

## 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: EUROPEAN UNION  
Calendar Year to which this report refers: 2015  
Date report prepared: 19/10/2015

#### **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 by EU vessels of drift-nets of individual or total size of more than 2.5 Km was prohibited in 1992 to all EU fishing vessels by 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 banned in the EU.

Moreover, since 2002 all drift-nets, no matter their size, have been prohibited when intended for the capture of species listed in Annex VIII of Council Regulation (EC) No 894/97, as amended by Council Regulation (EC) No 1239/98.

*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)*

[Click here to enter text.](#)

**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*

N/A

*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*

N/A

*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?*

N/A

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

N/A

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)
78600	23555	2	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
28100	28100	27.191,79

**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
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"/>	58%

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

N/A

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

- Hydrography and Jack mackerel study submitted to the SC for review.

- A report on activities relating to the use acoustic information from fishing vessels submitted to the SC.

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

N/A

## 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>				
<i>Demersal Longline</i>				
<i>Demersal Potting</i>				
<i>Demersal Trawl</i>	Fishing	Jack Mackerel	2	Fishing and ERS interactions
<i>Pelagic Purse seine</i>				
<i>Pelagic Trawl</i>				
<i>Squid jigging</i>				
<i>Transshipment</i>				

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

[Click here to enter text.](#)

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.

The results of the observer programme were orally reported during the discussion of the EU national report to the SC. Attached is the full observer implementation report.

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

Article 9 of the EU Control Regulation (EU) Regulation (EC) 1224/2009<sup>1</sup> foresees the compulsory use of VMS for the EU vessels of more than 12 meters' length.

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

EU electronic logbook, EU Catch Documentation Scheme (CDS), landing forms, transshipment forms, scientific revision of data, observers on-board, port inspections, system audits

<sup>1</sup> EU 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.

**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 checked="" type="checkbox"/>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	t.00	165,480.00		0%		5

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?

Any single encounter with a VME

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.

N/A

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

Council Regulation (EC) 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 applies to EU fishing vessels using bottom fishing gears for their activities on the high seas. Vessels which operate in an area regulated by a Regional fisheries management organisation (RFMO) are not subject to this Regulation. It does apply to vessels which carry out activities in an area where an RFMO is in the stages of development and intermediate measures for the protection of the marine environment have been adopted.

To be able to carry out activities with bottom fishing gears in the high seas, EU vessels must obtain a special fishing permit. Applications for special fishing permits must be accompanied by a detailed fishing plan specifying:

- the area of activity;
- the targeted species;
- the type and conditions of use of the gears deployed;
- a map of the seabed where the fishing activities will be carried out, if necessary.

The permit is issued by the Flag State after they have carried out an impact assessment. This study is based on scientific and technical data relating to the location of vulnerable marine

ecosystems in the area of activity detailed in the fishing plan. It must demonstrate that the fishing activities will not have a significant adverse impact on the ecosystems in question.

Any changes to the fishing plan must be notified to the competent authority who will examine whether the changes are likely to threaten areas where vulnerable marine ecosystems occur or are likely to occur. The competent authority in the Flag State shall withdraw the special fishing permit if a vessel does not comply with the specified fishing plan.

The principle of precaution applies when the competent authority does not have reliable scientific information on a given area at its disposal. In this case, the use of bottom gears is forbidden. Bottom fishing activities are only authorised when they present no risk of damaging vulnerable marine ecosystems.

When a vessel has an unforeseen encounter with a vulnerable marine ecosystem it must leave the site and refrain from fishing activities in the area. They are only authorised to resume fishing activities in an area foreseen in their fishing plan located a minimum distance of five nautical miles from the site of the encounter. With as little delay as possible, the vessel must inform the competent authorities of their encounter, providing important details such as the nature, location, time, etc. of the encounter.

EU Member States shall proceed with area closures to fishing with bottom gears when the scientific information confirms the occurrence or likelihood of occurrence of vulnerable marine ecosystems in the area open to fishing.

Observers shall monitor the activities of vessels granted a special fishing permit throughout the execution of the fishing plan. During the observation period, the observers must compile information on the catch, changes to the fishing plan, encounters with vulnerable ecosystems, as well as record the depth at which gear is deployed. Observers shall submit a report to the competent authorities in the Member State concerned within twenty days following the end of their mission.

*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

N/A

**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?

No exceptions at this stage

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

[Click here to enter text.](#)

**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>2</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 levels<sup>3</sup></i>	<i>Number of Seabird captures</i>	<i>Approximate seabird mortality rate (per tow observed)</i>
0	2	Tori line and responsible discharge	38%	0	0%

<sup>2</sup> Provided as a percentage of number of hooks

<sup>3</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.*

[Case by case assessment of particular circumstances for vessels with known compliance issues.](#)

*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.*

- Regulation on Illegal, Unregulated and Unreported Fishing (Regulation (EC) No 1005/2008) of 29 September 2008 which entered into force on 1 January 2010.
- EU Regulation (EC) No 1224/2009 establishing a Community control system for ensuring compliance with the rules of the Common Fisheries Policy of 20 November 2009:

Article 90 of Control Regulation and Articles 44, 45 and 46 of IUU Regulation provide for sanctions for serious infringements taking into account such as the nature of the damage, its value, the economic situation of the offender and the extent of the infringement or its repetition, the value of the prejudice to the fishing resources and the marine environment concerned.

Article 91 of Control Regulation and Article 43 of IUU Regulation provide for immediate enforcement measures.

Articles 92 and 93 of the Control Regulation provide for the establishment of a point system for serious infringements assigned to the holder of the fishing licence of the vessel and to the master of the vessel with the aim to ensure compliance with the rules of the Common Fisheries Policy and a level playing field in all waters where the EU vessels operate.

- European Commission implementing Regulation (EU) No 404/2011 of 8 April 2011 Sanctions as referred to in Article 91 of Control Regulation and Articles 44 and 45 of IUU Regulation must be:

- effective, proportionate and dissuasive administrative sanctions for serious infringements, without prejudice of criminal sanctions, that may, inter alia, include:
  - maximum sanction of at least 5 times (8 times for the case of repeated offenses) the value of the fishery products
  - sequestration, immobilisation of fishing vessel
  - confiscation of fish and prohibited gear, etc.
  - suspension/withdrawal of authorization to fish
  - ban on access to subsidies

If a vessel is included in the EU IUU list the following applies (Article 37 of Regulation 1005/2008):

- withdrawal of fishing authorisation
- prohibition of any fishing operations and chartering
- prohibition of authorisation to change crew
- importation/landing/exportation of its products prohibited, etc.

*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>
12	0	3	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	2	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**

<i>Point of Contact transmitted to Secretariat?</i>	<i>Designated port list provided to Secretariat?</i>	<i>Number of foreign fishing vessels seeking to use port services</i>	<i>Number of foreign fishing vessels denied entry</i>	<i>Number of inspections</i>	<i>Percentage of foreign landings /transhipments inspected</i>
<b>YES</b> <input checked="" type="checkbox"/> <b>NO</b> <input type="checkbox"/>	<b>YES</b> <input checked="" type="checkbox"/> <b>NO</b> <input type="checkbox"/>	N/A	0	0	0%

*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 the information prior to any landing or port transhipment? YES*  *NO*  *If so, does that information comply with paragraph 11?*

**YES**  **NO**

[Click here to enter text.](#)

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

**YES**  **NO**  . *If so, please elaborate.*

Under Regulation (EC) No 1005/2008 to combat illegal fishing in the high seas<sup>4</sup>, generally known as the IUU Regulation, the prior notice to request access to EU ports is three working days.

*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.*

[No inspections undertaken as no foreign vessels carrying SPRFMO landed jack mackerel at EU ports](#)

*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*

<sup>4</sup> Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999.

*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 CNCPS) YES  NO*

N/A