

## CMM 3.03 Compliance and Monitoring Scheme

### ANNEX II: Provisional template for the Implementation Report on Implementation of the SPRFMO Conservation and Management Measures

Reporting Member/CNCP: Chile  
Calendar Year to which this report refers: 2015  
Date report prepared: 23/10/2015

#### **CMM 1.02 Gillnets in the SPRFMO Convention Area ([download](#))**

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

*Please describe how this requirement has been implemented*

The use of large-scale pelagic driftnets or deepwater gillnets is prohibited in Chile since 1990, therefore our vessels do not use those fishing gears within the Convention Area or in our EEZ.

*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  and*  
*were any Gillnets lost overboard YES  NO ?*

*(refer Paras 2a, b, c & d)*

No Chilean vessels have transited in the Convention Area carrying gillnets.

**CMM 1.04 Vessels presumed to have carried out IUU fishing activities in the SPRFMO Area ([download](#))**

*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? 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? Also what measures were taken to eliminate these IUU activities?*

[Click here to enter text.](#)

*Did you enforce any of the measures described under paragraph 12? YES  NO*   
*If so, please elaborate.*

[No Chilean fishing vessels are included in any IUU list. No foreign fishing vessels included in any IUU list have requested to fly the Chilean flag or requested access to domestic ports. Any landings in domestic ports shall be certified, and any information of this kind of activities is informed to the SPRFMO through the Executive Secretariat.](#)

CMM 2.01 *Trachurus murphyi* (now CMM 3.01) ([download](#))

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 2.01 Effort Management**

Gross Tonnage (GT) Limit	GT of Active fishing vessels	Number of vessels actively fishing for CJM	Number of vessels only engaged in Transshipment(s)
96867	33326	26	0

Enter n/a if not applicable.

**Table 2: CMM 2.01 Catch Management**

CJM catch limit	CJM catch limit taking into account any catch transfers	Provisional CJM catch total
297000	298100	270192

**Table 3: CMM 2.01 Data collection and reporting**

Number of Monthly reports provided	VMS implemented and data provided?	List of authorised vessels provided?	Annual report provided to SC?	Observer coverage level
9	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"/>	14%

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 para 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

Research for Jack mackerel developed during the period has been provided to the 2015 Scientific Committee in the stipulated timelines.

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

Is any part of your national jurisdiction area adjacent to the Area to which CMM 2.01 applies? YES  NO

If so, have you decided to apply the measures described in Para 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

Conservation and management measures in effect for *Trachurus murphyi* in the Chilean EEZ include:

- Minimum Size: In force since 1980, through Decree (Minecon) No. 458 as of 1981 and Decree (Minecon) No. 34 as of 1983.
- Suspended Access to the fishery: In force since 1991, through General Law of Fisheries and Aquaculture No. 18.892 and No. 20.657.
- Catch Global Quota: Adopted annually since 1999. 2015 *Trachurus murphyi* quota was adopted through Decree (Minecon) No. 956 as of 2014 and amended through Decree (Minecon) No. 204 as of 2015.
- Maximum Catch Limits per Shipowner: In force since 2001, through General Law of Fisheries and Aquaculture No. 19.713.

- Individual Transferable Quota (ITQ): In force since 2013, through General Law of Fisheries and Aquaculture No. 20.657.

**CMM 2.02 Standards for the Collection, Reporting, Verification and Exchange of Data (now CMM 3.02) ([download](#))**

**Table 4: Participation in SPRFMO fisheries during the past year**

<i>Fishing method</i>	<i>Activities undertaken?</i>	<i>Main species?</i>	<i>Number of vessels</i>	<i>Activities observed?</i>
<i>Demersal Drop/dahn line</i>	No	-	0	-
<i>Demersal Longline</i>	No	-	0	-
<i>Demersal Potting</i>	No	-	0	-
<i>Demersal Trawl</i>	No	-	0	-
<i>Pelagic Purse seine</i>	Yes	CJM	26	Yes
<i>Pelagic Trawl</i>	No	-	0	-
<i>Squid jigging</i>	No	-	0	-
<i>Transshipment</i>	No	-	0	-

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

All information and data was collected, verified and reported according to the provisions of CMM 3.02.

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

Note this section could be expanded to include the observer implementation report.

In Chile, monitoring of the fishing sector and gathering of information for management is conducted through scientific observers deployed on fishing vessels, landing points, and processing plants. Nevertheless, the Chilean observer is under no circumstance an inspector, regulator, certifying officer or certifier of captures.

Regarding international agreements to which Chile is party, information of the regulated area corresponding to the high seas is provided in accordance with provisions of the respective international instruments.

Scientific observers are managed by the Fisheries Research Institute (IFOP) and may be professionals or technicians related to marine sciences. They are assigned annually through a resolution from the Undersecretariat for Fisheries and Aquaculture, after accrediting the compliance of a series of requirements including:

- Basic courses in familiarization on board
- Courses to develop basic scientific tasks; sampling methodologies, species identification, fisheries regulation, etc.
- Health compatible with their functions
- Life insurance
- Personal Locator Beacon

The S.D. 193 as of 2013 approved the scientific observers regulations dealing with:

- confidentiality, responsibility, and management rules of data collected
- Landing coordination procedure
- Requirements that observer providers (currently only IFOP) must comply with
- Obligations of industrial and small-scale fishing shipowners and managers of processing plants to facilitate data collection
- Requirements, functions and obligations of observers

Activities commonly conducted by scientific observers include

- Scientific observation, collection and record of fishing activities
- Record of general technical features of fishing gears and equipment used
- Sampling of captured species, including identification, measurement and record of biological data.
- Observations, collection and record of relevant data regarding the weather and environmental conditions.
- Observations, collection and record of relevant data regarding the target species, accompanying fauna, discard, and incidental catch
- Record of captures in their natural state per species and the weight of the final product
- Sample collection for further analysis

By 2015, the observer staff amounts to 110 on board and 21 on land, plus a variable number of samplers depending on the information needs.

*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 Paras 3(b) and 3(c)?* YES  NO

All Chilean vessels larger than 15 m (in some cases vessels larger than 12 m), whereas the fisheries operations takes place, must be equipped with a vessel monitoring system, as it is provided by The Fisheries and Aquaculture law, N°18.892 and its modifications, and implemented by Decree No. 198 of 1998 and its modifications.

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

Fishery data is verified through VMS, electronic logbook, national observer programm (including on board and at port sampling) and certification of landings. Transhipments have not been undertaken by Chilean fishing vessels.

**CMM 2.03 Bottom fishing in the SPRFMO Convention Area**  
[\(download\)](#)

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?	2002-06 average annual catch (t)	Provisional catch total for last year (t)	Observer coverage level (Trawl)	Observer coverage level (other)	Number of VME encounters above the threshold	Number 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.](#)

Also, do you require your vessels to cease fishing operations within 5 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 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

[Click here to enter text.](#)

**CMM 2.04 Minimising bycatch of seabirds in the SPRFMO Convention Area ([download](#))**

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

Do you have any vessels which are exempt from applying seabird mitigation measures? YES  NO  . And if so, when was the last time these vessels were reviewed?

Vessels catching Chilean toothfish (*Dissotichus eliginoides*) when they use a modified fishing longline called “Chilean system gear” or “Trotline system”, since it has demonstrated that its operation shows no danger for seabirds. Functioning of these vessels is continuously monitored and to date, no seabird has been affected.

Do you require your observers to record seabird interactions? YES  NO   
If so, are the records in accordance with CMM 2.02 and is the resulting data reported to the Secretariat? YES  NO

Chilean observers do record the data according to CMM 3.02. However, Chilean vessels operating over SPRFMO fisheries in the Convention Area have not undertaken demersal longline or trawl fisheries during the reported period. Given this, information in tables 6 and 7 is not provided.

**Table 6: Seabird mitigation measures in Demersal Longline**

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

**Table 7: Seabird mitigation measures in Trawl Fisheries**

<i>Number of vessels that do not discharge Biological material</i>	<i>Number of vessels discharging Biological material</i>	<i>List of Seabird mitigation measures used in SPRFMO Area</i>	<i>Observer coverage level<sup>2</sup></i>	<i>Number of Seabird captures</i>	<i>Approximate seabird mortality rate (per tow observed)</i>

<sup>1</sup> Provided as a percentage of number of hooks

<sup>2</sup> Provided as percentage of number of tows



## **CMM 2.05 Commission record of Vessels authorised to fish in the Convention Area ([download](#))**

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

Any authorisation to fish in the high seas, including the Convention Area, shall comply with the requirements of the Decree 360 (Minecon) as of 2005, which is consistent with the 1993 FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas. Before its authorisation, every application is analysed individually, including history and compliance of the vessel and shipowner.

*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.*

Chile, as a responsible flag State and port State, has developed regulations in order to assure the proper compliance of existing obligations by its shipowners and vessels (including those existing under international treaties signed by Chile) with the aim of sustainable use of resources including:

- Mandatory use of VMS by vessels of the industrial fishing fleet (whole) and artisanal (larger than 15 m and in some cases larger than 12 m);
- Mandatory certification of landings of vessels with length larger than 12 m;
- Mandatory use of the weighing system certified by the National Fishing and Aquaculture Service;
- Requirement of legal origin certificate for landing, processing, elaboration, trade and export of resources and their derived products.

*Do you maintain your own register of fishing vessels for the SPRFMO Area and does it contain all the necessary information (as described in Annex 1 of the measure)?*

YES  NO

**Table 8: Vessel data submission summary**

<i>Number of vessels authorised to fish in the SPRMO Area</i>	<i>Number of new authorisations within past year</i>	<i>Number of revoked authorisations within past year</i>	<i>Authorisation details submitted to Secretariat?</i>	<i>Number of Active fishing vessels*</i>	<i>Number of vessels only engaged in Transshipment(s)*</i>
187	0	7	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	26	0

\* These numbers may be equal to or larger than the figures provided in Table 1.

**CMM 2.06 VMS in the SPRFMO Convention Area ([download](#))**

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

**CMM 2.07 Minimum Standards of inspection in Port ([download](#))**

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

If so please complete the following table and questions.

**Table 9: Implementation of Port Standards**

Point of Contact transmitted to Secretariat?	Designated port list provided to Secretariat?	Number of foreign fishing vessels seeking to use port services	Number of foreign fishing vessels denied entry	Number 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%

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

YES  NO

Every Chilean designated port has the sufficient surveillance officials to undertake the corresponding duly inspections to foreing fishing vessels and to develop the relevant reports.

Do you require foreign fishing vessels to provide the information prior to any landing or port transhipment? YES  NO  If so, does that information comply with paragraph 11?

YES  NO

According to national regulation, the procedure to apply for access to ports requires applicants certain information complying with the requirements of paragraph 11 of CMM 2.07.

Is the notification period for a foreign fishing vessels port request different than 48 hours?

YES  NO  . If so, please elaborate.

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.](#)

Did you encounter any difficulties with the inspection procedures described in paragraphs 17-21? YES  NO  . If so, please elaborate.

[Click here to enter text.](#)

Did any of your inspections discover evidence that a SPRFMO had occurred? YES  NO  If so, did you encounter any difficulties with the infringements procedures described in paragraphs 22-25? YES  NO

Have you provided (or received) any assistance as described under Paragraph 26? (Being the development of capacity, facilitation of participation and assessment of requirements for developing members and CNCs) YES  NO

[Click here to enter text.](#)