South Pacific Regional Fisheries Management Organisation

2nd Meeting of the Compliance and Technical Committee, Auckland, New Zealand: 30 - 31 January 2015

CTC-02-03

Follow-up actions taken since previous meeting

Secretariat

Introduction

This paper reports on actions taken by the Secretariat in response to requests made by the Commission and its subsidiary bodies. It also details the outcomes of specific commitments made by some CNCPs during the first Compliance and Technical Committee (CTC) in 2013.

2nd Commission Report paragraph 15:

15. The Commission requested that the Secretariat explore the possibility of a memorandum of understanding on data exchange with the Agreement on the Conservation of Albatrosses and Petrels.

On 28 October 2014, after consulting with the Chairperson of the Commission, the Executive Secretary signed a Memorandum of Understanding on behalf of the SPRFMO Secretariat with the Secretariat for the Agreement on the Conservation of Albatrosses and Petrels (Annex 1).

1st CTC report, paragraph 3.3 (on Member Implementation reports):

The Chair proposed that, considering the tight agenda, the Secretariat should work on a template intersessionally and highlighted that the template should bear in mind article 24(2) of the Convention. The CTC agreed with this proposal. The EU reminded the CTC that there is no deadline requirement in the Convention and suggested an informal deadline was needed

Paper CTC-02-04 was prepared by the Secretariat and contains a template to facilitate the implementation reports required under Article 24(2) of the Convention and CMM 2.01.

19-Dec-14 CTC-02-03

1st CTC report, paragraph 5:

Panama and Liberia requested that their vessels be removed from the draft IUU list. After assessing all of the information provided by both States, the CTC decided that all three vessels would be removed from the draft IUU list. This was done taking into consideration the recent entry onto force of the Convention and on the condition of commitments from both Panama and Liberia that they provide reports on measures taken and any sanctions imposed within three months. Liberia and Panama agreed to this condition.

On 24 April 2014 Liberia submitted two determination reports of investigation detailing measures taken and any sanctions imposed upon the ZAGANROGSKIY ZALIV and FRIO IONIAN. These reports were circulated by the Acting Executive Secretary as letter 0038_2014 (Annex 2).

On 22 June 2014 Panama submitted a letter detailed the measures taken and sanctions imposed upon the FRIO MOGAMI. This information was circulated by the Acting Executive Secretary as Letter 0058 2014 (Annex 3).

1st CTC report, paragraph 7:

The CTC agreed to recommend to the Commission that the Secretariat prepare a cost-benefit analysis of each of the VMS options set out in paragraph 8 of the proposed measure.

The Secretariat intends to present a paper discussing VMS options during the 2nd CTC meeting.

1st CTC report, paragraph 12:

The CTC also agreed that the Secretariat should send an invitation to Curacao to apply for the status of Cooperating Non-Contracting Party and to attend the next meeting of the Commission.

Curacao was invited to the 3rd Commission meeting via letter 0135_2014 (Annex 4) sent on 24 October 2014. Receipt of this invitation was acknowledged by Curacao.

1st SC report, paragraph 7.4 (Revisions to the jack mackerel species profile):

The SC adopted the updated species profile (SC-01-23) and requested that it be posted on the SPRFMO website.

The Chilean Jack Mackerel (*Trachurus murphyi*) species profile (SC-01-23) was uploaded onto the website on 16 January 2014. The species profiles which have been complete by the Scientific Committee (and its predecessor the science working group) are available via the following link:

http://www.sprfmo.int/species-profiles/

1st SC report, paragraph 9.1 (on the amended Research Programme):

It was agreed that the current Research Programme should be made available on the SPRFMO website, with previous versions also archived on the website.

The current and previous research programmes were uploaded onto the website on 13 Jan 2014. The current and archived versions are available from the main Scientific Committee webpage:

http://www.sprfmo.int/scientific-committee/

19-Dec-14 CTC-02-03

1st SC report, paragraph 13 (on the FAO/UNEP project on Sustainable Fisheries Management and Biodiversity Conservation of Deepsea Living Marine Resources and Ecosystems in the ABNJ):

It was recommended that FAO and the SPRFMO secretariat follow up on modalities and process for SPRFMO engagement.

The Secretariat has taken the following actions in this regard:

- SPRFMOs involvement in the FAO-GEF Project "Sustainable fisheries management and biodiversity conservation of deep-sea living marine resources and ecosystems in the Areas beyond National Jurisdiction (ABNJ)" was confirmed in Letter 0151_2013 (Annex 5);
- The Acting Executive Secretary attended the Regional Fishery Body Secretariats network meeting in June 2014;
- The Data manager attended a workshop to finalise the FAO VME database that was developed in response to a request from the UN General Assembly (61/105, Para 90);
- The Data manager will attend the FIRMS & CWP inter-sessional meetings in February 2015 and the Secretariat aims to gain CWP membership and become a FIRMS partner;
- The FIRMS/CWP meetings will be followed by a FAO workshop on "Process and Practices Related to Vulnerable Marine Ecosystems in the High Seas" which will also be attended by the Data manager.

List of Annexes:

- Annex 1 Memorandum of Understanding with ACAP
- Annex 2 Liberian Reports of Investigation
- Annex 3 Panamanian report of Investigation
- Annex 4 Curacao Invitation
- Annex 5 Letter to FAO-GEF coordination unit

MEMORANDUM OF UNDERSTANDING between THE SECRETARIAT OF THE SOUTH PACIFIC REGIONAL FISHERIES MANAGEMENT ORGANISATION and THE SECRETARIAT FOR THE AGREEMENT ON THE CONSERVATION OF ALBATROSSES AND PETRELS

The Secretariat of the South Pacific Regional Fisheries Management Organisation (hereafter SPRFMO secretariat) and the Secretariat for the Agreement on the Conservation of Albatrosses and Petrels (hereafter the ACAP Secretariat);

ACKNOWLEDGING that the *Agreement on the Conservation of Albatrosses and Petrels* (hereafter ACAP), developed under the auspices of the *Convention on the Conservation of Migratory Species of Wild Animals*, is a multilateral agreement which seeks to achieve and maintain a favourable conservation status for albatrosses and petrels by coordinating international activity to mitigate known threats to albatross and petrel populations;

NOTING that Article X(d) of ACAP authorises the ACAP Secretariat to liaise with non-Party Range States and regional economic integration organisations and to facilitate coordination between Parties and non-Party Range States, and international and national organisations and institutions whose activities are directly or indirectly relevant to the conservation, including the protection and management, of albatrosses and petrels;

NOTING FURTHER that Article XI of ACAP authorises the ACAP Secretariat to consult and cooperate, where appropriate, with the secretariats of other relevant conventions and international instruments in respect of matters of common interest, and to enter into arrangements, with the approval of the Meeting of Parties, with other organisations and institutions as may be appropriate, and to consult and cooperate with such organisations and institutions in exchanging information and data;

ACKNOWLEDGING that the objective of SPRFMO is Article 2;

RECOGNISING that the achievement of the objectives of SPRFMO and ACAP will benefit from cooperation, with a view to strengthening the conservation of albatrosses and petrels;

DESIRING to put into place arrangements and procedures to promote cooperation in order to enhance the conservation of albatrosses and petrels;

JOINTLY DECIDE as follows:

1. OBJECTIVE OF THIS MEMORANDUM

The objective of this Memorandum of Understanding ('MoU') is to facilitate cooperation between the Secretariat of SPRFMO and the ACAP Secretariat ("the Participants") with a view to supporting efforts to minimise the incidental by-catch of albatrosses and petrels listed in Annex 1 of ACAP within the SPRFMO Convention Area.

2. AREAS OF COOPERATION

The SPRFMO Secretariat and the ACAP Secretariat may consult, cooperate and collaborate with each other on areas of common interest that are directly or indirectly relevant to the conservation, including the protection and management, of albatrosses and petrels, including:

- a) development of systems for collecting and analysing data, and exchanging information concerning the bycatch of albatrosses and petrels in the SPRFMO Convention Area:
- b) exchange of information regarding management approaches relevant to the conservation of albatrosses and petrels;
- c) implementation of education and awareness programmes for fishers who operate in areas where albatrosses and petrels may be encountered;
- d) design, testing of albatross and petrel bycatch mitigation measures relevant to fishing operations in the SPRFMO Convention Area;
- e) development of training programmes on conservation techniques and measures to mitigate threats affecting albatrosses and petrels; and
- f) exchange of expertise, techniques and knowledge relevant to the conservation of albatrosses and petrels in the SPRFMO Convention Area and
- g) reciprocal participation with observer status at the relevant meetings of ACAP and SPRFMO.

3. REVIEW AND AMENDMENT

This MoU may be reviewed or amended at any time by the agreement of both Participants.

4. LEGAL STATUS

The Participants acknowledge that this MoU is not legally binding between them.

5. COMING INTO EFFECT AND TERMINATION

- (c) This MoU will come into effect on signature.
- (b) Either Participant may terminate this MoU by giving written notice to the other Participant.

SIGNATURE

Wellington, 28/10/2014

Tasmania, 28/10/2014

Executive Secretary SPRFMO

Executive Secretary ACAP Secretariat

South Pacific Regional Fisheries Management Organisation

24 April 2014 Ref: 2014-0038

To: Commission Members and CNCPs

From: Robin Allen, Acting Executive Secretary

Re: Reports of Investigation of two Liberian-flagged vessels

I have attached copies of Liberian Determination Reports of Investigation of the two Liberian flagged vessels on the previous draft IUU List. The reports fulfil the commitment made by Liberia at the 1st Meeting of the Compliance and Technical Committee to provide reports on taken and any sanctions imposed within three months.



THE REPUBLIC OF LIBERIA LIBERIA MARITIME AUTHORITY

CTC-02-03

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REPORT OF CONTRAVENTION – DETERMINATION

Name of Vessel:

M/V FRIO IONIAN (Official No. 9737 - IMO No. 9014793)

Charge:

Illegal, Unreported and Unregulated (IUU) Fishing / Unauthorized Transshipment of

Chilean Jack Mackerel in the Southern Pacific Regional Fisheries Management

Organization (SPRFMO) Convention Area.

<u>Dates of Contraventions:</u> See Paragraph 2 (Transshipment Information) below.

<u>Locations/Positions:</u> Southern Pacific Regional Fisheries Management Organization Convention Area.

Source of Charge/Reporting State/Authority:

The Government of Liberia was notified by SPRFMO via letter dated October 8, 2013 that Liberian-flagged vessel M/V FRIO IONIAN (owned by Astra Inc. and managed by Laskaridis Shipping Co. Ltd., hereafter referred to as "Operators") had been placed on Southern Pacific Regional Fisheries Management Organization's (SPRFMO) Draft IUU List for having participated in the unauthorized transshipment of Chilean Jack Mackerel in the SPRFMO Convention Area.

1. Relevant Facts

M/V FRIO IONIAN is a reefer vessel; she was registered under the Liberian Flag on June 25, 1992. The vessel was built in 1992 by Kitanihon Shipbuilding Co. Ltd. and classed by Nippon Kaiji Kyokai. M/V FRIO IONIAN is 126 meters long, with a gross tonnage of 6,082.

2. Transshipment Information

M/V FRIO IONIAN conducted transshipment operations with the following fishing vessels in July 2013:

| Vessel Name (Flag) | Date of Operation | LDD Cargo/MT Gross/Type of Cargo |
|----------------------|-----------------------|--|
| KAI FU HAO (PRC) | 07/05/2013-07/06/2013 | 59860 PKGS/1197.200 NET MT/ 1266.039 GROSS MT – Frozen Fish |
| KWANG JA HO (S. Ko.) | 07/09/2013-07/10/2013 | 22044 PKGS/661.320 NET MT/ 705.408 GROSS MT - Frozen Fish |
| ODIN (Van.) | 07/09/2013-07/10/2013 | 53445 PKGS/1068.900 NET MT/ 1191.824 GROSS MT - Frozen Fish |

| SHERIFF (Per.) | 07/10/2013-07/11/2013 | 51791 PKGS/1035.820 NET MT/ 1087.611 GROSS MT - Frozen Fish |
|------------------|-----------------------|--|
| KAI FU HAO (PRC) | 07/12/2013-07/13/2013 | 42716 PKGS/854.320 NET MT/ 903.443 GROSS MT - Frozen Fish |
| ODIN (Van.) | 07/12/2013-07/13/2013 | 31377 PKGS/ 627.540 NET MT/ 699.707 GROSS MT - Frozen Fish |

China, Faroe Islands, Peru, and Vanuatu will have additional information regarding FRIO IONIAN's transshipment operations prior to July 2013.

3. SPRFMO Convention

SPRFMO is an inter-governmental organization committed to the long-term conservation and sustainable use of the fishery resources of the South Pacific Ocean. The SPRFMO Convention entered into force on August 24, 2012.

4. SPRFMO Draft IUU List

Once the Operators found out about the alleged IUU violation, it immediately took action to desist from conducting unauthorized transshipment operations and cooperated with the Flag Administration to be removed from the List.

5. Transshipment Authorization

The Operators are currently going through the process of obtaining authorization to engage in transshipment operations in the SPRFMO Convention Area. Liberia will soon complete the administrative process and will begin issuing transshipment licenses to FRIO IONIAN and other vessels.

Scope of Allegation:

SPRFMO was made aware of FRIO IONIAN engaging in transshipment activities when Peru submitted transshipment information for July 2013. Peru's information revealed that FRIO IONIAN was flagged to Peru and had transshipped with fishing vessel "SHERIFF" in July 2013, the 10th and 11th respectively. Korea also reported to SPRFMO that "KWANG JA HO" had completed transshipment operations with FRIO IONIAN in July 2013. SPRFMO's letter also stated that FRIO IONIAN had transshipped with Faroe Islands in 2010; with China in 2011; and Vanuatu in 2010 and 2012 respectively.

Findings and Analysis:

The investigation into FRIO IONIAN's engagement in unauthorized transshipment activities in the SPRFMO Convention Area was ordered by direction of the Deputy Commissioner, Liberia Maritime Authority, Republic of Liberia.

The investigation revealed that FRIO IONIAN is in fact a Liberian-flagged vessel, and not a Peruvian-flagged vessel as reported by Peru to SPRFMO. FRIO IONIAN was involved in transshipment operations with fishing vessel KAI FU HAO in July 2013, the 5th and 6th and the 12th and 13th within SPRFMO Convention Area, as the nature of their business and the commercial circumstances at that particular time obliged the vessel to participate in loading operations with other fishing vessels. Also, FRIO IONIAN conducted transshipment operations with fishing vessels KWANG JA HO and ODIN in July 2013, the 9th and 10th and the 12th and 13th; and FRIO IONIAN conducted transshipment operations with fishing vessel SHERIFF IN July 2013, the 10th and 11th respectively.

However until October 2013, the Operators of FRIO IONIAN was neither informed by SPRFMO nor by the Liberian Administration that vessels engaged in transshipment operations had to be licensed or authorized by the flag State to engage in fish transshipment activities in the SPRFMO Convention Area and other Regional Fisheries Management Organizations' (RFMO) Convention Areas.

Liberia was not a member/party to the SPRFMO Convention, but gained acceptance to become a Cooperating Non-Contracting Party (CNCP) of SPRFMO in January 2014. It is noted that FRIO IONIAN had been participating in transshipment operations for many years in areas including designated SPRFMO area, prior to the establishment of SPRFMO. The vessel's Operators were apparently unaware of this since it was not brought to their attention.

Conclusion:

The findings of the investigation indicated that:

- 1. M/V FRIO IONIAN was registered under the Liberian Flag on June 25, 1992.
- 2. China, Faroe Islands, Peru, and Vanuatu will have additional information on the vessels that FRIO IONIAN conducted transshipment operations with prior to July 2013.
- 3. SPRFMO Convention went into force on August 24, 2012.
- 4. The Operators of the vessel admitted that they did in fact transship with fishing vessels KAI FU HAO; KWANG JA HO; ODIN; and SHERIFF on various dates in July 2013.
- 5. Once the Operators found out about the alleged violation, they immediately took action to desist from conducting unauthorized transshipment operations and cooperated with the Flag Administration to be removed from SPRFMO's Draft IUU List.
- 6. In further cooperation, the Operators are currently going through the process of obtaining authorization to engage in transshipment operations in the SPRFMO Convention Area. Liberia will soon complete the administrative process and will begin issuing transshipment licenses to FRIO IONIAN and other vessels.

DETERMINATION:

It is determined that FRIO IONIAN did engage in transshipment operations in the SPRFMO Convention Area as indicated in the notification from the Secretariat of SPRFMO. Accordingly, a penalty of \$20,000 will be assessed.

*Remarks:

The Flag Administration will give M/V FRIO IONIAN the benefit of the doubt in terms of when it was registered under the Liberian Flag; that the dates of transshipment operations in the SPRFMO Area are true and correct; and that when it did engage in transshipment operations in July 2013 and the prior period, the SPRFMO Convention had gone into force, but the Company and vessel Master were not cognizant of the SPRFMO Convention.

Given the situation, a fine of \$100,000 could be imposed, but due to the mitigating circumstances, a lesser penalty of \$20,000 is imposed on the vessel/Operators for this incident with a caution for continuing cooperation and compliance with SPRFMO's conservation and management measures by its Liberian-flagged vessels that may engage in transshipment activities. Notwithstanding the above, although there are mitigating circumstances, the fact of the alleged IUU is admitted.

Signature:

Investigating Officer
By Direction of the
Deputy Commissioner of

Maritime Affairs

Signature:

Investigating Officer
By Direction of the
Deputy Commissioner of
Maritime Affairs

Date: 18 April 2014



THE REPUBLIC OF LIBERIA LIBERIA MARITIME AUTHORITY

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CTC-02-03

<u>REPORT OF CONTRAVENTION – DETERMINATION</u>

Name of Vessel: TAGANROGSKIY ZALIV (Official No. 14471 - IMO No. 9016973)

<u>Charge:</u> Illegal, Unreported and Unregulated (IUU) Fishing / Unauthorized Transshipment of

Chilean Jack Mackerel in the Southern Pacific Regional Fisheries Management

Organization Convention Area.

<u>Dates of Contraventions:</u> See Paragraph 2 (Transshipment Information) below.

<u>Locations/Positions:</u> Southern Pacific Regional Fisheries Management Organization Convention

Area.

Source of Charge/Reporting State/Authority:

The Government of Liberia was notified by SPRFMO via letter dated October 8, 2013 that Liberian-flagged vessel TAGANROGSKIY ZALIV (owned by Prime Overseas Investments and Enterprises S.A. and managed by Laskaridis Shipping Co. Ltd., hereafter referred to as "Operators") had been placed on Southern Pacific Regional Fisheries Management Organization's (SPRFMO) Draft IUU List for having participated in the unauthorized transshipment of Chilean Jack Mackerel in the SPRFMO Convention Area.

1. Relevant Facts

M/V TAGANROGSKIY ZALIV is a reefer vessel; she was registered under the Liberian Flag on September 29, 2009. The vessel was built in 1993 by Aker MTW Schifferwerft GMBH and classed by American Bureau of Shipping. M/V TAGANROGSKIY ZALIV is 152.14 meters long, with a gross tonnage of 12,413.

2. Transshipment Information/Data

M/V TAGANROGSKIY ZALIV conducted transshipment operations with the following fishing vessels in July, August, and September 2013:

| Vessel Name (Flag) | Date of Operation | LDD Cargo/MT Gross/Type of Cargo |
|----------------------|-----------------------|----------------------------------|
| FRIGG (Van.) | 07/22/2013-07/24/2013 | 1,712.054/Frozen Fish |
| KWANG JA HO (S. Ko.) | 07/23/2013-07/24/2013 | 853.376/Frozen Fish |
| SHERIFF (Per.) | 08/01/2013 | N/A (delivered consignments) |

| FRIGG (Van.) | 08/01/2013 | N/A (delivered consignments) |
|----------------------|-----------------------|--|
| ODIN (Van.) | 08/02/2013-08/03/2013 | 1,235.226/Frozen Fish (delivered consignments) |
| LONG TENG (PRC) | 08/07/2013-08/08/2013 | 410.247/Frozen Fish |
| KAI FU HAO (PRC) | 08/07/2013-08/08/2013 | 1,093.750/Frozen Fish |
| KWANG JA HO (S. Ko.) | 08/18/2013-08/19/2013 | 401.408/Frozen Fish |
| KWANG JA HO (S. Ko.) | 09/03/2013-09/04/2013 | 994.988/Frozen Fish |
| KAI LI (PRC) | 09/06/2013-09/07/2013 | 911.961/Frozen Fish |
| FRIGG (Van.) | 09/07/2013-09/09/2013 | 1,401.797/Frozen Fish |

3. SPRFMO Convention

SPRFMO is an inter-governmental organization committed to the long-term conservation and sustainable use of the fishery resources of the South Pacific Ocean. The SPRFMO Convention entered into force on August 24, 2012.

4. SPRFMO Draft IUU List

Once the Operators found out about the alleged IUU violation, it immediately took action to desist from conducting unauthorized transshipment operations and cooperated with the Flag Administration to be removed from the List.

5. Transshipment Authorization

The Operators are currently going through the process of obtaining authorization to engage in transshipment operations in the SPRFMO Convention Area. Liberia will soon complete the administrative process and will begin issuing transshipment licenses to FRIO IONIAN and other vessels.

Scope of Allegation:

The Government of Liberia was notified that South Korea had advised SPRFMO that fishing vessel "KWANG JA HO" had completed transshipment operations with TAGANROGSKIY ZALIV in July, August, and September 2013. Vanuatu similarly advised the Commission that one of its vessels had completed transshipment operations with TAGANROGSKIY ZALIV in September 2013. In 2012, TAGANROGSKIY ZALIV transshipped with vessels from both China and Chinese Taipei, according to SPRFMO's October 8, 2013 letter.

Findings and Analysis:

The investigation into TAGANROGSKIY ZALIV's engagement in unauthorized transshipment activities in the SPRFMO Convention Area was ordered by direction of the Deputy Commissioner, Liberia Maritime Authority, Republic of Liberia.

The investigation uncovered that TAGANROGSKIY ZALIV was involved in transshipment operations with fishing vessels FRIGG (July 22-24, 2013) and KWANG JA HO (July 23-24, 2013) within the Area presently regulated by SPRFMO, as the nature of TAGANROGSKIY ZALIV's business and the commercial circumstances at that particular time obliged the vessel to participate in loading operation from fishing vessels. Further, TAGANROGSKIY ZALIV was involved in transshipment operations with fishing vessels SHERIFF and FRIGG (August 1, 2013); ODIN (August 2-3, 2013); LONG TENG and KAI FU HAO (August 7-8, 2013); and KWANG JA HO (August 18-19, 2013). Similarly, TAGANROGSKIY ZALIV transshipped with KWANG JA HO (September 3-4, 2013); KAI LI (September 6-7, 2013) and FRIGG (September 7-9, 2013).

However until October 2013, the Operator of TAGANROGSKIY ZALIV was neither informed by SPRFMO nor by the Liberian Administration that vessels engaged in transshipment operations had to be licensed or authorized by the flag State to engage in fish transshipment activities in the SPRFMO Convention Area and other Regional Fisheries Management Organizations' (RFMO) Convention Areas.

Liberia was not a member/party to the SPRFMO Convention, but gained acceptance to become a Cooperating Non-Contracting Party (CNCP) of SPRFMO in January 2014. It is noted that TAGANROGSKIY ZALIV had been participating in transshipment operations for many years in areas including designated SPRFMO area, prior to the establishment of SPRFMO. The vessel's Operators were apparently unaware of this since it was not brought to their attention.

Conclusion:

The findings of the investigation indicated that:

- 1. China, Chinese Taipei and Vanuatu will have additional information on the vessels that TAGANROGSKIY ZALIV conducted transshipment operations with prior to July 2013.
- 2. SPRFMO Convention went into force on August 24, 2012.
- 3. The Operators of the vessel admitted that they did in fact transship with fishing vessels FRIGG, KAI FU HAO; KAIL LI; KWANG JA HO; LONG TENG; ODIN; and SHERIFF on various dates in July, August, and September 2013.
- 4. Once the Operators found out about the alleged violation, they immediately took action to desist from conducting unauthorized transshipment operations and cooperated with the Flag Administration to be removed from SPRFMO's Draft IUU List.
- 5. In further cooperation, the Operators are currently going through the process of obtaining authorization to engage in transshipment operations in the SPRFMO Convention Area. Liberia will soon complete the administrative process and will begin issuing transshipment licenses to TAGANROGSKIY ZALIV and other vessels.

DETERMINATION:

It is determined that TAGANROGSKIY ZALIV did engage in transshipment operations in the SPRFMO Convention Area as indicated in the notification from the Secretariat of SPRFMO. Accordingly, a penalty of \$20,000 will be assessed.

*Remarks:

The Flag Administration will give M/V TAGANROGSKIY ZALIV the benefit of the doubt that the dates of transshipment operations in the SPRFMO Area are true and correct, and that when it did engage in transshipment operations in July, August, and September 2013, the SPRFMO Convention had gone into force, but the Company and vessel Master were not cognizant of the SPRFMO Convention.

Given the situation, a fine of \$100,000 could be imposed, but due to the mitigating circumstances, a lesser penalty of \$20,000 is imposed on the vessel/Operators for this incident with a caution for continuing cooperation and compliance with SPRFMO's conservation and management measures (CMMs) by its Liberian-flagged vessels that may engage in transshipment activities. Notwithstanding the above, although there are mitigating circumstances, the fact of the alleged IUU is admitted.

Signature:

Investigating Officer
By Direction of the
Deputy Commissioner of

Maritime Affairs

Signature:

Investigating Officer
By Direction of the

Deputy Commissioner of

Maritime Affairs

Date: 18 April 2014

South Pacific Regional Fisheries Management Organisation

23 June 2014 Ref: 2014-0058

To: Commission Members and CNCPs

From: Robin Allen, Acting Executive Secretary

Re: Reports of Investigation of Panama-flagged vessels

I have attached a copy of a letter from Panama received on 22 June 2014, concerning administrative procedures taken against the vessels FRIO MOGAMI following the commitment made by Panama at the 1st Meeting of the Compliance and Technical Committee.



DIRECCIÓN GENERAL DE INSPECCIÓN, VIGILANCIA Y CONTROL

DGIVC- 0603-2014

Honorable
Robin Allen
Acting Executive Secretary
South Pacific Regional Fisheries Management Organization

Dear Mr. Allen

The Aquatic Resources Authority of Panama, through providence DGIVC/PINT/101 opened in November 21, 2013 by the Directorate General of Monitoring, Control and Surveilance provides for the opening of this punitive administrative proceedings against the Panamanian vessel with international support fishing license called M/V FRIO MOGAMI owned of the company Global Shipping, S.A.

This Directorate General, promotes to open this process based on the Note Ref: 2013-0100, of October 8, 2013, in which the South Pacific Regional Fisheries Management Organization (SPRFMO) provides information of possibles non compliances on regional regulations.

In February 19, 2014, the owner of the vessel presents the formulation of the claim against DGIVC/PINT/101 of November 21, 2013, related of the administrative procedure in general. Now Corresponds therefore at this stage of the administrative sanction process rule on the merits of this case based on our national system

Accordingly, the Directorate General of Monitoring, Control and Surveillance decides to punish the M/V FRIO MOGAMI owned by the company Global Shipping, SA, for making infringing activities to Panamanian and international regulations and suspend for a period of six months the International Support Fishing License No. 312-605-8-1-721-1.

This resolution has effect from the day of notification in February 19, 2014.

Best Regards,

RAUL DELGADO DIRECTOR GENERAL

South Pacific Regional Fisheries Management Organisation

24 October 2014 Ref: 0135 17-2014

Vanessa Toré Director, Foreign Economic Cooperation Division Ministry of Economic Development of Curação

Dear Ms. Toré,

Re: Invitation to participate in the SPRFMO Annual Meeting 2015

Thank you very much for your reply to my letter 0117-2014 from 25 September 2014. Your information is much appreciated and will be circulated to the SPRFMO Members and CNCPs together with the 2015 Draft IUU list.

In view that a Curaçao-flagged vessel was operating in the SPRFMO Convention Area I would like to draw your attention to Article 37 of the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean which affirms that the Convention is open for accession by any State having an interest in fishery resources within the Convention Area.

Furthermore, Article 32 paragraph 3 of the Convention stipulates that "Members of the Commission shall request non-Contracting Parties to this Convention whose vessels fish in the Convention Area to become party to this Convention or to agree to cooperate fully in the implementation of conservation and management measures adopted by the Commission." The SPRFMO rules for Cooperating non-Contracting Parties (including the process for gaining CNCP status) are published as Decision 1.02. These documents as well as the current Conservation and Management Measures (CMMs) can be found on the SPRFMO web pages at http://www.sprfmo.int.

The SPRFMO Commission would welcome Curaçao's attendance at the next Annual Meeting from 30th January to 6th February 2015 in Auckland, New Zealand. Your delegates may register online using the form at http://www.sprfmo.int/registration-8. Information for participants, including venue and hotel, are published on the SPRFMO website.

I hope that Curação will follow this invitation and look forward to seeing you and/or your colleagues at the 2015 Annual Meeting. Please do not hesitate to contact me with any questions you may have.

Yours sincerely,

Johanne Fischer Executive Secretary

Cc: Representation of the Kingdom of the Netherlands in Curaçao, Netherlands Ministry of Foreign Affairs, European Union, Chairperson Commission, Chairperson CTC

South Pacific Regional Fisheries Management Organisation

28 December 2013 Ref: 0151-2013

Mrs Barbara Cooney, FAO-GEF Coordination Unit, Food and Agriculture Organization of the United Nations, Viale delle Terme di Caracalla, 00153 Rome, Italy

Mrs Maryam Niamir-Fuller
Director, GEF Coordination Office
United Nations Environment Programme PO Box 30552 Nairobi,
Kenya

By email: Barbara.cooney@fao.org, maryam.niamir-fuller@unep.org

Subject: Co-financing letter for the FAO-GEF Project "Sustainable fisheries management and biodiversity conservation of deep-sea living marine resources and ecosystems in the Areas Beyond National Jurisdiction (ABNJ)"

Dear Mrs Cooney and Mrs Niamir-Fuller,

I am writing to confirm that SPRFMO would be pleased to take part in the FAO-GEF Project "Sustainable fisheries management and biodiversity conservation of deep-sea living marine resources and ecosystems in the Areas Beyond National Jurisdiction (ABNJ)". Decisions on the nature and extent of SPRFMO's participation in the various parts of the project will be made on a case-by-case basis. An indicative list of the activities is set out in the attached table.

The SPRFMO support to the project would be an estimated in-kind contribution of US \$200,000 over the period of 2014-2018. This in-kind contribution represents a) staff time for activities and meeting expenses for work on deep sea fisheries; b) office space; c) cost of scientific advice regarding deep sea fisheries; and d) operating and administrative expenses for SPRFMO's current core activities and operations which are of direct relevance to deep sea fisheries. These are costs that are being implemented or planned for the regular work of SPRFMO towards the organisation's objective.

It is assumed that our participation in the above mentioned programme will not entail any supplementary workload or costs for SPRFMO beyond those already being carried out to achieve the objectives of our organisation.

SPRFMO reserves the right to not disclose any confidential data without the prior and explicit authorization of the concerned Member or Cooperating non-Contracting Party.

The in-kind contribution from SPRFMO will be managed by the Secretariat as a contribution to the project components to be implemented in the SPRFMO Regulatory Area and to support the participation of SPRFMO in project activities.

We look forward to working on this project. Yours sincerely

Yours sincerely,

Robin Allen

Executive Secretary

Table: Proposed SPRFMO collaboration in the ABNJ Deep Seas Project.

| 2014 | 2015 | 2016 | 2017 | 2018 |
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