569 Att U
	
	o CMM 2011-03 and CMM 2022-04 (CMM 2019-04, 2012-04)

Data Holdings	Relevant CCMs that required the data
Compliance Monitoring Report online system o Annual Report Part 2 (2012 onwards) o Compliance Monitoring Report (2012 onwards) o Annual reporting against CCM limits in CMMs (2000 onwards)	o Various CMMs o Various CMMs reviewed in the CMR o Various CMMs reviewed in the CMR
ROP related: o ROP coverage reporting and associated updates o ROP observer programmes and contact points o List of WCPFC/IATTC cross endorsed observers o List of ROP observers o ROP Audit reports o ROP databases	o CMM 2007-01 08 / CMM 2018-05 08 o CMM 2007-01 / CMM 2018-05 o CMM 2007-01/ CMM 2018-05 o CMM 2007-01 / CMM 2018-05 o CMM 2007-01 / CMM 2018-05 o CMM 2007-01 / CMM 2018-05
Other databases: o High Seas purse seine catch discard reporting o High seas transshipment event reporting o SMA Zone Entry/Exit – EHSP-SMA o SMA Zone Entry/Exit – HSP-1	o CMM 2009-02 12 o CMM 2009-06 35 a (iii) and 35 a (iv) o CMM 2010-02 (2011-2016) o CMM 2018-01 Attachment 2 (or its earlier version)
Contact details: o Authorized MCS Entities and Personnel o Authorised VMS Trackwell, VRST, CCFS, RFV and VMS personnel o Official contacts including Party Administrators o Circular Recipients	o 2009 MCS Data RaP
VMS and IMS Security Audits (2012 onwards)	

Annex 2 A: Register of Secretariat and Service Provider Access to WCPFC non-public domain data in 2022 and 2023 (as 31 August 2023)

Data or System	Position	Service Provider/Additional Access
DATA		
Full access to all data	Executive Director	
Full access to all data	o ICT Manager o IT Officer For administration and maintenance of all systems and data	Contractors: o Taz-E for enhancements and support to IMS o Westpac IT for service support as required for duties o Eighty Options for service support to the website and subsites
Commission VMS data (includes Eastern High Seas Pocket – Special Management Area)	o VMS Manager o VMS Operations Officers o Compliance Manager o Assistant Compliance Manager o Compliance Officer o RFV Officer o ROP Coordinator o ROP Data Quality Officer	Service Providers: o TrackWell o SPC-OFP science and data management staff for cross-verification of ROP and logsheets and to one year old data for science purposes
Eastern High Seas Special Management Area	o VMS Manager o VMS Operations Officers o Compliance Manager o Assistant Compliance Manager	
WCPFC ROP data	o ROP Coordinator o ROP Data Quality Officer o Compliance Manager o Assistant Compliance Manager o Compliance Officer o SPC-OFP ROP data staff o WCPFC ROP data staff	Service Provider: o SPC-OFP science and data management staff

Annex 2 A: Register of Secretariat and Service Provider Access to WCPFC non-public domain data in 2022 and 2023 (as 31 August 2023)

Data or System	Position	Service Provider/Additional Access
Data		
MCS related Information Management System: discard reports, transhipment reports, HSBI reports, CMM reporting and correspondence, WCPFC Record of Fishing Vessels, Access to Compliance Monitoring Report drafts, provisional reports and correspondence	o VMS Manager o VMS Operations Officers o Compliance Manager o Assistant Compliance Manager o Legal Adviser o Compliance Officer o ROP Coordinator o ROP Data Quality Officer o RFV Officer o ROP Data Entry staff o Science Manager o Assistant Science Manager	Service Provider: o SPC-OFP science and data management staff for transhipment data related to the Transhipment Intersessional Working Group study Contractor: o Taz-E as IMS developer and for technical support
Catch and effort data through TUFMAN2	o Science Manager o Assistant Science Manager o Compliance Manager o Assistant Compliance Manager o VMS Manager o ROP Coordinator o ROP Data Quality Officer	Service Provider: SPC-OFP science and data management staff
o WCPFC scientific data o RFV and Charter Information o Access to preliminary and draft Compliance Monitoring Report information o Access to maintain the data and science pages on the WCPFC website.	o WCPFC staff by special arrangement	Service Provider: o SPC-OFP science and data management staff
Access for specific projects for the period of contract	o WCPFC staff by special arrangement	Service Provider:

Annex 2 A: Register of Secretariat and Service Provider Access to WCPFC non-public domain data in 2022 and 2023 (as 31 August 2023)		
Data or System	Position	Service Provider/Additional Access
		○ SPC-OFP science and data management staff for transhipment data related to the Transhipment Intersessional Working Group study Consultants: ○ Kim Duckworth for TSER related support ○ Eighty Options for Web development ○ Taz-E for data modelling expertise and systems analysis ○ Saggitus – Dr Steve Brouwer for data analysis and to support annual report presentation ○ DJ Consulting – Mr Douglas Jackson for data analysis and reporting tools Interns and Hosted Official Visitors - 2023: ○ Mr Joe Enlet ○ Ms Elise Stull ○ Judy Dwyer, NPFC Compliance Manager
Annex 2 B: Record of Access to Individual Commission Systems		
System		
Secure CCM section of the WCPFC website giving access to: ○ sensitive documents, m e e t i n g or compliance information such as the Register of MCS entities and personnel, CNM applications and analyses, draft and provisional IUU lists, ○ CCMs Annual Report Part 2 and draft a n d p rovisional Compliance Monitoring Reports and supporting	○ WCPFC staff ○ Office bearers of the WCPFC and Subsidiary Bodies	○ Service Provider: SPC-OFP staff working on behalf of the Commission ○ Consultants for matters related to their tasking with WCPFC ○ CCMs in accord with data rules ○ Representatives of WCPFC-registered inter-governmental sub-regional agencies

Annex 2 A: Register of Secretariat and Service Provider Access to WCPFC non-public domain data in 2022 and 2023 (as 31 August 2023)		
Data or System	Position	Service Provider/Additional Access
files for VMS reporting gaps and transhipment reporting reconciliations, o High Seas Pocket Monitorings		
WCPFC Meeting Server giving access to: o Secured meeting information o an interactive Online Discussion Forum for document review and comment in support of meetings	o WCPFC staff	o Individual access for each meeting facilitated through the WCPFC meeting registration process
Record of Fishing Vessels and MTU Register Upgraded system released 3 April 2023	o WCPFC MCS staff	o CCMs in accord with data rules o FFA as an authorised MCS entity on behalf of some of its members
WCPFC VMS TrackWell System	o WCPFC MCS staff	o CCMs in accord with data rules o Access includes relevant areas of the individual CCMs EEZ if the CCM has 'flicked the switch', as well as any other areas previously agreed.
VMS Reporting Status Tool (VRST)	o WCPFC MCS staff	o CCMs in accord with data rules
Eastern High Seas Pocket Special Management Area WCPFC VMS data and historical manual entry and exit reports	o WCPFC MCS staff	o CCMs in accord with data rules
E-Transhipment system (TSER)	o Compliance Manager o Assistant Compliance Manager o RFV Officer o Compliance Officer o WCPFC ROP data staff	o CCMs in accord with data rules
Transhipment E-Reporting Tool	o Compliance Manager o Assistant Compliance Manager o RFV Officer o Compliance Officer	o CCMs in accord with data rules
Compliance Case File System Upgraded system released 23 March 2023	o WCPFC Compliance Manager o Assistant Compliance Manager	o CCMs in accord with data rules

Annex 2 A: Register of Secretariat and Service Provider Access to WCPFC non-public domain data in 2022 and 2023 (as 31 August 2023)		
Data or System	Position	Service Provider/Additional Access
	o Compliance Officer	
Compliance Monitoring Report and Annual Report Part 2	o WCPFC MCS staff	o CCMs in accord with data rules

Annex 3: List of CCMs with at least one client login for the WCPFC VMS system (current and previous)[4]. Flag CCMs can also view their flag vessels in EEZs covered by WCPFC VMS

CCM	To view flagged vessels in high seas WCPFC area	100nm high seas buffer around EEZ#	EHSP SMA **	Date inclusion of EEZ took effect
Australia	Y	Y		15 March 2013
Canada	Y			
China	Y			
Cook Islands	Y	Y#	Y	14 May 2010 #
European Union	Y			
Federated States of Micronesia	Y	Y#		4 April 2013 #
Fiji	Y			
France – French Polynesia	Y	Y	Y	16 June 2013
Indonesia	Y			
Japan	Y	Y		
Kiribati	Y	Y#	Y	
Republic of Korea	Y			
Republic of Marshall Islands	Y	Y#		
Nauru	Y	Y#		19 July 2015 #
France – New Caledonia	Y	Y		13 June 2013
New Zealand (incl. Tokelau)	Y	Y#		23 Feb 2010 #(NZ) 22 Aug 2012 #(TK)
Niue	Y	Y#		1 Jan 2013 #
Palau	Y	Y#		1 Sept 2013 #
Papua New Guinea	Y	Y#		2 October 2021#

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[4] Note only the 100nm high seas buffer is a Data Rules and Procedures data request. Access to other data is provided in accordance with other CMMs and WCPFC decisions.

CCM	To view flagged vessels in high seas WCPFC area	100nm high seas buffer around EEZ#	EHSP SMA **	Date inclusion of EEZ took effect
Philippines	Y	Y		
Samoa	Y			6 Oct 2013 #
Solomon Islands	Y	Y		8 April 2016 #
Chinese Taipei	Y			
Tonga	Y	Y#		13 Mar 2015 #
Tuvalu	Y	Y#		8 Sept 2013 #
United States of America	Y	Y		9 Mar 2013
Vanuatu	Y	Y		28 Nov 2020
France – Wallis and Futuna	Y	Y		16 June 2013
Ecuador	Y			
Liberia	Y			
Panama	Y			
El Salvador	Y			
Thailand	Y			

# denotes FFA access as a nominated MCS entity
** All CCMs have access to the 'live list' of vessels in the EHSP which is displayed on the secure webpages (refer to **WCPFC-TCC19-2023-RP06**)