

ANNEX II:

Template for the Implementation Report of the SPRFMO Conservation and Management Measures

Reporting Member/CNCP: EUROPEAN UNION

Reporting Period to which this report refers: January 2015-September 2016 (except as provided otherwise)

Date report prepared: 12/10/16

CMM 4.01 *Trachurus murphyi*

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 4.01 (*T. murphyi*; 2016): Effort Management

2015

| Gross Tonnage (GT) Limit | GT of active fishing vessel | No. of vessels actively fishing for CJM | No. of vessels only engaged in transshipment(s) |
|--------------------------|-----------------------------|---|---|
| 78600 | 27553 | 3 | 1 |

Enter n/a if not applicable.

2016

| Gross Tonnage (GT) Limit | GT of active fishing vessels | No. of vessels actively fishing for CJM | No. of vessels only engaged in transshipment(s) |
|--------------------------|------------------------------|---|---|
| 78600 | 17875 | 3 | 1 |

Table 2: CMM 4.01 (*T. murphyi*; 2016): Catch Management

| CJM catch limit | CJM catch limit taking into account any catch transfers | Provisional CJM catch total ¹ |
|-----------------|---|--|
| 28100 | 24200 | 11146 |

Table 3: CMM 4.01 (*T. murphyi*; 2016): Data collection and reporting

| 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"/> | 25% |

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 (refer to CMM 4.01 (*T. murphyi*; 2016) paragraph 8)?

YES NO .

If so, please elaborate

[Click here to enter text.](#)

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 .

Two papers submitted to the SPRFMO SC with the participation of EU scientists: The concept of "Pelagic metapopulation" as exemplified by *T. murphyi* and Seabirds and large pelagic trawlers

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

¹ Data for 31 August 2016.

² No landings or transshipment of *T. murphyi* in EU ports.

Is any part of your national jurisdiction area adjacent to the Area to which CMM 4.01 (T. murphyi; 2016) applies? YES NO .

If so, have you decided to apply the measures described in CMM 4.01 (T. murphyi; 2016) 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

[Click here to enter text.](#)

CMM 4.02 Standards for the Collection, Reporting, Verification and Exchange of Data

Table 4: Participation in SPRFMO fisheries during the past year

| Fishing method | Activities undertaken? | Main species caught? | Number of vessels | Activities observed? (Yes/No) |
|-------------------------|------------------------|----------------------|-------------------|-------------------------------|
| Demersal Drop/dahn line | | | | |
| Demersal Longline | | | | |
| Demersal Potting | | | | |
| Demersal Trawl | | | | |
| Pelagic Purse seine | | | | |
| Pelagic Trawl | Fishing | Jack mackerel | 3 | Yes |
| Squid jigging | | | | |
| Transshipment | | | | |
| | | | | |
| | | | | |

Were you able to meet the data collection requirements described in CMM4.02 (Data Standards; 2016) paragraphs 1(b) (c) and (d)? (Being information on fishing activity, non-target species impacts and transshipments/landings) YES NO Partial .

All data collection requirements were met.

Do you have a national observer programme? YES NO , and if so, have you submitted an annual observer implementation report to the Secretariat? YES NO .

It was submitted on 5 October 2016. There is no formal SPRFMO deadline for the submission of the annual observer implementation report. The only requirement is that it must be annual. The Commission should establish a deadline for the submission.

Have you implemented systems to ensure that all of your vessels that fish in the Convention Area have an operational VMS system (that conforms to the requirements in CMM 4.02 (Data standards; 2016) paragraphs 3(b) and 3(c)? YES NO .

VMS is compulsory for all EU vessels above 12 metres. See Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy.

Please describe the systems you use to verify your SPRFMO fishery data.

Electronic log-books, landing forms, transshipment forms, observers on board, national reports, VMS data, etc.

CMM 4.03 Bottom fishing in the SPRFMO Convention Area

Do you fish in the Convention Area using bottom fishing methods? YES NO .

If yes, then please complete the following tables and questions:

Table 5: Management of Bottom Fishing and Fisheries

| Bottom Fishing assessment submitted? | 2002-06 Bottom fishing footprint submitted? | Bottom Fishing restricted to footprint? | 2002-2006 Average annual catch (t) | Provisional catch total for last year ³ (t) | Observer coverage level (trawl) | Observer coverage level (other) | No. of VME encounters above the threshold | No. of monthly reports provided |
|--|--|--|------------------------------------|--|---------------------------------|---------------------------------|---|---------------------------------|
| YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> | YES <input type="checkbox"/> NO <input type="checkbox"/> | | | | | | |

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

Have you established threshold levels for VME encounters? YES NO .

If so what are they?

[Click here to enter text.](#)

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

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.](#)

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.](#)

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 4.03 (Bottom Fishing; 2016) paragraph 24? YES NO .

[Click here to enter text.](#)

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 .

³ The catch total for "last year" refers to the year to date (i.e. the 2015/16 report completed in November 2016 will refer to the total catch for 2016 as at the time the report was completed).

[Click here to enter text.](#)

CMM 4.04 Vessels presumed to have carried out IUU fishing activities in the SPRFMO Area

Did you transmit a list of presumed IUU fishing vessels to the Secretariat? YES NO

If so, did you inform the relevant flag state before, or at the same time as, transmitting the list?

YES NO

[Click here to enter text.](#)

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

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

[Click here to enter text.](#)

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

What measures were taken to eliminate these IUU activities?

[Click here to enter text.](#)

Did you enforce any of the measures described under CMM 4.04(IUU List; 2016) paragraph 12?

YES NO .

If so, please elaborate.

[Click here to enter text.](#)

⁴ We assume these questions are referred to the draft 2016 IUU vessel list.

CMM 4.05 Commission record of Vessels authorised to fish in the Convention Area

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

Existence of reported past infractions and action taken against the vessel by the EU Member State.

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.

Vessels flagged to EU Member States need to comply with, amongst others, Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) which establishes the system for fishing licenses, fishing activities, VMS, transmission of data, the e-log book, inspections, infringements and corrective measures completed and Council Regulation (EC) No 1005/2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing.

Do you maintain your own register of fishing vessels for the SPRFMO Area?

YES NO

Does it contain all the necessary information (as described in Annex 1 of CMM 4.05(Record of Vessels; 2016)?

YES NO

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

[Click here to enter text.](#)

Table 6: Vessel data submission summary

| Current number of vessels authorised to fish in the SPRFMO Area? | No. of new authorisations within reporting period | No. of revoked authorisations within reporting period | Authorisation details submitted to Secretariat? | No. of Active fishing vessels | No. of vessels only engaged in Transhipments(s) |
|--|---|---|---|-------------------------------|---|
| 15 | 7 | 1 (2015) | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> | 3 (2015) 3 (2016) | 1 (2016) |

* For Jack Mackerel fisheries, these numbers may be equal to or larger than the figures provided in Table 1

CMM 2.06 VMS in the SPRFMO Convention Area

At this time, this CMM does not have readily measurable implementation requirements.

CMM 2.07 Minimum Standards of Inspection in Port

Are your ports able, or expected, to receive SPRFMO-managed species⁵? YES NO

If so please complete the following table and questions:

Table 7: Implementation of Port Standards

| Point of Contact transmitted to Secretariat? | Designated port list provided to Secretariat? | No. of foreign fishing vessels ⁶ 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"/> | 0 | N/A | N/A | N/A |

Do you have sufficient capacity to conduct inspections in every designated port? YES NO

[Click here to enter text.](#)

Do you require foreign fishing vessels to provide information prior to any landing or port transhipment?

YES NO

If so, does that information comply with paragraph 11 of CMM 2.07 (Port Inspection; 2014)?

YES NO

[Click here to enter text.](#)

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

YES NO . If so, please elaborate.

[3 working days in order to provide enough time for the national administrations to assess the request](#)

Did you receive any requests from other Members, CNCPs or relevant RFMOs to inspect particular vessels? YES NO . If so, please elaborate.

[Click here to enter text.](#)

Did you encounter any difficulties with the inspection procedures described in paragraphs 18-22 of CMM 2.07 (Port Inspection; 2014)? YES NO . If so, please elaborate.

[N/A, no inspections.](#)

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 23-26 of CMM 2.07 (Port Inspection; 2014)?

YES NO

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

[N/A, no inspections.](#)

Have you provided (or received) any assistance as described under Paragraph 27 of CMM 2.07 (Port Inspection; 2014)? (Being the development of capacity, facilitation of participation and assessment of requirements for developing Members and CNCPs) YES NO

⁵ Able but not expected.

⁶ Limited to foreign fishing vessels carrying SPRFMO species caught within the SPRFMO Area.

CMM 1.02 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.

Please describe how this requirement has been implemented

Council Regulation (EEC) No 345/92 of 27 January 1992 amending for the eleventh time Regulation (EEC) No 3094/86 laying down certain technical measures for the conservation of fishery resources; Council Regulation (EC) No 809/2007 of 28 June 2007 amending Regulations (EC) No 894/97, (EC) No 812/2004 and (EC) No 2187/2005 and Council Regulation No 734/2008 of 15 July 2008 on the protection of vulnerable marine ecosystems in the high seas from the adverse impacts of bottom fishing gears which has served to ensure EU vessels undertaking bottom fishing respected the measures contained in the UN GA Resolutions 61/105 and 64/72 in areas beyond national jurisdiction where there is no RFMO.

Have any of your vessels transited the Area while carrying gillnets? YES NO

If so, was 36hrs advance notice given? YES NO ,

Did the vessels operate a VMS? YES NO Partial ,

Were VMS reports submitted? YES NO Partial

Were any Gillnets lost overboard? YES NO

(Refer to CMM 1.02 (Gillnetting; 2013) paragraphs 2(a), (b), (c) and (d))

Additional information can be provided here:

[Click here to enter text.](#)

CMM 4.09 Minimising bycatch of seabirds in the SPRFMO Convention Area

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

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:

N/A

During the recent reporting period have you maintained a minimum of 10% observer coverage over your demersal longline fleet? YES NO .

Have any of your vessels exceeded a mortality rate of 0.01 birds/1000 hooks? YES NO .

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.](#)

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.](#)

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.](#)

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

If so, are the records in accordance with CMM 4.02 (Data Standards; 2016) and is the resulting data reported to the Secretariat? YES NO .

[Click here to enter text.](#)

Table 8: Seabird mitigation measures in Demersal Longline

| Biological discharge during shooting/hauling prohibited? | List of Seabird mitigation measures used in SPRFMO Area? | Observer coverage level? | 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

| 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 ⁸ level | No. of seabird interactions ⁹ | Approx. seabird mortality rate (per tow observed) |
|---|---|---|--------------------------------------|--|---|
| | | | | | |

⁷ Provided as a percentage of number of hooks, for the current calendar year.

⁸ Provided as a percentage of number of fishing days.

⁹ Number of collisions. All of them of light nature. Zero mortality.

| | | | | | |
|---|---|--------------|--------------------------|----------------------|---|
| 2 | 0 | Bird baffler | 59% (2015) 25% (2016) | 2 (2015) 2 (2016) | 0 |
|---|---|--------------|--------------------------|----------------------|---|

CMM 3.04 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 .

At the time of the drafting of the report we are still assessing the applicable procedure to follow up on this matter as it involves two different Conventions (UNFSA and SPRFMO) for which the relevant EU regulations might vary.

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

They have been established in Article 10 of Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, where there are a number of obligations applicable to the vessel master in case of inspection.

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.](#)

Have you conducted any at-sea inspections during the recent reporting period? YES NO . If yes:

- Have you informed the SPRFMO Secretariat of the form of identification issued to your duly authorised inspectors? YES NO
- 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?
- 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.](#)

- 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.](#)

- 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 3.05 Transshipment and Other Transfer Activities

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

Were all transshipments 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: Transshipments of *T. murphyi* caught in the Convention Area

| Number of transshipments in which your vessels unloaded <i>T. murphyi</i> catch | Number of transshipments in which your vessels received <i>T. murphyi</i> catch | How many of the <i>T. murphyi</i> transshipments were observed? |
|---|---|---|
| 5 (2015) | 1 (2015) | 0 (2015) |
| 0 (2016) | 5 (2016) | 0 (2016) |

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

F/V Annelies Ilena, Margiris and Reefer Sierra King (2015); Reefer Cassiopea (2016)

Table 11: Transshipments of demersal species caught in the Convention Area

| Number of transshipments in which your vessels unloaded demersal catch | Number of transshipments in which your vessels received demersal catch | How many of the demersal transshipments were observed? |
|--|--|--|
| 0 | 0 | 0 |

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

[Click here to enter text.](#)

CMM 4.13 New & Exploratory Fisheries

Are any of your vessels currently permitted to fish in SPRFMO exploratory fisheries? YES NO .

Are you seeking to permit a vessel that flies your flag to fish in an exploratory fishery? YES NO .

If so, have you submitted an application to the Commission in respect of these activities? YES NO .

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

CMM 4.14 Exploratory Toothfish Fishing (New Zealand only)

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

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 .

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?

What was the total tonnage of toothfish caught during 2016?

Which vessel(s) were authorised and undertook exploratory fishing for toothfish?
[Click here to enter text.](#)

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 .

How many toothfish were tagged during the exploratory fishing () and what was the tagging overlap statistic?

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

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

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

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 4.15 Vessels without Nationality

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:

[Under Council Regulation \(EC\) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, a flagless vessel is presumed to be engaged in IUU activities.](#)