

COMM 5 - Report - ANNEX 5

Final Compliance Report

(COMM5-Doc08)

The Commission adopted the CTC's Provisional Compliance report (CTC4-Doc07) without amendments.

Reporting period to which this report refers: 2015/16 (1 November 2015 – 31 October 2016)

The Conservation and Management Measures which have been assessed include:

- CMM 4.01 (Trachurus murphyi; 2016)
- CMM 4.02 (Data Standards; 2016)
- CMM 4.03 (Bottom Fishing; 2016)
- CMM 4.04 (IUU List; 2016)
- CMM 4.05 (Record of Vessels; 2016)
- CMM 2.06 (Commission VMS; 2014)
- CMM 2.07 (Port Inspection; 2014)
- CMM 1.02 (Gillnetting; 2013)
- CMM 4.09 (Seabirds; 2016)
- CMM 4.10 (Compliance Monitoring Scheme; 2016)
- CMM 3.04 (Boarding and Inspection; 2015)
- CMM 3.05 (Transshipment; 2015) – effective 1 March 2016
- CMM 4.13 (Exploratory Fisheries; 2016)
- CMM 4.14 (Exploratory Toothfish fishing; 2016)
- CMM 4.15 (Stateless Vessels; 2016)

Table 1: CTC Assessments of CMM 4.01 *Trachurus murphyi*

Member/ CNCP	2014/15 Compliance Status	2015/16 Assessments	2015/16 Compliance Status
Chile	Non-Compliant	Compliant	
China	Non-Compliant	Compliant	
European Union	Non-Compliant	Secretariat Assessment: The April 2016 report was received 5 days late (Para 11 and 16). Comment by Member/CNCP: No comment Discussion and recommendations:	Non-compliant with paragraphs 11 and 16. No further action
Korea	Non-Compliant	Secretariat Assessment: The August 2016 report was received 6 days late (Para 11 and 16). Korea's annual report was received 3 weeks late (7 days prior to SC-04) (Para 18). Comment by Member/CNCP: No comment Discussion and recommendations:	Non-compliant with paragraphs 11, 16 and 18. No further action
Peru	Non-Compliant	Compliant	
Russian Federation	Non-Compliant	Secretariat Assessment: The 2016 Annual report was received on the 4 th of October 2016 (24 days late) (Para 18). Comment by Member/CNCP: Discussion and recommendations:	Non-compliant with relevant paragraph 18. No further action
Vanuatu	Non-Compliant	Compliant	
Liberia	Non-Compliant	Secretariat Assessment: The implementation report suggests that Liberian reefers have conducted Jack mackerel transshipping activities during the period November 2015 – October 2016; However, the Secretariat has not received any monthly reports for that period (Para 11 and 16). Comment by Member/CNCP: Liberia's Implement Report previously submitted inadvertently covered the period January to December 2015, instead of 1 November 2015 – 31 October 2016. Liberia submitted her Annual Transshipment Report in June 2016; that Report detailed transshipment operations for four (4) vessels which were carried out from January to December 2015. Moreover, monthly reports for those same vessels were submitted in 2015. As of 1 December 2016, Liberia provided transshipment data for two (2) vessels (WATER PHOENIX and PRINCE OF TIDES) which transshipped squid in blocks, not <i>Trachurus murphyi</i> . Discussion and recommendations:	Compliant
Panama	Priority non-Compliant	Secretariat Assessment: Based upon received transshipment notifications, Panama reefers were active in the Jack mackerel fishery during April, May & June. However, the June monthly report has not yet been received (Para 11 and 16) Panama has not submitted any VMS data for its reefer vessels operating during 2016 in the Jack mackerel fishery (Para 15). Comment by Member/CNCP: No comments Discussion and recommendations:	Priority non-Compliant with paragraphs 11, 15 and 16. Develop a compliance action plan within 6 months.

Table 2: CTC Assessments of CMM 4.02 Data Standards

Member/ CNCP	2014/15 Compliance Status	2015/16 Assessments	2015/16 Compliance Status
Chile	Non-Compliant	Compliant	
China	Non-Compliant	<p>Secretariat Assessment: 2015 Pelagic Trawl data do not contain information on bycatch species (para 1e) 2015 Transshipment data do not contain information on GIS transshipments (para 1e)</p> <p>Comment by Member/CNCP: China Overseas Fisheries Association (COFA) and SHOU were authorized by the Chinese government to jointly undertake the CJM and GIS fishing activities data collection. The CJM fishing activities data were submitted to DIWG in accordance with requirements of CMM3.02. The catch recorded in logbook is by set, it is very few catch of MAS in per set (143 340kg MAS in 614 sets, average 233kg/set). Due to very few catch of non-target species, China CJM fishing vessels recorded the catch without classification in fishing log in 2015. China has already advised the vessel owner to record by-catch species in 2016.</p> <p>China requires all fishing vessels to notify the Chinese government of each transshipment of CMJ and GIS caught in the Convention area. For CMJ transshipment, China submits transshipment notification and data as required by CMM 3.05. For GIS transshipment, after receiving the transshipment request, we always check whether the unloading and receiving vessels were both included in the Record of Vessels. But it needs time for all Chinese squid jigging vessels to fully carry out the transshipment requirement. As our understanding to CMM 3.05, items 4, 5, 6, 7 and 8 under the sentence "Transshipments of <i>Trachurus murphyi</i> and demersal species caught in the Convention Area" are only applicable to transshipment of <i>Trachurus murphyi</i> and demersal species, but China will continue working on the improvement of the squid data collection.</p> <p>Discussion and recommendations:</p>	<p>Non-compliant with paragraph 1e. No further action required</p> <p>Not assessed. CTC will ask Commission to clarify ambiguity of relevant obligations</p>
European Union	Non-Compliant	Compliant	
Korea	Non-Compliant	Compliant	
Peru	Non-Compliant	Compliant	
Russian Federation	Non-Compliant	<p>Secretariat Assessment: 2015 Annual Catch Totals were extracted from the 2016 National report provided on 4 October 2016 (4 days late) (Para 1a). The 2015 Fishing activity data has not been submitted to the Secretariat yet (Para 1e). The 2015 observer data has not been submitted to the Secretariat yet (Para 2d).</p> <p>Comment by Member/CNCP: The Russian Federation agrees to provide the outstanding information within 6 months.</p> <p>Discussion and recommendations:</p>	<p>Non-compliant with paragraph 1a. No further action</p> <p>Non-compliant with paragraph 1e. Provide the outstanding information within 6 months.</p> <p>Non-compliant with paragraph 2d. No further action</p>
Vanuatu	Non-Compliant	Compliant	

Member/ CNCP	2014/15 Compliance Status	2015/16 Assessments	2015/16 Compliance Status
Liberia	Non-Compliant	Secretariat Assessment: 2015 Transshipment data does not separate out each individual species (Para 1e). Comment by Member/CNCP: Corrected Transshipment Data has been provided to the Secretariat as of 1 December 2016 Discussion and recommendations:	Non-compliant with relevant paragraph 1e. Undertake a Compliance review to identify reason for non-compliance including gaps in implementation
Panama	Non-Compliant	Secretariat Assessment: Panama has not provided a final compilation of its 2015 Transshipment data (Para 1e) Comment by Member/CNCP: No comment Discussion and recommendations:	Non-compliant with paragraph 1e. Undertake a Compliance review to identify reason for non-compliance including gaps in implementation

Table 3: CTC Assessments of CMM 4.03 Bottom Fishing

Member/ CNCP	2014/15 Compliance Status	2015/16 Assessments	2015/16 Compliance Status
European Union	Priority Non-Compliant	Compliant	
Russian Federation	Priority Non-Compliant	Compliant	

Table 4: CTC Assessment of CMM 4.04 Vessels presumed to have carried out IUU activities

Member/ CNCP	2014/15 Compliance Status	2015/16 Assessments	2015/16 Compliance Status
Russian Federation	Priority Non-Compliant	Compliant	

Table 5: CTC Assessment of CMM 4.05 Commission Record of Vessels Authorised to Fish in the Convention Area

Member/ CNC	2014/15 Compliance Status	2015/16 Assessments	2015/16 Compliance Status
Chile	Non-Compliant	<p>Secretariat Assessment: All 37 of the revoked authorisations were received by the Secretariat between 2 & 10 days late (Para 8).</p> <p>Comment by Member/CNC: Chile recognizes the late submission of 37 revoked authorizations. Additional efforts will be made to avoid this kind of situations in the future. It is important to highlight that none of those 37 vessels has been actively fishing in the SPRFMO Area since 2010, thus the aim of the Convention and CMMs were not compromised.</p> <p>Discussion and recommendations:</p>	Non-compliant with paragraph 8. No further action
China	Non-Compliant	<p>Secretariat Assessment: China has provided images for 34% of its authorised fleet (reflecting an increase from 40 to 130 vessel images) and submission of IMO numbers in accordance with Annex 1 is currently incomplete (Para 5). Failure of the flag state to provide information regarding updating the authorisation of one vessel in accordance with paragraph 7.</p> <p>Comment by Member/CNC: Because of the big number of Chinese authorised vessels in SPRFMO Convention Area, it needs time to collect images of all the vessels, and many of them are fishing on sea throughout the year and there is not possibility to take photo of them on sea. We always update images of vessels when the images are available. China will try the best to collect all the images of the China flagged vessels in SPRFMO records as soon as we can. All Chinese Trawlers have already obtained IMO number, but squid jigging vessels almost do not have IMO number. Due to the big number of Chinese squid jigging vessels, it needs time to apply for IMO number for all the vessels. All Chinese authorised vessels in SPRFMO Convention area are advised to get IMO number, and China will urge the vessel owner to apply for IMO number as soon as possible.</p> <p>China domestic authorisation procedure is as follows: Chinese government examines the vessel and issues the Fishing License on High Sea for the vessel for permission to fish in a certain area (in this case, the SPRFMO Convention Area). The validity period of the Fishing License is usually three years, starting from the permission date. After obtaining the Fishing License the vessel is permitted to set out to sea and then it will submit the SPRFMO registration application. The authorisation period in the registration form conforms to the validity period on the Fishing License, but it doesn't mean that the vessel is fishing before registration. We require all the newly authorised vessels to enter the SPRFMO Convention Area 15 days after their registration.</p> <p>Discussion and recommendations:</p>	<p>Non-compliant with paragraph 7. Undertake a Compliance review within 180 days to update CTC and Commission regarding progress intersessionally.</p> <p>Non-compliant with paragraph 5. Undertake a Compliance review within 180 days to update CTC and Commission regarding progress intersessionally.</p>

Member/ CNCP	2014/15 Compliance Status	2015/16 Assessments	2015/16 Compliance Status
Cook Islands	Compliant	Secretariat Assessment: The Secretariat is unable assess whether there may be a compliance issue against paras 2,3,4 because the Cook Islands have not submitted an implementation report. Comment by Member/CNCP: No comment Discussion and recommendations:	Non-compliant with paragraphs 2,3 and 4. Refer to executive summary
European Union	Non-Compliant	Compliant	
Korea	Non-Compliant	Secretariat Assessment: The Secretariat has received images for 10 out of the 23 authorised vessels (includes the 6 active vessels) (para 5). Comment by Member/CNCP: Submitted outstanding images (last submission was 6 Dec) Discussion and recommendations:	Non-compliant with paragraph 5. No further action
Peru	Non-Compliant	Secretariat Assessment: The Secretariat has received images for 74 of Peru's authorised vessels (an increase of 70 vessels) and submission of IMO numbers in accordance with Annex 1 is currently incomplete (para 5). Comment by Member/CNCP: <i>Vessels with IMO (>100t):</i> With respect to vessels with IMO numbers, we sent IMO numbers of 69 vessels, representing 79% of the total. It is being carried out the necessary coordination for that the IMO numbers of 18 vessels can be sent as soon as possible. <i>Authorised Vessels with Images:</i> Regarding the images, it has been sent images of 70 vessels; though, it should be mentioned that the SPRFMO already had images of 303 vessels (Westella of registration number CO-29381-PM, Don Ole of registration number CO-50608-PM and Ocean Star of registration number CO-51118-PM). Attached to this document are the images of 01 vessels (Caracol of registration number CO-15313-PM). Therefore, the SPRFMO would already have 74 vessels with its images, representing Discussion and recommendations:	Non-compliant with paragraph 5. Undertake a Compliance review within 180 days to update CTC and Commission regarding progress intersessionally.
Russian Federation	Compliant	Secretariat Assessment: On 2 April the PAMYAT KIROVA undertook transfer of supplies within the Convention Area without being on the SPRFMO Record of Vessels (para 11). Comment by Member/CNCP: Refer to additional information supplied for the Draft IUU List. Discussion and recommendations:	Priority Non-Compliant with paragraph 11. Develop a compliance action plan.
Liberia	Compliant	Secretariat Assessment: 8 currently authorised vessels are missing the required images (para 5). Comment by Member/CNCP: Images for the aforementioned vessels have been submitted to the Secretariat as of 29 November 2016 Discussion and recommendations:	Non-compliant with paragraph 5. No further action
Panama	Compliant	Secretariat Assessment: The Secretariat is unable assess whether there may be a compliance issue against paras 2,3,4 because Panama has not submitted an implementation report. 3 of Panama's currently authorised vessels are missing images and submission of IMO numbers in accordance with Annex 1 is currently incomplete (para 5). Comment by Member/CNCP: No comment Discussion and recommendations:	Non-compliant with paragraphs 2,3 and 4. Refer to executive summary Non-compliant with paragraph 5. Undertake a Compliance review within 180 days to update CTC and Commission regarding progress intersessionally.

CMM 2.06 Establishment of the SPRFMO Vessel Monitoring System

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

Table 6: CTC assessment of CMM 2.07 Minimum standards of Inspection in Port

Member/ CNCP	2014/15 Compliance Status	2015/16 Assessments	2015/16 Compliance Status
Cook Islands	Non-Compliant	Secretariat Assessment: The Secretariat is unable assess whether there may be a compliance issue against because the Cook Islands have not submitted an implementation report. Comment by Member/CNCP: No comment Discussion and recommendations:	Non-compliant with CMM 2.07. Refer to executive summary
Cuba	Non-Compliant	Secretariat Assessment: The Secretariat is unable assess whether there may be a compliance issue against because Cuba has not submitted an implementation report. Comment by Member/CNCP: No comment Discussion and recommendations:	Non-compliant with CMM 2.07. Refer to executive summary
Ecuador	Non-compliant	Secretariat Assessment: At this time, the Secretariat has not received any summaries for the 26 port inspections conducted by Ecuador. Comment by Member/CNCP: No Comment Discussion and recommendations:	Priority Non-Compliant with paragraph 21. Develop a compliance action plan.
Faroe Islands	Non-Compliant	Compliant	
Korea	Compliant	Secretariat Assessment: Korea's implementation report records that 93 inspections have been carried out but the Secretariat has only received 1 inspection report summary ~ 3% (note a similar report was received last year and Korea clarified that the number referred to the number of inspectors and not the number of inspections). Comment by Member/CNCP: Korea confirmed that that 31 was the number of ports and that 93 was the number of inspectors. Discussion and recommendations:	Compliant.
Russian Federation	Compliant	Secretariat Assessment: The Russian Federation Implementation Report indicates that the Russian Federation does expect to receive SPRFMO-managed species in its ports – but so far the information required under Paragraphs 5 and 9 has not been submitted. Comment by Member/CNCP: Russian Federation agreed to send the required information. Discussion and recommendations:	Non-compliant with paragraphs 5 and 9. Provide outstanding information within 180 days.
Chinese Taipei	Non-Compliant	Compliant	

CMM 1.02 Gillnets in the SPRFMO Area

This CMM did not have any identified compliance issues during either 2014/15 nor in 2015/16.

Table7: CTC assessment of CMM 4.09 Minimising bycatch of Seabirds

Member/ CNC	2014/15 Compliance Status	2015/16 Assessments	2015/16 Compliance Status
China	Non-Compliant	Compliant	
Korea	Non-Compliant	<p>Secretariat Assessment: Korea's annual national report did not report specifically on seabird mitigation measures nor observed seabird interaction data</p> <p>Comment by Member/CNC: Outstanding information has been provided during the CTC meeting.</p> <p>Discussion and recommendations:</p>	Non-complaint with paragraph 8. No further action
New Zealand	Non-Compliant	Compliant	
Peru	Non-Compliant	Compliant	
Russian Federation	Non-Compliant	Compliant	
Vanuatu	Non-Compliant	<p>Secretariat Assessment: Annual national report did not report specifically on seabird mitigation measures nor observed seabird interaction data</p> <p>Comment by Member/CNC: The most recent Vanuatu annual report covered the 2015 fishing year. During this season there were no observers on the vessels as a result of public servants being redeployed to assist in the reconstruction work following Cyclone Pam. Consequently, there were no seabird observations carried out on the vessels during 2015. I would also note that because the vessels do not discharge biological material they are exempt from applying the seabird mitigation measures described in the CMM. However, tori lines were trialled on the vessels in 2016</p> <p>Discussion and recommendations:</p>	Non-compliant with paragraph 8. No further action.

Table 8: CTC Assessment of CMM 4.10 Compliance and Monitoring Scheme

Member/ CNCP	2014/15 Compliance Status	2015/16 Assessments	2015/16 Compliance Status
Cook Islands	Priority Non-Compliant	Secretariat Assessment: The Cook Islands have not submitted a 2015/16 Implementation report so far (para 5) Comment by Member/CNCP: No comment Discussion and recommendations:	Priority Non-complaint with paragraph 5. Develop a compliance action plan (also see executive summary)
Cuba	Priority Non-Compliant	Secretariat Assessment: Cuba has not submitted a 2015/16 implementation report so far (para 5). Comment by Member/CNCP: No comment Discussion and recommendations:	Priority Non-complaint with paragraph 5. Develop a compliance action plan (also see executive summary)
Ecuador	Priority Non-Compliant	Compliant	
Faroe Islands	Priority Non-Compliant	Compliant	
Korea	Non-Compliant	Secretariat Assessment: Korea submitted its 2015/16 implementation report on 14 December 2016 (60 days late) (para 5). Comment by Member/CNCP: This significant delay is due to the personnel changes and the shift in responsibilities within our Division. Discussion and recommendations:	Non-compliant with paragraph 5. No further action
Russian Federation	Priority Non-Compliant	Compliant	
Colombia	Non-Compliant	Secretariat Assessment: Colombia has not submitted a 2015/16 implementation report so far (Para 5). Comment by Member/CNCP: No comment Discussion and recommendations:	Priority Non-complaint with paragraph 5. Develop a compliance action plan (also see executive summary)
Panama	Priority Non-Compliant	Secretariat Assessment: Panama has not submitted a 2015/16 implementation report so far (Para 5) Comment by Member/CNCP: No comment Discussion and recommendations:	Priority Non-complaint with paragraph 5. Develop a compliance action plan (also see executive summary)

CTC Assessment of CMM 3.04 Boarding and Inspection Procedures

This CMM did not have any secretariat identified compliance issues during 2015/16.

Table 9: CTC assessment of CMM 3.05 Regulation of Transshipment and Other Transfer Activities

(only assessed for the period after 1 March 2016)

Member/ CNCP	2014/15 Compliance Status	2015/16 Assessments	2015/16 Compliance Status
China	n/a	<p>Secretariat Assessment: On 7 March 2016 the RONG ZHOU conducted transshipment activities in the SPRFMO Area without being on the SPRFMO record of Vessels. The RONG ZHOU was later included into the Record by China as per an email received on 11 October 2016 where China also asserted that at the time of the Transshipment the RONG ZHOU had been authorised (Para 2) None of the notifications related to the 15 Jack mackerel Transshipments have been received with in the timeframe required under paragraph 6 (i.e. [36] hrs prior to transshipment) (para 4) According to China's Implementation Report 7 Jack mackerel Transshipments were observed, but China has not submitted any Annex B logsheets to the Secretariat (Para 6)</p> <p>Comment by Member/CNCP: The fishing vessel RONG ZHOU had been registered in SPRFMO Record of Vessels since 2014, its period of validity expired on 31 March 2015. After that due to the carelessness of the ship-owner, the updated registration information of this vessel did not be submitted in a timely manner. However, the vessel RONG ZHOU is authorized by Chinese government to fish in south-east Pacific from 20th March 2014 to 31st March 2017 according to its latest Fishing License. The updated registration information of RONG ZHOU has been submitted to this Secretariat on 11th October 2016. We confirm that HUA YING 205 and RONG ZHOU are both authorized vessels to operate in the SPRFMO Convention Area. In view of this, we would like to request this Secretariat to move the above mentioned two vessels from the Draft IUU List in 2017. From now on China will update the vessel registration information in a timely manner if any.</p> <p>Sometimes the carrier vessel adjusts the transshipment date temporarily because of the bad weather. In this case, the notification cannot be received 36 hours before transshipment. We emphasize to the vessel operator that they shall notify the Secretariat of each transshipment of CMJ at least 36 hours before the estimated time of such activities.</p> <p>According to CMM 3.05 para 6, China shall submit the transshipment logsheets to the Secretariat no later than 15 days from debarkation of the observer. But the observer of KAIFU is also steward of this vessel, he is still working on-board KAIFU. China would like to submit the transshipment logsheets if needed.</p> <p>Discussion and recommendations:</p>	<p>Non-compliant with paragraph 2. Undertake a compliance review within 6 months</p> <p>Non-compliant with paragraph 4. No further action, refer to executive summary</p> <p>Compliant with paragraph 6.</p>
European Union	n/a	<p>Secretariat Assessment: None of the Transshipment notifications were been received within the required timeframe of [36] hours (Para 4)</p> <p>Comment by Member/CNCP: The actual date of transshipments occurred later than the date foreseen in the initial notifications. SPRFMO was duly informed.</p> <p>Discussion and recommendations:</p>	Non-compliant with paragraph 4. No further action, refer to executive summary
Korea	n/a	<p>Secretariat Assessment: Three of the Transshipment notifications have not been received within the required timeframe of [36] hours (Para 4)</p> <p>Comment by Member/CNCP: No comment</p> <p>Discussion and recommendations:</p>	Non-compliant with paragraph 4. No further action, refer to executive summary
Russian Federation	n/a	<p>Secretariat Assessment: On 2 April the PAMYAT KIROVA undertook transfer of supplies within the Convention Area without being on the SPRFMO Record of Vessels (Para 3).</p>	Priority Non-compliant with paragraph 3. Develop a compliance action plan

Member/ CNCP	2014/15 Compliance Status	2015/16 Assessments	2015/16 Compliance Status
		<p>Comment by Member/CNCP: Please refer to additional information provided as part of the Draft IUU List.</p> <p>Discussion and recommendations: Russian Federation offered to prepare a report within 6 months.</p>	(including an investigation report) to be provided within 6 months
Vanuatu	n/a	<p>Secretariat Assessment: On 2 April 2016, the vessel FRIGG engaged in transfer of supplies with the Russian Federation flagged PAMYAT KIROVA (a vessel that is not included in the SPRFMO Record of Vessels) (Para 3). Two of the Transshipment notifications were not received within the required timeframe of [36] hours (Para 4)</p> <p>Comment by Member/CNCP: A detailed investigation report of this incident was provided by Vanuatu to the SPRFMO Secretariat on 22 September 2016. During Commission discussion of the (then) proposed CMM, Vanuatu expressed concerns about the practicality of the measures particularly with regard to the need to provide pre-transshipment reports 36 hours in advance of the activity, advising the Commission that captains of fishing vessels sometimes decide to undertake transshipments at short notice because of operational considerations. On 5 May 2016 I wrote to the Secretariat to advise of the occurrence of such an event, stating, "Here is an updated transshipment report that illustrates the difficulties of applying the 36hr rule in practice. Odin experienced poor fishing conditions and took the opportunity to top up the carrier with 300t of fish at short notice." The initial pre-transshipment report was for the vessel 'Frigg' only for a scheduled unload. Rigid compliance with the 36hr pre-transshipment reporting rule would at times lead to costly inefficiencies in the operation of the vessels. This rule should be reviewed</p> <p>Discussion and recommendations:</p>	<p>Priority Non-compliant with paragraph 3. No further action</p> <p>Non-compliant with paragraph 4. No further action, refer to executive summary</p>
Liberia	n/a	<p>Secretariat Assessment: Liberia's implementation report suggests that Liberian reefers have conducted transshipping activities during the period Nov 2015 – Oct 2016; however, the Secretariat has not received any Transshipment reports for that period (Para 8).</p> <p>Comment by Member/CNCP: A revised Implementation Report has been provided to the Secretariat as of 1 December 2016.</p> <p>Discussion and recommendations:</p>	Compliant
Panama	n/a	<p>Secretariat Assessment: 12 of the 21 Transshipment notifications were received outside the timeframe of [36] hrs. (Para 4) 7 of the 13 Transshipment details files were received outside the timeframe of 7 days (Para 8)</p> <p>Comment by Member/CNCP: No comment</p> <p>Discussion and recommendations:</p>	<p>Non-compliant with paragraph 4. No further action, refer to executive summary</p> <p>Non-complaint paragraph 8. No further action</p>

CMM 4.13 Exploratory Fisheries

This CMM did not have any secretariat identified compliance issues during 2015/16.

CMM 4.14 Exploratory Toothfish fishing (New Zealand only)

This CMM did not have any Secretariat identified compliance issues during 2015/16.

CMM 4.15 Stateless Vessels

This CMM did not have any Secretariat identified compliance issues during 2015/16.

Executive Summary of the 2017 Final Compliance Report (assessing 2015/16)

CMM 4.10 (CMS) paragraph 15

“The Commission shall consider the Provisional Compliance Report provided by the CTC, and adopt a Final Compliance Report at its annual meeting, which shall include:

- a. A compliance status for each Member and CNCP with respect to the implementation of their obligations under the Convention and CMMs, and recommendations for any corrective action needed, based on compliance issues identified with respect to that Member or CNCP;*
- b. Suggestions for possible amendments or improvements to existing CMMs to address implementation or compliance difficulties experienced by Members and CNCPs;*
- c. Obstacles to implementation identified by Members and CNCPs including capacity building requirements;*
- d. Additional obligations that should be reviewed under the CMS;*
- e. Any other action the Commission shall deem appropriate to address non-compliance noted in the Final Compliance Report or to promote compliance with the Convention, CMMs and other obligations reviewed in the CMS.”*

CMM 4.10 (CMS) paragraph 16

“The final Compliance Report shall also contain an executive summary setting out any recommendations or observations from the Commission regarding the issues listed in paragraph 15 of this measure”.

The Commission adopted the CTC’s Provisional Executive Summary without amendments.

The CTC was pleased to see the considerable improvements that Members and CNCPs made with regard to their obligations compared with last year. However, there was general disappointment about consistent lack of representation at the CTC meeting which made the assessment task more difficult.

Proposals to amend or improve existing CMMs:

The CTC agreed that the rules for transshipment notification period (paragraph 4) contained in CMM 3.05 should be revised in order to facilitate the operational aspects of the fleets fishing in the Convention Area. A proposal to improve the text of the transshipment measure (CMM 3.05) was deferred to the Commission for further consideration.

Identified obstacles to implementation and recommendations:

- a. At the 2016 Meeting, the Commission recognised that CMM 4.09 (seabirds) is unclear in terms of its application to squid jigging and recommend that this measure should be revised in order to clarify this issue. The CTC recognised this as an outstanding issue.
- b. China queried how transshipment data that has been collected under para 1d of CMM 4.02 (Data standards) could be provided in sufficient detail to facilitate effective stock assessment (as required under para 1e). The CTC agreed to recommend that the Commission revise this measure in order to reconsider the scope of the obligation.
- c. The CTC identified a source of confusion in the template for the implementation report regarding port inspections. The CTC agreed to recommend that the Secretariat improves the relevant text to avoid future confusion.

- d. The CTC identified possible issues of capacity and agreed that the CTC should consider ways to include provision of technical assistance or capacity building in preparation of implementation reports and appropriate follow-up actions including compliance action plans. The CTC recommends that the Commission ask the Chairperson of the Commission and the CTC Chairperson to engage bilaterally and intersessionally with the corresponding Members and CNCPs in order to identify possible shortcomings, ascertain possible solutions and courses of action. The Secretariat will facilitate this process.
- e. The CTC discussed that in future CMS exercises, cases involving non-compliance with certain deadlines may be treated together as a different category than those currently listed in Annex 1. The CTC also agreed that in certain situations, these cases of non-compliance may be minor in nature and would not compromise the effectiveness of SPRFMO CMMs. The CTC agreed to treat each case on its merits.

Provision of CMMs and other Commission decisions that are a priority to be monitored and reviewed:

The CTC strongly encouraged the submission of implementation reports from all Members and CNCPs. Failing to report any information compromises the effectiveness of CMMs and the ability for the Commission to meet its objectives under the Convention. The CTC agreed to recommend that the Commission task the Commission Chairperson to communicate bilaterally with those Members and CNCPs that have continually failed to engaged in the CMS process.

In addition, the CTC agreed to provide the following recommendations to the Commission:

- a. Members and CNCPs that were asked by the CTC to prepare a Compliance Review, shall transmit to the Secretariat any missing information, if the relevant information has not yet been provided, within 90 days after the end of the Commission Meeting 2017.
- b. Members and CNCPs that were asked by the CTC to prepare a Compliance Action Plan shall provide the Secretariat with detailed information on the steps taken to respond to and rectify the non-compliance and/or improve the implementation of the relevant obligations, within six months after the end of the Commission Meeting 2017.

Summary Table for the 2017 Final Compliance Report (*which assessed 2015/16*)

The following table shows overall compliance and provides a simple comparison between each Members/CNCPs “Compliance Status” compared with last year’s final compliance assessment. It can be seen that there has been an improvement in compliance across all but one measure (49 non-compliant instances last year reducing to 33 this year). Measures for which compliance has significantly improved include CMMs 4.01 (*T. murphyi*), 4.02 (Data standards) and 4.09 (Seabird mitigation).

Assessed CMM	4.01	4.02	4.03	4.04	4.05	2.06	2.07	1.02	4.09	4.10	3.04	3.05	4.13	4.14	4.15
Australia															
Chile															
China															
Cook Islands															
Cuba															
Ecuador															
European Union															
Faroe Islands															
Korea															
New Zealand															
Peru															
Russian Federation															
Chinese Taipei															
Vanuatu															
Colombia															
Liberia															
Panama															
USA															
Non-compliant 2017 Final CMS	4	4	0	0	8	n/a	4	0	2	5	0	6	0	0	0
Non-compliant 2016 Final CMS	9	9	2	1	8	n/a	6	0	6	8	n/a	n/a	n/a	n/a	n/a

KEY: Compliant, Non-compliant, Priority non-compliant, Seriously/Persistently non-compliant