

MCS information collection and sharing **Compliance Policy 4**

1. Introduction

Members' MCS systems routinely gather information about other Members' registered fishing flag vessels or authorised carrier vessels, ~~either while the vessels are in port or~~ when the vessels are operating at sea in an area of surveillance or inspections. Similarly, Port states routinely gather information while vessels are in port. Sharing such information with the flag Member should result in more cost-effective and comprehensive monitoring of fleets, enabling Members to better meet their obligations.

In this policy all references to the Commission include the Extended Commission, and all references to Members include Cooperating Non-Members (CNMs) of the Extended Commission.

2. Purpose of policy

The purpose of this policy is to promote sharing of MCS information:

- a) among Members;
- b) between Port states and Flag Members; and
- a)c) with the Secretariat. help Members meet their Flag state and Port state obligations through sharing of existing MCS information.

3. Policy statement

All Members are expected to ~~establish and implement systems to:~~

- a) share MCS information promptly with other Members' national fisheries ~~law enforcement~~ agencies and the Secretariat; and
- ~~b) advise provide information to~~ Port states of information the Member would like to receive to ensure the integrity of the SBT management regime. to enable delivery of Port state MCS obligations.
- ~~c)b)~~ _____

~~MCS information to be shared includes information on compliance with the CDS, and any information of benefit to the management of SBT or monitoring of the management framework. Information to be provided to Port states includes details of registered vessels intending to enter foreign ports, and CDS information to enable Port state inspections.~~

It is intended that information from routine aerial surveillance, port inspections, at-sea inspections and market monitoring or investigations would be shared with relevant Flag

members. Members are expected to respond to any information received that indicates potential non-compliance, and advise the Member or Port State providing the information of the response taken.

To achieve cost-effective information sharing, the Compliance Committee give effect to this policy Members shall will:

- a) identify, based on assessment of information needs and compliance risks, the MCS information to be collected and shared by Members and Port States;
- b) recommend standardised formats for collecting and sharing this information;
 - ~~exchanged between (i) individual Members, and (ii) all Members~~
 - ~~actively remove any national barriers to information sharing~~
- c) recommend guidelines develop arrangements with receiving Member states (and Commission) to ensure information security and confidentiality;
- a) ~~—~~
- b) request the Secretariat to regularly analyse information it may receive and report on any trends or unusual variations. establish information exchange arrangements between the Member's fisheries enforcement authority and the counterpart authorities of other Members

~~share information promptly with relevant Flag states and Port states~~

~~respond to information received that indicates potential non-compliance, and advise the Member providing information on the response taken~~

~~report to the Compliance Committee on progress in establishing bilateral arrangements.~~

~~c)d) _____~~

~~The Compliance Committee may develop guidelines and minimum technical requirements for bilateral arrangements, for instance in relation to information security and confidentiality.~~

Members are encouraged to participate in the current fisheries MCS network, including building on existing bilateral arrangements and international networks such as the International Monitoring, Control and Surveillance Network.

Over time, there may be a need to establish a formal compliance network among Members and with members of other RFMOs. A formal compliance network would include obligations to provide information and respond to information received, and may include reciprocity of enforcement powers.

~~Members are encouraged to participate in the current fisheries MCS network, including building on existing bilateral arrangements and international networks such as the International Monitoring, Control and Surveillance Network.~~

4. Roles and responsibilities under this Policy

Who	Responsibility to:
Commission	<ul style="list-style-type: none"> • <u>Approve policy</u> • <u>Consider recommendations from Compliance Committee</u>
Compliance Committee	<ul style="list-style-type: none"> • <u>Recommend standardised MCS information to be collected and shared</u> • <u>Recommend guidelines for information security and confidentiality</u> • Issue technical guidelines • Monitor progress in establishing bilateral arrangements • Review and revise policy
Secretariat	<ul style="list-style-type: none"> • <u>Analyse information it may receive and report on trends and variations</u>
Members	<p>Develop bilateral information sharing arrangements</p> <p>Share information</p> <ul style="list-style-type: none"> • Report on response taken to information received

5. Policy review

This policy is to be reviewed every three years from the date of agreement. The ~~Commission~~ ~~Compliance Committee~~ may direct a review at any earlier time. A Member may request an earlier review. The request, setting out the reasons for the review, must be submitted to the annual meeting of the Compliance Committee.

6. Approval

This policy was approved by the Commission:

Chair, Commission _____
Date

Date: _____

Review date: _____ (unless reviewed earlier)

DRAFT