

## Revised Interim Measures for Pelagic Fisheries

### General Provisions

1. These Interim Measures apply to fisheries for *Trachurus* species over which the Commission will have competence in accordance with the Convention.
2. These Interim Measures are to be effective from 1 January 2010 until the Convention enters into force and conservation and management measures for *Trachurus* species are established, and will be reviewed, and revised as appropriate, no later than 31 December 2010 to take account of the stock assessment for *Trachurus* species proposed by the SWG.
3. These Interim Measures are adopted within a framework of a provisional approach for the management of the *Trachurus* species concerned. Therefore, the management measures in these Interim Measures in no way constitute a precedent or should serve as a reference for future management decisions of the Commission, or in the revision of these Interim Measures as called for in paragraph 2 above. Such management decisions, or the revision of these Interim Measures, which will be based on a completed stock assessment, will consider all the tools available.
4. Further, the provisions of these Interim Measures are not to be considered precedents for future allocation or other decisions taken by the Commission, in accordance with Article 21 of the Convention, relating to participation in fisheries for *Trachurus* species, and are not to affect the full recognition of the special requirements of developing States in the region, in particular small island developing States and territories, in accordance with the Convention.
5. These Interim Measures are voluntary and are not legally binding under international law.

### **In respect of fisheries for *Trachurus* species, participants resolve the following:**

#### Effort management measures

6. Participants are to limit the gross tonnage (GT)<sup>1</sup> of vessels flying their flag to those that have been actively fishing in 2007 or 2008 or 2009 in the Convention Area, and may substitute their vessels as far as the total level of GT in Table 1 is not exceeded. Participants that have not already done so are to communicate to the Interim Secretariat, by 31 December 2009, the GT<sup>1</sup> of those vessels flying their flag that have been actively fishing in 2009.
7. Participants will verify the effective presence of their vessels referred to in paragraph 6 through VMS records and catch reports.

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<sup>1</sup> In the event that GT is not available, participants are to utilise Gross Registered Tonnage (GRT) for the purposes of these Interim Measures.

8. From 1 January 2010, participants are not to exceed the levels of total GT<sup>1</sup> listed in Table 1.

#### Catch management measures

9. Each participant is to voluntarily restrain catches by vessels flying its flag in the Convention Area to the annual level of catches recorded by that participant in either 2007, 2008, or 2009.
10. Voluntary restraint is to be exercised having regard to the state of the fishery. Participants recognise that in exercising voluntary restraint it is understood that there may be small exceedances in relation to the annual catch levels recorded and referred to in paragraph 9 above.
11. Participants with a catch history in the *Trachurus* species fisheries in the South Pacific, but not exercising such fisheries activities in 2007 or 2008, and who communicated to the Interim Secretariat by 31 December 2009 the GT<sup>1</sup> of vessels flying their flag that entered the fishery in 2009, agree to voluntarily restrain in 2010 catches by such vessels flying their flag in the Convention Area.
12. For 2010, the Faroe Islands agrees to voluntarily restrain, in accordance with paragraph 2, its catch effort to 2 vessels not exceeding a total of 15, 610 GT flying its flag in the Convention Area. Each of these 2 vessels will not catch more than what the vessel that was not affected by the *force majeure* situation caught in either 2007, 2008, or 2009. For 2011, the voluntary restraint is to be considered by reference to the GT levels in Table 1 and in accordance with paragraph 2.

#### Data collection, reporting and monitoring and control measures

13. All participants engaged in the fishery are to collect, verify, and provide all data to the Interim Secretariat, in accordance with the SPRFMO Data Standards, by 30 June of each year for their previous (January to December) year's fishing activities, including information relevant to stock status and recovery.
14. Using the information provided by participants, in accordance with the SPRFMO Data Standards, the Interim Secretariat will maintain a register of authorised vessels, by flag. Participants are to notify the Interim Secretariat which of those authorised vessels are actively fishing in the Convention Area. The Interim Secretariat will post this information on the SPRFMO website. In addition, participants will provide a list of vessels that participated in transshipment during the course of the previous year.
15. Participants are to provide to the Interim Secretariat estimated monthly catches of *Trachurus* species, as prescribed by the SPRFMO Data Standards, within thirty [30] days of the end of each month. The Interim Secretariat will circulate such estimated monthly catches, aggregated by flag State, to all participants on a quarterly basis.
16. Those participants that are port States in the region are to implement measures, where possible in accordance with its national law, to verify catches of *Trachurus* species caught in the Convention Area that are landed or transhipped in its ports.

17. All participants engaged in the *Trachurus* species fishery are to ensure a minimum of ten percent observer coverage of trips for vessels flying their flag and ensure that such observers collect and report data as described in the SPRFMO Data Standards.
18. All participants engaged in the *Trachurus* species fishery are to implement a vessel monitoring system (VMS) in accordance with the SPRFMO Data Standards, and ensure all vessels flying their flag are fitted with a fully operational automatic location communicator (ALC) and that such ALCs remain operational and report in accordance with the SPRFMO Data Standards at all times and in all areas while in the Convention Area.
19. All participants engaged in the *Trachurus* species fishery are to provide an annual report to the Interim Secretariat describing how they have implemented these Interim Measures. Such annual reports will be made available to all participants and be posted on the SPRFMO website.
20. Coastal States adjacent to the Convention Area are to cooperate with other participants in ensuring compatibility in the conservation and management of *Trachurus* species fisheries when these resources straddle areas under national jurisdiction and the Convention Area. Such Coastal States are to inform the Interim Secretariat of the conservation and management measures in effect for *Trachurus* species fisheries in waters under their national jurisdictions when these resources straddle areas under national jurisdiction and the Convention Area.
21. Implementation of these Interim Measures is to be kept under regular review by participants during the interim period, including through meetings of the Preparatory Conference and the Interim SWG and DIWG.
22. The information collected under paragraph 13, and any stock assessments and research in respect of *Trachurus* species fisheries in the Convention Area will be submitted for review to the Interim SWG. In 2010, the SWG will conduct the necessary analysis and assessment to provide advice on stock status and recovery. If possible, based on the information available, this advice will include projections of stock status associated with the impact of a range of possible management measures, including minimum size lengths for *Trachurus* species and minimum fishery specific net mesh sizes.

#### Cooperation with other States

23. Participants resolve, individually or jointly, to request those States that are fishing for *Trachurus* species in the Convention Area, but that did not participate in the negotiations to establish the SPRFMO, to cooperate fully in the implementation of these Interim Measures, and to consider becoming party to the Convention.

#### Special requirements of developing States

24. In recognition of the special requirements of developing States in the region, in particular small island developing States and territories, participants are urged to provide financial, scientific and technical assistance, where available, to enhance the ability of those developing States to implement these Interim Measures and participate effectively in the Preparatory Conference to establish the Commission.

**Table 1.**

<b>Participant</b>	<b>GT or GRT for 2010<sup>2</sup></b>
Belize	9,814 GT
Chile	96,867.24 GT + 3,755.81 GRT
China	74,516 GT
Cook Islands	12,613 GRT
European Community	78,600 GT
Faroe Islands	23,415 GT
Korea	15,222 GT
Peru (a) high seas	40,000 GT
(b) occasionally high seas	25,000 GT
Vanuatu	31,220 GRT
Russian Federation	23,235 GT

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<sup>2</sup> These numbers are provisional and may change pending the notification by participants, in accordance with paragraph 6 of these Interim Measures, to the Interim Secretariat of the GT or GRT of vessels flying their flag actively fishing in 2009.