

# South Pacific Regional Fisheries Management Organisation

20 October 2011

Ref: 0066-2011

H.E. Professor Uri Rosenthal Minister of Foreign Affairs  
Ministry of Foreign Affairs  
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COPY

Excellency

I have the honour to present my compliments and to refer to my Diplomatic Note of 3 August 2011.

As I observed in my earlier Note, pending the entry into force of the Convention on the Conservation and Management of High Seas Fisheries Resources in the South Pacific Ocean (SPRFMO), the participants in the negotiations of that Convention, acting in accordance with their obligations in respect of the living resources of the high seas under the United Nations Convention on the Law of the Sea 1982, adopted interim conservation and management measures for the SPRFMO area, including a prohibition on the use of deep water gill nets in the Convention Area.

A detailed and credible report of a vessel fishing in the Convention Area in contravention of the SPRFMO Interim Measures is a matter of grave concern to participants in the SPRFMO process as well as to the Interim Secretariat which is charged with receiving, collating and circulating the data received from participants establishing their compliance with the Interim Measures. In my earlier Note I advised that such a report had been received in respect of a vessel flying the Curacao flag, the *Millennium*. This vessel was reported to have been fishing in the Convention Area using deep water gill nets. I am now attaching the detailed report, including photographs, provided to the Interim Secretariat that substantiates this infringement of the SPRFMO Interim Measures.

In my earlier Note I asked that you refer the SPRFMO Interim Measures to the relevant authorities in respect of Curacao and, in accordance with the relevant provisions of the United Nations Conventions on the Law of the Sea and Fish Stocks of 1982 and 1995 respectively, ensure that vessels flying the flag of Curacao cooperate in the conservation and management of the high seas living resources in the Convention Area and observe these measures, including the prohibition on the use of deep water gill nets. I further noted that the SPRFMO Interim Measures include a commitment by the participants to collect, verify and report data on the activities of their vessels fishing in the Convention Area and said it would be greatly appreciated if the relevant authorities in respect of Curacao would provide data on the fishing activity of the above vessel and any others flagged to Curacao to the Interim Secretariat.

I wish to renew my earlier requests and to advise that I will circulate your response to the participants in the SPRFMO process and will be obliged to report on the matter to the next meeting of the Preparatory Conference for the Commission of the SPRFMO to be held in Chile from 30 January to 3 February 2012.

May I again take this opportunity to advise you that the Convention is open to accession by any state having an interest in fisheries resources in the Convention Area and to note that the text of the Convention, a map of the Convention Area, a list of participants in the negotiations and the Preparatory Conference for the Commission of the new Organisation and much additional information is available on the SPRFMO website.

Please accept, Your Excellency, the assurances of my highest consideration.

Yours sincerely,



Robin Allen  
Executive Secretary