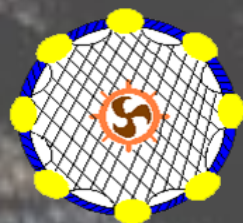


DEPARTMENT OF AGRICULTURE
BUREAU OF FISHERIES AND AQUATIC RESOURCES
NATIONAL MARINE FISHERIES DEVELOPMENT CENTER



MANUAL OF OPERATION







THE PHILIPPINE FISHERIES OBSERVER PROGRAM



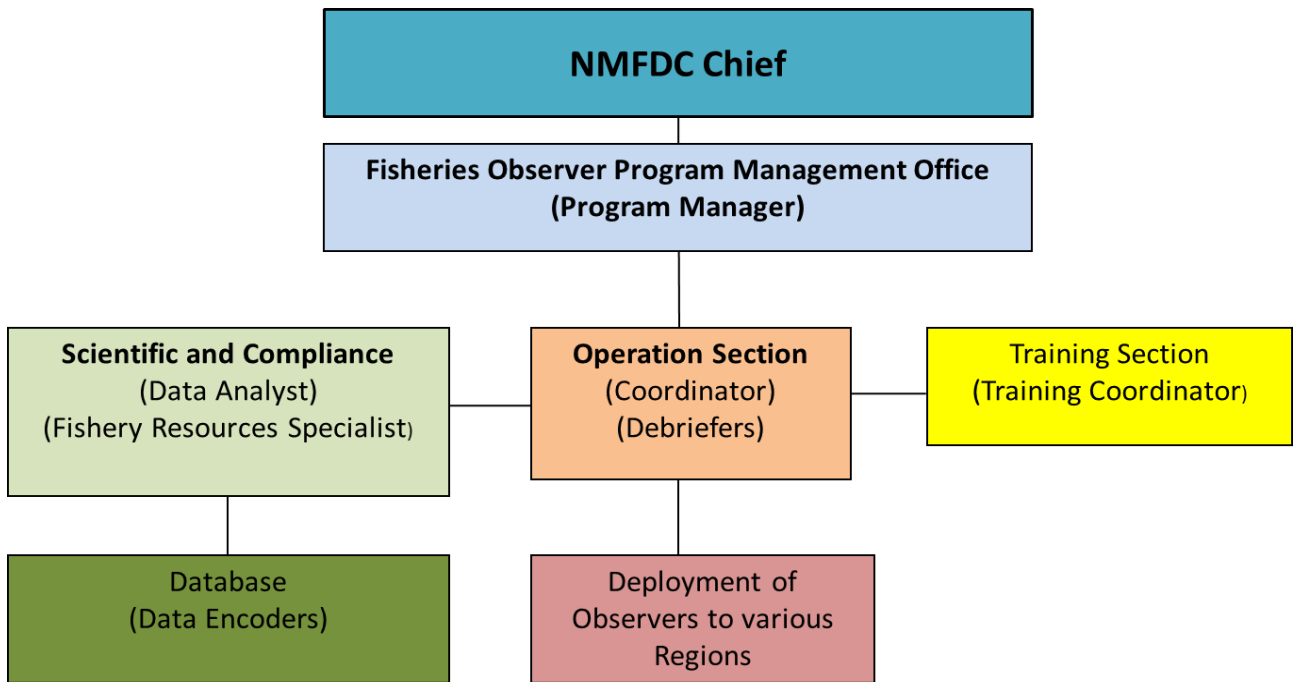
Goal

Promote conservation, protection and sustainable management and aquatic resources based on the scientific information available

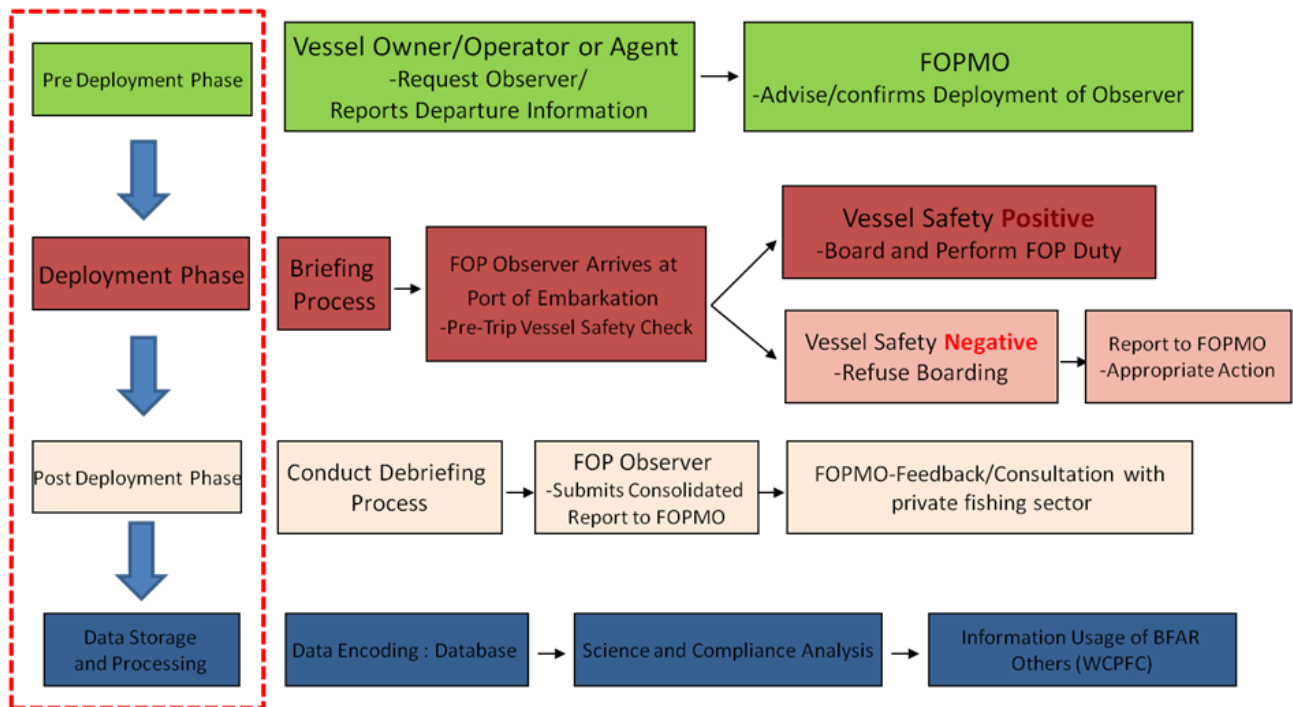
Functions

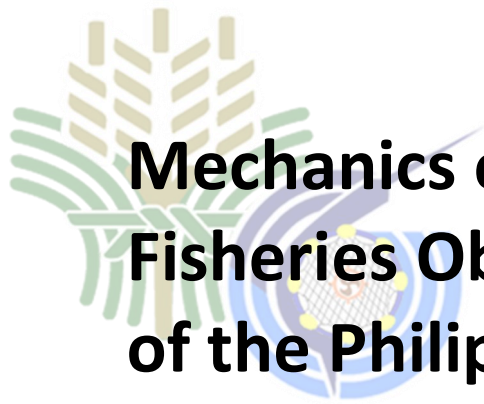
- Plan and implement the Program in Coordination with the industry, RFMOs and other relevant stakeholders;
- Ensure that the Program complies with standard requirements of RFMOs including the development and institutionalization of fisheries observer training program, skill and competency development/upgrading of fisheries observers, trainers and debriefers;
- Develop Operational, safety and other manuals and guidelines for Observers;
- Recruit, train, certify and authorize fisheries observers;
- Deploy and conduct briefing and debriefing of observers;
- Collect, compile, store and disseminate data and publish reports generated by Observers;
- Establish and maintain observer database;
- Monitor compliance as per requirements of BFAR and RFMOs;
- Coordinate the overall activities of the Program with the RFMOs, industry and concerned fishing companies;
- Administer the deployment of Observers for special assignments as may be required; and
- Maintain and administer the Fisheries Observer Program Management Office and its operational fund.

Organizational Structure



Operational System





Mechanics of Implementation, Fisheries Observer Program (FOP) of the Philippines

The following Mechanics of FOP Deployment contain essential information for the continued operation of Philippine flagged vessels fishing within its EEZ and WCPFC Convention Area. Observers are needed to ensure adequate data are collected on the interactions between Philippine vessels' (purse seine and longline) fishing gear and protected species, particularly sea turtles, marine mammals, and sea birds. Basic fishery data also will be collected on billfish, tuna, and sharks as well as all target and non-target species. The observer coverage goal is 20% of the annual fishing trips of the entire fleet unless specified by Commission rules (such as CMM-2008-01 on the FAD Fishing Closure). Observer data will be used to evaluate logbooks submitted for the fishery.

1. Responsible Parties

The Vessel Owner/Operator (holder of CFVGL, IFP, and Certificate of Clearance) of Philippine vessels is responsible to comply with regulations and license conditions. The permit holder shall remain liable for all activities conducted under the license, including, but not limited to, the activities of a designated agent resulting in violations of the license and applicable regulations.

2. Observer Request

The Vessel Owner/Operator or a designated agent of the Vessel Owner/Operator for each fishing vessel must request FOP Management Office (FOPMO), BFAR–MCS Station, NFPC, Navotas City for an observer if it will fish within the Philippine 200 mile EEZ during FAD Closure and in the high seas or EEZ of other CCMs. Request must be sent:

i. at least 72 hours, not including weekends and public holidays for Vessels Fishing Within the Philippine 200 mile EEZ; and

ii. at least 30 days for Vessel Fishing in the High Seas and Waters of other CCMs, to give way for the 21-day notice that the WCPFC ROP requires for sourcing of observers from ROP and other CCMs and give time for FOPMO to deploy the observer on the concerned vessel. Request must be done before leaving any port to begin a fishing trip. A fishing trip means the period of time between departure

and arrival from port when fishing is conducted. Departure information is to be reported by Fax to **(+632) 283-7581** Monday to Friday 0800 to 1700 hours (Philippine Time) or by email to fopmo2010@gmail.com.

A. Needed Information

Report vessel name, official number of the vessel, departure port, date, time and telephone number of the agent designated by the Vessel Owner/Operator, who will be available between 0800 to 1700 hours on weekdays.

B. FOPMO Response

i. Vessel Fishing Within the Philippine 200 mile EEZ - The FOPMO will advise the Vessel Owner/Operator or designated agent at least **24 hours** not including weekends and public holidays, before the scheduled departure, on the arrangement for the observer including contract signing, embarkation etc.

ii. Vessel Fishing in the High Seas and Waters of other CCMs - The FOPMO will advise the Vessel Owner/Operator or designated agent at least **7 days** for the arrangement of the boarding observer chosen by the ROP or the FOPMO in case observer came from other CCMs.

Observer Requirements

1. Safety Requirements

All vessels required to carry an observer must meet MARINA safety requirements. Vessels that do not meet these requirements are deemed unsafe for purposes of carrying an observer and must correct noted deficiencies prior to departing port. Observers may not depart on a fishing trip aboard a vessel that does not comply with MARINA safety requirements. The vessel owner or operator must allow an FOP observer, BFAR certified, to visually inspect any safety or accommodation requirement if requested. FOP Observer is required to complete a pre-trip safety check of the emergency equipment and review emergency instructions with the operator prior to the vessel departing port.

2. Departure Commitment

A binding commitment is made each time a vessel owner or operator or designated agent reports a boat's planned departure date and time. Any changes in the departure date and time agreement is to be reported to FOPMO as specified by the above notification procedure.



3. Port Restriction

Once a vessel owner or operator or designated agent, is notified of an obligation to carry an observer, the vessel may not leave port to fish without an observer.

4. Waiting Period

Observers shall arrive at their assigned boats 4 hours before the date and time commitment and will wait for departure. If a vessel fails to depart from port after 1 day of departure time, the observer may leave.

5. Accommodations

Vessels must provide the FOP Observers with accommodations comparable to full crew members, unless other arrangements have been pre-approved by the FOPMO in Navotas City. Female observers must be afforded reasonable privacy, and must be accommodated either in a single person cabin or in a two-person shared cabin with a curtain or other temporary divider. If private toilet and shower facilities are unavailable for a woman observer, arrangements for sharing common facilities must be established and approved prior to departure by FOPMO. Any concerns about accommodations must be raised in advance of a trip directly with FOPMO.

Fisheries Observer Training Course

The training course for Fisheries Observer Programme is a 33-day live-in training program which shall be held at the BFAR-MCS Station and Fishing Technology Laboratory, NBBN, Navotas City with a 10-day actual observation on fishing operations onboard the M/V DA-BFAR. Each training is expected to produce 30 Observers from the BFAR Central Office, NFRDI, BFAR Regional Offices, and newly BS Fisheries or allied Natural Science Graduates from Fisheries University/ College screened and accepted to the training program to be deployed to commercial fishing vessels.

The program includes six (6) major components that would be needed to satisfy the scientific and monitoring compliance of the vessels, namely: 1. Preparation of Observers which discusses safety and basic navigation and seamanship as well as Radio Communication Skills; 2. Relevant International and Philippine Regulations that will tackle relevant international and national laws/instruments; 3. Regional Observer Program to give the duties and responsibilities and Terms of Reference of observers as well as the vessel operators and crew; 4. Form Instructions for the different cards that will be filled-up including Observer Trip Reports; 5. Data Collection and Verification which included briefing and debriefing of observers; and 6. practical and shipboard operation onboard M/V DA-BFAR. The training methodologies shall be lecture, discussion, written, and the shipboard operation.

Qualifications

Standard Requirements for Observers

- Bachelor's degree in natural sciences (preferably B.S. Fisheries and Marine Biology)
- One college level subject each in math and statistics
- Must be physically and mentally fit to work in any type of sea conditions.
- Adequate computer skills



Topics

1. Practical Navigation and Seamanship
2. RA 8550 as amended by RA 10654 "An Act to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing"
3. UNCLOS: Applicable to Fisheries Observer
4. Pertinent WCPFC Conservation and Management Measures
5. CCRF, RCCRF, IPOA and Other International Agreements
6. Classification of Fishing Gears, Incidental Catches
7. Background of WCPFC, ROP Duties and Responsibilities of Observer, Vessel Operator and Vessel Crew and Observer Terms of Reference and Code of Conduct
8. Form Instructions for Longline and Purse Seine (General Form, Activity Form, Set Form, Catch Form, Vessel Sightings, Species of Special Interest, Vessel Trip Report, FAD Information)
9. Fishing Vessel Documents
10. Radio Communication
11. Observer Mechanisms, Data Collection and Verification, Briefing and Debriefing
12. Seasickness
13. Use of GPS
14. Species of Special Interests: Marine Mammals, Sea Turtles and Sharks
15. Fish Biology, Biological Sampling Strategy (Longline and Purse Seine), Measuring Length and Sexing of Fish
16. Photographing Samples, Data Storage
17. Water Safety, Rescue and Survival Techniques (WASAR) and First Aid and Basic Life Support (BLS)
18. Shipboard Training Onboard MV DA-BFAR/ FB Tambakol : Tuna Longline and Purse Seine Operations

TRAINING TOPICS AND ACTIVITIES



CCRF, RCCRF, IPOA, Other International Agreements.
Lectured by Expert on International Agreements



Practical Navigation and Seamanship
Conducted by the M/V DA BFAR Captain/Instructor



Form Instructions for Longline and Purse Seine
Lectured by the representative from WCPFC



United Nations Convention on the Law of the Sea (UNCLOS)
Lectured by BFAR Lawyer



GPS OPERATION
Lectured by Senior Fisheries Observer



Background of WCPFC, ROP Duties and Responsibilities of Observer, Vessel Operator and Vessel Crew and Observer Terms of Reference and Code of Conduct Lectured by Representative from WCPFC



First Aid Techniques & Basic Life Support (BLS)
Lectured by Philippine Coastguard Medical Service





Water Safety, Rescue and Survival Techniques (WASAR)
Lectured by Philippine Coastguard Special Operations Group



Shipboard Training
10 days Actual Operation of Longline and Purse Seine Onboard M/V DA-BFAR and F/B Tambakol



Prohibitions

It is unlawful for any person to forcibly assault, harass or sexually harass, intimidate or attempt to influence any observer, or to interfere with or impede their duties.

Legal Basis

A. International Commitments

- i. United Nation Convention on the Law of the Seas (UNCLOS)
 - Article 61. Conservation of the living resources
 - Article 62. Utilization of the Living Resources
 - Article 118. Cooperation of the States in the Conservation and Management of living resources
 - Article 119. Conservation of the living resources of the high seas.
- ii. Code of Conduct for Responsible Fisheries (CCRF)
 - Article 7. Fisheries Management
- iii. International Plan of Action - Illegal Unreported and Unregulated Fishing
- iv. WCPFC Conservation and Management Measures
 - CMM 2006-07/2007-01 – Conservation and Management Measure for Regional Observer Programme
 - CMM 2015-01 – Conservation and Management Measure for Bigeye, Yellowfin and Skipjack Tuna in the Western and Central Pacific Ocean

B. National/Local Regulations

- i. RA 10654 – An act to prevent, deter and eliminate Illegal, Unreported and Unregulated Fishing, Amending RA 8550
 - Section 116 Non Compliance with Fisheries Observer Coverage
- ii. Executive Order No. 154 – Adopting a National Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing and for Other Purposes
- iii. BFAR Fisheries Administrative Orders
 - FAO 240 – Rules and Regulation in the Implementation of Fisheries Observer Program in the High Seas
 - FAO 236(s1-4) – Rules and Regulations on the Operations of Purse Seine and Ring Net Vessels using Fish Aggregating Devices (FADs) locally known as Payaos during the FAD Closure Period
 - FAO 245-3 – Regulations and Implementing Guidelines on Group Tuna Purse Operations in High Seas Pocket Number 1 as a Special Management Area
 - FAO 261— Rules and Regulations on Fisheries Observer Program in the Philippines and in distant water fishing targeting straddling and highly migratory fish stocks



