

**Fourth Meeting of the Commission of the
South Pacific Regional Fisheries Management Organisation**

**Valdivia, Chile
25-29 January 2016**

COMMISSION REPORT

1. OPENING OF MEETING

The Chilean Under-Secretary of Fisheries and Aquaculture, Raúl Súnico, welcomed all to Valdivia and outlined the strong measures taken by Chile to prevent, deter and eliminate IUU fishing (Annex A).

The Commission held a minute of silence to remember the former Interim Executive Secretary, Dr Robin Allen, who passed away in March 2015.

The Commission Chairperson, Gordon Neil, welcomed Members, CNCPs and observers to the Commission meeting and gave a short address on the objectives of the Organisation and this meeting (Annex B).

a) Adoption of Agenda

The agenda was adopted with no changes.

2. MEMBERSHIP

a) Status of the Convention

The Depository (New Zealand) informed the meeting that since the last Commission Meeting two new Contracting Parties had joined SPRFMO. Ecuador became a Member of the Commission on 11 May 2015 and Peru on 21 January 2016. The Commission was also informed that Belize will withdraw with effect from 1 May 2016 and therefore, from May 2016, the Commission will consist of 14 Members.

b) Participation in the taking of decisions by the Commission (Article 15.9)

In accordance with Article 15.9 of the Convention, the Executive Secretary informed the Commission that Belize and Cuba have been in arrears in their the financial contributions for two consecutive years. Cuba however informed the Commission that they have transferred the outstanding amount a few days prior to the Commission meeting.

Based on this information it was decided that all present Members were entitled to participate in decision making.

3. SCIENTIFIC COMMITTEE (SC)

a) Report of the Scientific Committee

The Chairperson of the SC (Dr Jim Ianelli) presented the report and scientific advice of the 3rd SC meeting held in October 2015 in Port Vila, Vanuatu (COMM-04-05).

The advice to the Commission is included under item 10 of the SC report and contains the recommendation that catch limits for 2016 for the entire jack mackerel range in the south-east Pacific should be set at or below 460 000 tonnes. Other areas of advice related to bottom fishing, including a proposal for an exploratory toothfish fishery and, for the first time, squid. Members thanked the SC Chairperson for his hard work and noted the need for improved data collection. The Deep Sea Conservation Coalition made a statement related to bottom fishing (Annex C).

The EU confirmed that they will be hosting the next SC meeting and the preceding assessment workshop in the Netherlands from 7 - 15 October 2016.

b) 2016 Workplan for the Scientific Committee

The SC Chairperson presented the draft 2016 SC Workplan that had been developed in a small working group during the Commission. The Commission adopted the 2016 Workplan (Annex D).

In adopting the 2016 Workplan, the Commission suggested it would be helpful if the SC develop a rolling multi-annual workplan of research priorities and associated funding needs to assist with future planning and budgeting.

4. FINANCE AND ADMINISTRATION COMMITTEE (FAC)

a) Report of the Committee

The FAC Chairperson, David Dolphin, presented the report of the third FAC meeting and recommendations therein. The Commission adopted the report (Annex E).

b) Staff Regulations

The Commission adopted the Staff Regulations recommended by the FAC (Annex F). The Commission agreed that these should take effect from 1 January 2015.

c) Budget

The Commission adopted the budget for the 2016-17 financial year (Annex G).

d) Date and Venue of the next meeting of the Commission

The Commission noted the recommendation for the 2017 Commission meeting and CTC to be held in Australia during January in Adelaide, Australia. The Commission agreed to hold the CTC on 14 to 16 January 2017 and the Commission on 18 to 22 January 2017. The Secretariat requested possible hosts for the 2018 meeting to indicate interest early to assist their planning. No offers were forthcoming at this time.

5. COMPLIANCE AND TECHNICAL COMMITTEE (CTC)

a) Report of the Committee

The Chairperson of the CTC, Osvaldo Urrutia, presented the report of the CTC and recommendations of the CTC Meeting held from 21-23 January 2016. The CTC report was adopted by the Commission (Annex H).

During the presentation of the CTC report, the Commission discussed options for greater alignment of the SC and CTC. The Commission noted that items that have a large scientific component should normally be considered by the SC and technical items, where appropriate, should be informed by the SC. The CTC Chairperson undertook to provide the CTC agenda to the SC Chairperson before the meeting to give the SC Chairperson the opportunity to comment on any relevant item. The Commission agreed to continue to explore the issue of the link between the SC and CTC.

b) Final Compliance Report

The Commission noted the significant amount of time spent developing the Provisional Compliance Report and requested the CTC to focus on streamlining the current compliance evaluation process. Acknowledging the limited time in CTC meetings, the Commission noted that the CTC decided to refer to the follow up actions outlined in Annex 1 of CMM 3.03 and not specify follow up actions for individual instances of non-compliance.

The Commission adopted the Final Compliance Report (Annex I).

c) 2016 IUU List

Consistent with the CTC's recommendation, the Commission decided that neither the DAMANZAIHAO nor the AURORA be removed from the IUU Vessel List and that the vessel, MYS MARI, also be included on the 2016 IUU list. The Commission adopted the 2016 IUU Vessel List (Annex J).

The Commission expressed a willingness to engage constructively with Peru regarding an intersessional request under paragraph 17 of CMM 1.04 following effective action taken by Peru in respect of the DAMANZAIHAO.

The Commission also noted that the Russian Federation had confirmed that the AURORA had changed its name to TAVRIDA and requested that this new name is reflected in the 2016 IUU Vessel List.

d) Status of Cooperating non-Contracting Parties (CNCs)

The Commission noted that applications for CNC status were received from Colombia, Liberia, Panama and the United States of America.

Commission Members reaffirmed the important role CNCs could play in reinforcing the Convention framework and also encouraged the existing CNCs to advance the process of becoming Contracting Parties to the Convention. In this context, Members discussed the applications for renewal of CNC status received from Colombia, Liberia, USA, and Panama.

In considering the information submitted by the four CNCPs in support of their applications for renewal, Commission members reiterated the requirements of Decision 1.02 on the "Rules for Cooperating non-Contracting Parties." Commission Members, in particular, reiterated the importance of CNCPs meeting their commitments under paragraph 12 of Decision 1.02 with respect to compliance with SPRFMO Conservation and Management Measures. This included the specific commitment to accept high seas boardings and inspections of vessels present in the Convention Area in accordance with the Commission's procedures on high seas boarding and inspection, as provided for in CMM 3.04, for the purpose of ensuring compliance with the Convention and the conservation and management measures adopted under the Convention.

Consistent with the understanding outlined above, and notwithstanding the earlier commitment to accept at sea boardings outlined in the US's letter of application for renewal of CNCP status, CNCP applicants for renewal present at the meeting reconfirmed their commitment to meet all the requirements in paragraph 12 of Decision 1.02. On this basis, the Commission approved the applications for renewal of CNCP status from Colombia, Liberia, the USA, and Panama in accordance with Decision 1.02.

The Commission adopted an amendment to Decision 1.02 to require any non-Member seeking CNCP status to include a statement in their request on how any compliance issues previously identified by the Commission have been addressed (Annex K).

The Commission also noted that the CTC had highlighted the importance of adopting SPRFMO specific high seas boarding and inspection procedures as a matter of priority.

e) Proposal for Exploratory Fishing

This item was discussed and adopted under Agenda Item 6.

f) Development of a SPRFMO VMS

The Commission established a Working Group to progress a Call for Proposals for a VMS service provider. The Commission acknowledged the efforts of the VMS Working Group, chaired by the CTC Chairperson, over the 2015 intersessional period. The Commission adopted the report of the Working Group (Annex L) which included a Call for Proposals and a tender evaluation process. The Commission also modified the VMS Working Group's Terms of Reference (Annex M). The Commission encouraged all Members and CNCPs to continue their cooperative efforts to establish a SPRFMO VMS.

g) Recommendation on Vessels without Nationality

This item was discussed and adopted under Agenda Item 6.

h) Technical editing of CMMs

The Commission adopted the CTC recommendation to adopt the process for technical editing CMMs outlined in the CTC report (COMM-04-07, paragraph 12(a)). The Commission also urged the Secretariat to circulate a corrected version of the CMMs as soon as possible, but no later than 20 days after the end of the Commission Meeting, and prioritise those CMMs that are likely to be time critical. The Commission decided that this process should be applied to the previously proposed technical edits to CMMs by the Secretariat (CTC-03-10).

6. CONSERVATION AND MANAGEMENT MEASURES (CMMs)

The Commission noted the need to decide on a consistent approach to referencing of new and amended CMMs to be considered at the next meeting.

a) CMM 3.01 (*Trachurus murphyi*)

Consistent with the SC's recommendation on *Trachurus murphyi* catch limit, the Commission decided to adopt the same allocation in 2016 as applied in 2015.

Peru, Ecuador and Cuba explained their particular circumstances and their expectation to have an increased allocation in future years.

The Commission supported an amendment to CMM 3.01 to clarify arrangements for quota transfers.

The Commission adopted CMM 4.01 (Annex N).

b) CMM 1.04 (IUU list)

The Commission adopted an amendment to CMM 1.04 to require Members and CNCPs to notify the Executive Secretariat of a change of name and/or international radio call sign for vessels on the IUU Vessel List, and the Secretariat to update the list accordingly, after verification (Annex O).

c) CMM 3.02 (Data Standards)

The Commission adopted the revision to CMM3.02 to allow for the voluntary submission of observer data collected during landings (Annex P).

d) New and Exploratory fisheries framework CMM (NEW)

The Commission adopted a CMM on the Management of New and Exploratory Fisheries in the Convention Area (Annex Q).

e) CMM 2.05 (Record of Vessels)

The Commission adopted amendments to CMM 2.05 to replace the review date of 2016 to 'review as required'. In addition it was decided to include the 'date of inclusion into the vessel record' into the record. (Annex R).

f) CMM for Exploratory fishing for toothfish (NEW)

The Commission adopted a CMM for exploratory fishing for toothfish in accordance with the SC endorsement (Annex S).

g) CMM 2.04 (Minimising bycatch of seabirds)

The Commission adopted amendments to CMM 2.04 to clarify the application of mitigation measures (Annex T).

h) CMM 2.07 (Inspections in port)

The proposal for amending the current port inspection measure was withdrawn and the proponent expressed their intention to present a revised proposal at the next Commission meeting.

i) CMM 3.03 (Compliance and Monitoring Scheme)

The Commission adopted technical edits to the implementation report template and agreed that the Secretariat should update the template to incorporate requirements of new CMMs after Commission meetings (Annex U).

j) CMM2.03 (Bottom fishing)

The Commission adopted amendments to CMM 2.03 to require the measure to be reviewed at the 2017 Commission meeting (Annex V).

i) CMM on Vessels without Nationality (NEW)

The Commission adopted a new CMM recognizing that vessels without nationality fishing in the Convention Area are engaged in IUU fishing and encouraging action to be taken against such vessels (Annex W).

7. SPRFMO OBSERVER PROGRAMME

The Commission noted that under Article 28 of the Convention the Commission is required to establish an observer programme within 3 years of the Convention coming in to force. Chile presented draft terms of reference for a joint SC and CTC intersessional observer program working group. It was proposed that the working group develop a proposal for establishing an observer programme for consideration at the 2017 Commission meeting. The United States of America volunteered to Chair the working group and the Commission adopted the terms of reference (Annex X).

8. FUTURE WORK PROGRAMME OF THE COMMISSION

No new matters were raised under this item.

9. ANNUAL REPORT OF THE COMMISSION PURSUANT TO ARTICLE 29 OF THE CONVENTION

The Executive Secretary presented the draft Annual Report for adoption by the Commission. The Commission noted that this report addresses relevant decisions and actions taken by the SPRFMO in 2015 for the purpose of informing the UN and FAO. The Commission agreed to adopt the report.

10. OTHER MATTERS

a) Access to documentation leading to an IUU Listing.

In March 2015, the Chairperson of the Commission wrote to Commission Members seeking their views, noting Article 18.1 of the Convention on transparency, on whether the Commission should consider making some of this information available to the general public, for example, by publishing it on the Organisation's website.

The Commission noted that it was important to ensure an appropriate level of confidentiality to ensure that Members and CNCPs are able to share the information and to avoid potential prejudice to investigations or legal processes. Noting this, the Commission agreed to maintain the current processes for circulating information relating to allegations of IUU activities.

b) Memorandum of Understanding with CCAMLR.

The Commission noted that in October 2015, the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) adopted a draft Memorandum of Understanding (MoU) with SPRFMO that intends to facilitate the cooperation between the two Organisations. The Commission adopted MoU and agreed that the SPRFMO Chairperson will sign the MoU on behalf of the Commission.

The Commission requested that the Secretariat assess and advise the Commission on options for MoUs with neighbouring or overlapping RFMOs.

c) IMO numbers in the SPRFMO Record of Vessels

Peru raised a concern regarding the Organization's Record of Vessels registered and/or authorized to fish in the Convention Area and noted that IMO numbers are missing for a large number of vessels in that List. Given the importance of IMO numbers to prevent and combat IUU activities and to establish proper monitoring mechanisms of fishing activities in the Convention area, the Commission reminded all Members and CNCPs of their obligation to provide IMO numbers in accordance with CMM 2.05 (Annex 1 paragraph 2(v)).

11. MEETING REPORT

The Meeting report was adopted on Friday 29 January 2016 at 2:15pm.

12. CLOSE OF MEETING

The Chairperson closed the Meeting on Friday 29 January 2016 at 2:27pm