

**ANNEX II:****Template for the Implementation Report of the SPRFMO Conservation and Management Measures**Reporting Member/CNCP: **PERU**Reporting period to which this report refers: **November 1, 2016 – October 31, 2017**Date report prepared: **25/10/17****CMM 01-2017 *Trachurus murphyi***

*Para 1: Do your vessels fish for T. murphyi in, or adjacent to, the Convention Area? YES  NO .*  
*If yes, then please complete the following tables and questions:*

**Table 1: CMM 01-2017 (*T. murphyi*): Effort Management (para 4)**

Gross Tonnage (GT) Limit	GT of active fishing vessels	No. of vessels actively fishing for CJM	No. of vessels only engaged in transshipment(s)
75 416	0	0	0

Enter n/a if not applicable.

**Table 2: CMM 01-2017 (*T. murphyi*): Catch Management (paras 5, 9)**

CJM catch limit	CJM catch limit taking into account any catch transfers	Provisional CJM catch total
10000	10000	0

**Table 3: CMM 01-2017 (*T. murphyi*): Data collection and reporting (paras 11, 15, 16, 18, 22)**

No. of Monthly reports provided	VMS implemented and data provided?	List of authorised vessels provided?	Annual report provided to SC?	Observer coverage level
12	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> Partial <input type="checkbox"/>	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> Partial <input type="checkbox"/>	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	100%

*Para 8: Do you have additional measures that limit the amount of T. murphyi available to your vessels to an amount less than that specified in Table 2 above? YES  NO .*

*If so, please elaborate*

[Click here to enter text.](#)

*Para 20: Did you conduct any research or stock assessments for T. murphyi during this past year and were they submitted to the Scientific Committee? YES  NO .*

Please refer to documents SC5-Doc18, SC5-Doc19 and SC5-JM03 of the 5th Scientific Committee meeting.

*Para 21: Did any of your vessels land or tranship T. murphyi within your ports and did you take measures to verify those catches? YES  NO .*

*Para 23: Is any part of your national jurisdiction area adjacent to the Area to which CMM 01-2017 (*T. murphyi*) applies? YES  NO .*

*If so, have you decided to apply the measures described in CMM 01-2017 (*T. murphyi*) paragraphs 11 -22 within your national jurisdiction areas? YES  NO  Partial .*

*Also, have you submitted measures in effect for T. murphyi within your national jurisdiction areas to the Secretariat? YES  NO*

Peru as a member of the SPRFMO has respected and applied the paragraphs 11 - 22 of the CMM 01-2017, where reported in electronic format the monthly catches of *Trachurus Murphyi* (SPRFMO Area and Area under National Jurisdiction), VMS data within 10 days of each quarter in the format prescribed by the SPRFMO, list of vessels authorized to fish in the SPRFMO Area, annual national reports, and stock assessments and research in respect of *Trachurus murphyi*.



<i>submitted?</i>	<i>submitted?</i>	<i>footprint?</i>	<i>annual catch (t)</i>	<i>year<sup>1</sup> (t)</i>	<i>(trawl)</i>	<i>(other)</i>	<i>threshold</i>	<i>provided</i>
YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>						

*Para 8b): Have you prohibited your vessels from participating in bottom fishing activities in the Convention Area, except when in accordance with this measure? YES  NO .*

*Para 8f): Have you established threshold levels for VME encounters? YES  NO .*  
*If so what are they?*

[Click here to enter text.](#)

*Para 8g): Do you require your vessels to cease fishing operations within 5 nautical miles of any site where threshold levels are exceeded? YES  NO .*

*Para 8h): Have you divided your footprint into sub-areas for the purposes of preventing significant adverse impacts to VMEs? YES  NO .* *If so, please elaborate.*

[Click here to enter text.](#)

*Para 9: Do you have additional measures that apply to your bottom fishing vessels in the Convention Area? YES  NO .* *If so, please elaborate.*

[Click here to enter text.](#)

*Para 23: Have you identified any sites within the Convention Area where VMEs are likely to occur? YES  NO .*

*If so have you provided this information to the Secretariat? YES  NO .*

*Have you taken steps to ensure that your bottom fishing vessels are able to comply with all of the requirements detailed in CMM 03-2017 (Bottom Fishing) paragraph 24? YES  NO .*

[Click here to enter text.](#)

*Para 26: Are you aware of any non-Member (or non-CNCP) that has recently bottom fished in the Convention Area? YES  NO .*

*And if so, did you communicate a request to them to cooperate and to consider participating in the work of SPRFMO as a matter of priority? YES  NO .*

[Click here to enter text.](#)

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<sup>1</sup> The catch total for “last year” refers to the year to date (i.e. the 2016/17 report completed in November 2017 will refer to the total annual catch for 2017 as at the time the report was completed).

## **CMM 04-2017 Vessels presumed to have carried out IUU fishing activities in the SPRFMO Area**

*Para 2: Did you transmit a list of presumed IUU fishing vessels to the Secretariat? YES  NO .*

*Para 3: If so, did you inform the relevant flag state before, or at the same time as, transmitting the list? YES  NO*

*During 2016 and 2017 there is no record of fishing vessels allegedly performed illegal fishing IUU.*

*Para 4: Were any of your flagged vessels on the draft IUU list? YES  NO*

*Para 6: If so, did you notify vessel owners and inform them about the potential consequences? YES  NO*

[Click here to enter text.](#)

*Para 13: Were any of your flagged vessels on the final IUU list? YES  NO*

*If so, did you notify the vessel owners and inform them about the consequences of inclusion? YES  NO*

*Para 13: What measures were taken to eliminate these IUU activities?*

*Peru informed the Executive Secretary of SPRFMO about legal actions and penalty fee for DAMANZAIHAO. Between them:*

- *The withdrew of DAMANZAIHAO authorization to fish in the SPRFMO.*
- *Penalty fee to the shipowner Sustainable Fishing Resources SAC for a total amount of US\$ 6.7 million due to the following events:*
  - a) *Transshipment of DAMANZAIHAO with unauthorized HAI FENG 648 and the supply of incorrect information on fishing activities in September 2014 (penalty fee of US\$ 856 776 ) vessel; and*
  - b) *The various unauthorized fishing activities, including transfers between June 10 and August 13 involving DAMANZAIHAO and 5 others Peruvian flag vessels also owned by Sustainable Fishing Resources SAC (penalty fee of US\$ 5,879,286 and the immobilization of DAMANZAIHAO).*

*Did you enforce any of the measures described under CMM 04-2017 (IUU List) paragraph 14?*

*YES  NO .*

*If so, please elaborate.*

*Effectively, Peru applied the relevant measures among those described in paragraph 12, including:*

- *Withdrew the fishing authorization to Damanzaihao, for fishery resources that are within the competence of the SPRFMO, due to be considered in the list of vessels involved in IUU fishing activities and, for this reason will not be allocated a fishing license, any license or permit to this ship, until it is not removed from the IUU list;*
- *Appropriate measures have been taken to prevent fishing vessels, support vessels, refueling vessels, mother ships and / or cargo vessels flying national flag that support or are involved in any way in catches processing operations or participate in any transshipment or joint fishing operation of, with vessels included in the List of vessels involved in IUU activities;*
- *Appropriate measures have been taken for ships included in the List of vessels involved in IUU fishing activities that are not authorized to landing, transshipment, refuel, resupply or engage in any other business transaction in its ports, except in case of force majeure.*

## **CMM 05-2016 Commission record of Vessels authorised to fish in the Convention Area**

*Para 2: Describe how you take into account the vessel and operator compliance history when considering whether or not to authorise a particular fishing vessel.*

In the framework of conservation and management measures of the SPRFMO, the Peru created the "Register of Fishing Vessels engaged in fishing activities in high seas" by Supreme Decree No. 002-2015-PRODUCE, which entered into force on March 6, 2015, confirming our commitment as a state to combat illegal fishing.

That rule allows establish measures to authorize, accredit, monitor and control fishing activities of vessels Peruvian flag in the high seas helping to ensure the orderly development of fisheries based on the application of the principles of responsible fishing in accordance with national legislation and international law.

For a vessel may enroll in the "Register of Fishing Vessels engaged in fishing activities in high seas" should state that it has not been sanctioned by performing illegally fishing in the area high seas or violate national or international conservation and organization established for the respective fishing areas, whose areas correspond to organizations or relevant regional or subregional arrangements.

Notwithstanding the foregoing, if the application for registration was associated with a vessel registered previously in another state or states and the sanctions for breach of international conservation and management is proved, the applicant shall demonstrate convincingly that has changed ownership or lease thereof, being that the previous owner has no legal, beneficial or financial interest of the fishing vessel, or control it.

It should be noted that the format was adopted in the same rule, for vessels applying for registration in the "Register of Fishing Vessels engaged in fishing activities in high seas" where all data specified in Annex 1 of the CMM 05-2016 is required.

*Para 3: Describe the measures you have taken to ensure that you are able to take effective enforcement actions against the owners of vessels flying your flag should the need arise.*

Peru is able to take effective actions against the owners of the ships, through application of the Rules of Inspections and Fisheries and Aquaculture Sanctions (RISPAC) adopted by Supreme Decree No. 016-2007-PRODUCE, which defines the offenses that could be committed fishing vessels. Peru also, by Supreme Decree No. 002-2015-PRODUCE "Register of Fishing Vessels engaged in fishing activities in Offshore" has the framework to sanction vessels that violate international conservation and management measures established by organizations or arrangements regional or subregional organizations proficient.

*Para 4: Do you maintain your own register of fishing vessels for the SPRFMO Area?*

YES  NO

*Para 5: Does it contain all the necessary information (as described in Annex 1 of CMM 05-2016 (Record of Vessels)?*

YES  NO

*Are there any reasons that this vessel information has not been collected?*

The owners of the vessels did not send the IMO numbers in due time; however they have been requested to send both IMO numbers and photographs of vessels that do not have them.

To the date, the owner (CFG INVESTMENT) of 02 vessels has reported the IMO numbers:

1. Maru (SE-09970-PM) IMO 9013323
2. Andes 52 (CO-29039-PM) IMO 8790223

Also, attached are the photographs of 07 vessels: Brunella II, Chimbote 1, Cristina, Incamar 1, Incamar 2, Incamar 3 and San Fernando.

**Table 6: Vessel data submission summary (para's 6, 8, 9, 11)**

<i>Current number of vessels authorised to fish in the SPRFMO Area?</i>	<i>No. of new authorisations within reporting period</i>	<i>No. of revoked authorisations within reporting period</i>	<i>Authorisation details submitted to Secretariat?</i>	<i>No. of Active fishing vessels</i>	<i>No. of vessels only engaged in Transhipments(s)</i>
98	10	0	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	0	0

## **CMM 06-2017 VMS in the SPRFMO Convention Area**

*Para 4: Did any of your vessels fish in the SPRFMO Area during the reporting period? YES  NO*   
*If so, please complete the following questions:*

*Para 9: What means of automatically reporting VMS data have you chosen for your flagged vessels?*

- a) To the Secretariat via your FMC; or*
- b) Simultaneously to both the Secretariat and your FMC*

*Para 13: Do all of your flagged vessels that are required to report to the Commission VMS use a functioning ALC that complies with the Commission's Minimum Standards as specified in Annex 1, CMM 06-2017? YES  NO*

*Annex 2, para 1: Did you receive any VMS data from the Commission VMS during the assessed period? YES  NO*

*If so, did you manage the VMS data in accordance with all the Security and Confidentiality requirements specified in Annex 2, paragraphs 2 and 3 of CMM 06-2017?*

*YES  NO . If not, please elaborate.*

[Click here to enter text.](#)

*Para 17: Did any of your vessels experience a failure of automatic VMS reporting during the assessed period? YES  NO .*

*If so, was the Manual reporting procedure specified in Annex 3, of CMM 06-2017 applied?*

*YES  NO .*

*Have any of your vessels failed to re-establish automatic reporting within 60 days after the commencement of manual reporting? YES  NO . And if so, were they ordered to cease fishing and return immediately to port? YES  NO*

*Please provide the names of any vessels that failed to re-establish automatic reporting within 60 days*

[Click here to enter text.](#)

*Para 19: Did you or your vessels encounter any other difficulties reporting to the Commission VMS during the reporting period? YES  NO . If so, please elaborate.*

[Click here to enter text.](#)

## CMM 07-2017 Minimum Standards of Inspection in Port

Para 1: Are your ports expected to receive SPRFMO-managed species? YES  NO

If so, please complete the following table and questions:

**Table 7: Implementation of Port Standards (para's 5, 9, 11, 13, 15, 22)**

Point of Contact transmitted to Secretariat?	Designated port list provided to Secretariat?	No. of foreign fishing vessels <sup>1</sup> seeking to use port services	No. of foreign fishing vessels denied entry	No. of inspections	Percentage of foreign landings /transhipments inspected
YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	14	0	14	100%

Para 8: Do you have sufficient capacity to conduct inspections in every designated port?

YES  NO

Yes, the Directorate General of Supervision, Control and Sanction of the Ministry of Production has 201 inspectors to carry out landings and transshipment inspections of fishing vessels engaged in extractive activities in areas of the convention.

Para 11: Do you require foreign fishing vessels to provide information prior to any landing or port transshipment? YES  NO

If so, does that information comply with paragraph 11 of CMM 07-2017 (Port Inspection)?

YES  NO

[Click here to enter text.](#)

Para 12: Is the notification period for a foreign fishing vessel's port request different than 48 hours?

YES  NO . If so, please elaborate.

[Click here to enter text.](#)

Para 16a): Did you receive any requests from other Members, CNCs or relevant RFMOs to inspect particular vessels? YES  NO . If so, please elaborate.

[Click here to enter text.](#)

Para 35: Did you encounter any difficulties with the inspection procedures described in paragraphs 18-22 of CMM 07-2017 (Port Inspection)? YES  NO . If so, please elaborate.

[Click here to enter text.](#)

Para 24: Did any of your inspections discover evidence that a foreign fishing vessel has committed a breach of the SPRFMO CMMs? YES  NO . If so, did you encounter any difficulties with the infringements procedures described in paragraphs 24-27 of CMM 07-2017 (Port Inspection)?

YES  NO

If difficulties were encountered, then please describe the reasons relating to those difficulties:

[Click here to enter text.](#)

Para 28: Have you provided (or received) any assistance as described under Paragraph 28 of CMM 07-2017 (Port Inspection)? (Being the development of capacity, facilitation of participation and assessment of requirements for developing Members and CNCs) YES  NO

[Click here to enter text.](#)

<sup>1</sup> Limited to foreign fishing vessels carrying SPRFMO species caught within the SPRFMO Area



## **CMM 08-2013 Gillnets in the SPRFMO Convention Area**

1. Members shall require that vessels flying their flag prohibit the use of large-scale pelagic driftnets and all deepwater gillnets in the Convention Area.

*Para 1: Please describe how this requirement has been implemented*

[Peru do not authorize fishing with gillnets.](#)

*Para 2: Have any of your vessels transited the Area while carrying gillnets? YES  NO*

*Para 2a): If so, was 36 hours advance notice given? YES  NO ,*

*Para 2b): Did the vessels operate a VMS? YES  NO  Partial ,*

*Para 2c): Were VMS reports submitted? YES  NO  Partial*

*Para 2d): Were any Gillnets lost overboard? YES  NO*

*Additional information can be provided here:*

[Click here to enter text.](#)

## CMM 09-2017 Minimising bycatch of seabirds in the SPRFMO Convention Area

Paras 1 & 2: Are your vessels required to implement appropriate seabird mitigation measures while fishing in the Convention Area? YES  NO .

Annex 1, para 1b) ii.b: Are any of your **demersal longline vessels** only required to apply one of the three specified mitigation measures (i.e. line weighting, bird scaring, setting at night)?

YES  NO . And if so, please list those vessels:

[Click here to enter text.](#)

Annex 1, para 1b)ii: During the recent reporting period have you maintained a minimum of 10% observer coverage over your demersal longline fleet? YES  NO .

Annex 1, para 2: Have any of your vessels exceeded a mortality rate of 0.01 birds/1000 hooks?

YES  NO .

Annex 1, para 2a): If so, please list those vessels and state if, after the mortality, whether these vessels applied at least one additional measure?

[Click here to enter text.](#)

Annex 2, para 2: Are any of your **trawl vessels** exempt from applying the specified mitigation measures (bird scaring lines, responsible discharge management, net cleaning, surface time minimisation)? YES  NO .

During the recent reporting period did any mortality events occur? YES  NO .

If so, please list the vessels concerned and stipulate if, after the mortality, whether these vessels applied appropriate mitigation measures?

[Click here to enter text.](#)

Para 3: Do you have any **trawlers** which are exempt from applying seabird mitigation measures because they discharge no biological material? YES  NO .

And if so, please list those vessels and stipulate when these vessel exemptions were last reviewed?

[Click here to enter text.](#)

Para 7: Do you require your observers to record seabird interactions? YES  NO .

Para 8: If so, are the records in accordance with CMM 02-2017 (Data Standards) and is the resulting data reported to the Secretariat? YES  NO .

[Click here to enter text.](#)

**Table 8: Seabird mitigation measures in Demersal Longline (para 9 & annex 1 para 1)**

Biological discharge during shooting/hauling prohibited?	List of Seabird mitigation measures used in SPRFMO Area?	Observer coverage level <sup>1</sup> ?	No. of Seabird interactions	Approx. Seabird mortality rate (per 1000 hooks observed)
YES <input type="checkbox"/> NO <input type="checkbox"/> .				

**Table 9: Seabird mitigation measures in Trawl Fisheries (para's 3,9 & annex 2 para 1, 2)**

No. of vessels that do not discharge Biological material?	No. of vessels discharging Biological material?	List of seabird mitigation measures used in SPRFMO Area	Observer coverage level <sup>2</sup>	No. of seabird interactions	Approx. seabird mortality rate (per tow observed)
None operated in 2016	None operated in 2016	Scaring lines	100	0	0

<sup>1</sup> Provided as a percentage of number of hooks, for the current calendar year

<sup>2</sup> Provided as a percentage of number of tows for the current calendar year

## **CMM 11-2015 Boarding & Inspection Procedures**

For reference a link to “Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks” ([1995 Agreement](#))

Have you informed SPRFMO about your designated authority to receive notifications pursuant to Article 21.4 of the 1995 Agreement? YES  NO .

Which measures have you taken to ensure that vessel masters comply with the stipulations under Article 22.3 of the 1995 Agreement?

[Click here to enter text.](#)

Were any of the vessels flying your flag inspected by a SPRFMO Member? YES  NO  .

If yes:

- Were there any cases in which there were clear grounds for believing that a vessel has engaged in any activity contrary to the CMMs of the SPRFMO? YES  NO  .

If yes:

- How were the procedures described under Article 21.6 and 21.12 addressed? Did you encounter any problems?

[Click here to enter text.](#)

Article 21.3: Have you conducted any at-sea inspections during the recent reporting period?

YES  NO  . If yes:

- Article 21.4: Have you informed the SPRFMO Secretariat of the form of identification issued to your duly authorised inspectors? YES  NO
- Article 21.4: Are your vessels used for boarding and inspection clearly marked and identifiable as being on government service? YES  NO
- How do you ensure that your inspectors observe all provisions under Articles 21.10 and 22.1 of the 1995 Agreement?

[Click here to enter text.](#)

- How many at-sea inspections did you conduct?
- Article 21.5: Following a boarding and inspection, have you had clear grounds for believing that a vessel has engaged in any activity contrary to the CMMs of the SPRFMO? YES  NO .

If yes:

- Please list all cases.

[Click here to enter text.](#)

- Article 21.8: In any of these cases, did you have clear grounds for believing that a vessel has committed a serious violation in accordance with Article 21.11 of the 1995 Agreement? If so, please provide details.

[Click here to enter text.](#)

- Article 21.9: Did you secure evidence and promptly notify the flag State of the alleged violation and the results of any further investigation? YES  NO
- Did you encounter any problems?

[Click here to enter text.](#)

## CMM 12-2017 Transhipment and Other Transfer Activities

Have any of your vessels conducted transhipments or other transfer activities during the reporting period? YES  NO . If so, please complete the following questions and tables.

Para's 2 & 3: Were all transhipments and/or other transfer activities conducted between authorised vessels (i.e. on the Commission Record of Vessels at the time of the activity)? YES  NO .

**Table 10: Transhipments of *T. murphyi* caught in the Convention Area (para 4, 5, 8)**

Number of transhipments in which your vessels unloaded <i>T. murphyi</i> catch	Number of transhipments in which your vessels received <i>T. murphyi</i> catch	How many of the <i>T. murphyi</i> transhipments were observed?

Please list the vessels that conducted transhipments of *T. murphyi* during the reporting period:

[Click here to enter text.](#)

**Table 11: Transhipments of demersal species<sup>1</sup> caught in the Convention Area (para 4, 5, 8)**

Number of transhipments in which your vessels unloaded demersal catch	Number of transhipments in which your vessels received demersal catch	How many of the demersal transhipments were observed?

Please list the vessels that conducted transhipments of demersal species during the reporting period:

[Click here to enter text.](#)

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<sup>1</sup> Demersal species generally live on or near the ocean floor.

## **CMM 13-2016 New & Exploratory Fisheries**

*Para 4: Are any of your vessels currently permitted to fish in SPRFMO exploratory fisheries?*

*YES*  *NO*  .

*Para 5: Are you seeking to permit a vessel that flies your flag to fish in an exploratory fishery?*

*YES*  *NO*  .

*Para 5a): If so, have you submitted an application to the Commission in respect of these activities?*

*YES*  *NO* .

*Para 5b): And if so, have you submitted a Fisheries Operation Plan to the Scientific Committee in respect of these activities?* *YES*  *NO* .

## **CMM 14-2016 Exploratory Toothfish Fishing (New Zealand only)**

*Para 3: Did your vessels conduct exploratory fishing for toothfish during the reporting period? YES  NO . (If “no” then please skip the remaining questions).*

*Para 5: Did all of the fishing use the bottom longline method (YES  NO ) and was it all conducted within the boxes specified in table 1 of that measure? YES  NO .*

*Para 6: Did the first trip occur during the period 1 July – 30 September? YES  NO .*

*How many lines were set during the first trip?*

*On how many consecutive days did fishing operations occur during the first trip?*

*Para 8: What was the total tonnage of toothfish caught during 2016?*

*Para 13 & 14: Which vessel(s) were authorised and undertook exploratory fishing for toothfish? [Click here to enter text.](#)*

*Para 15: Was all of the exploratory fishing for toothfish in accordance with SC-03-DW-01\_rev2 “Proposal for exploratory bottom longlining for toothfish by New Zealand vessels outside the bottom lining footprint during 2016 and 2017: Description of proposed activities and impact assessment” YES  NO .*

*Para 16b): How many toothfish were tagged during the exploratory fishing ( ) and what was the tagging overlap statistic?*

*Para 20: Were all of the mitigation methods specified in paragraph 20 implemented during the exploratory fishing? YES  NO*

*Para 21: Was the information described in paragraph 21 relating to marine mammals, seabirds, turtles, and other species of concern collected? YES  NO*

*Para 23: Was there a New Zealand government observer (and a dedicated assistant) on board the vessel during the exploratory fishing? YES  NO*

*Para 24: Was there a video monitoring and recording system installed and was the footage provided to the New Zealand Ministry for Primary Industries? YES  NO*

*Any additional comments may be provided below:*

[Click here to enter text.](#)

## **CMM 15-2016 Vessels without Nationality**

*Para 3: During the reporting period did you take any actions, in accordance with international law, against vessels without nationality (e.g. by prohibiting landing, transshipment or access to port services)*  
[YES](#)  [NO](#) .

*If so, please provide additional details:*

[Click here to enter text.](#)