



**SPRFMO**  
South Pacific Regional Fisheries Management Organisation

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# 8<sup>TH</sup> ANNUAL MEETING OF THE COMMISSION MEETING REPORT

14-18 February 2020

Port Vila, Vanuatu

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## 8<sup>TH</sup> ANNUAL MEETING OF THE COMMISSION

Port Vila, Vanuatu, 14-18 February 2020

### COMM8 – Meeting Report

#### 1. Opening of the Meeting

1. Commission Chairperson Mr Osvaldo Urrutia (Chile) opened the 8<sup>th</sup> Commission meeting of the SPRFMO, expressing gratitude to the government of Vanuatu for hosting and to the private fishing sector for its assistance. Commenting on the difficulties posed by a global health emergency to the delegations of China and Chinese Taipei, he called on Members to show flexibility to ensure the legitimacy of adopted measures. Addressing concerns regarding exceeding the catch limit for jack mackerel in 2019, Chairperson Urrutia called on Members to continue working under the spirit of cooperation to achieve constructive solutions for sustainable fishing. Chairperson Urrutia commended the leadership of Executive Secretary Dr Rodríguez and the entire Secretariat, noting the continued intensification of their workload, and invited constructive consideration of related proposals during the FAC meeting (Speech available as Annex 11a).

##### *a. Adoption of the Agenda and Participation*

2. The Commission adopted the agenda (COMM08-Doc01\_rev1), available as Annex 1, and the annotated agenda (COMM08-Doc02\_rev1) without amendments. A list of participants is available in Annex 2.

##### *b. Meeting documents*

3. The Commission adopted the list of meeting documents (COMM8-Doc03\_rev3) without amendments.

##### *c. Annual meeting programme and timetable*

4. Chairperson Urrutia noted that the timetable may change during the meeting according to the needs and priorities, and the Commission adopted the programme and timetable (COMM08-Doc04) without amendment. Available as Annex 3.

#### 2. Membership

##### *a. Status of the Convention*

5. New Zealand, as the Depositary of the SPRFMO Convention, provided an update of the status of the Convention (COMM7-Doc05), noting that there have been no new notifications of ratification or accession, and encouraging CNCPs to work towards ratification of the Convention.

#### 3. Scientific Committee (SC)

##### *a. Report of the SC7 and 2020 SC Workplan*

6. SC Chairperson, Dr James Ianelli, presented the report and scientific advice of the 7<sup>th</sup> SC meeting, which was held in Havana, Cuba, from 7 to 12 October 2019. He reviewed progress made in the 2019 Workplan on assessments and requirements for future data collection for jack mackerel, deepwater and squid fisheries, ecosystem approaches on marine management and exploratory fishing, as well as progress for the Observer Programme.



7. Regarding jack mackerel and commenting on the stock status, SC Chairperson Ianelli noted that the general trend is quite positive, but uncertainty exists regarding a number of parameters. This uncertainty, along with the depleted stock status, led the Commission to adopt a precautionary approach and follow the guidelines provided in the Commission's rebuilding plan ("Adjusted Annex K").
8. Regarding the new Management Strategy Evaluation (MSE) that is underway, SC Chairperson Ianelli noted that two options are before the Commission. One would take longer and would provide updates every year, the other was an intersessional option, where a subgroup within the SC meets several times (via web meetings), also seeking some intersessional feedback from a Commission subgroup. He noted the latter option would be more efficient.
9. SC Chairperson Ianelli underscored the SC's recommendations that, for future years, the haul-by-haul data continue to be made available by the Members of the offshore fleet, via the SPRFMO Secretariat, for the analysis of standardised catch per unit effort (CPUE).
10. Regarding deepwater aspects, SC Chairperson Ianelli indicated that additional work is being undertaken on VME encounters and indicators and this will be presented at SC08.
11. On squid, SC Chairperson Ianelli highlighted a two-day workshop, held prior to the SC meeting. A number of topics were covered by the workshop including discussions about the observed phenotypic change resulting in smaller individuals. The SC noted that an observer coverage plan be developed for at least three years duration. Such a programme would lead to a more extensive evaluation on the squid fishery and the extent of observer coverage needed.
12. Many Members commended the SC and SC Chairperson Ianelli for the SC7 report.
13. The Commission also acknowledged the significant efforts of SC Vice-Chairperson Mr Niels Hintzen (European Union) for his leadership in chairing SC7.
14. On Korea's question related to the scientific justification for the two options for observer coverage for squid, either 5 observers per Member or in the range of 5-15% for a period of three years, SC Chairperson Ianelli explained that having two options is a way to move forward with data collection. SC Vice-Chairperson, Niels Hintzen, noted that when data from within the SPRFMO Convention Area was not available, preliminary analysis from comparative studies in other regions, provided by China, was used to inform SC recommendations.
15. The European Union welcomed the reported increase for the jack mackerel stock, and noted the SC recommendation for bottom fishing, including those relating to weight thresholds for VME indicator taxa before 2021. On future projections regarding the stock of jack mackerel, the European Union requested more detailed explanation on the implications and the methodology being reviewed for growth estimates.
16. Peru highlighted that the SC advice for the recovery of jack mackerel has led to increased biomass, agreeing with the SC recommendation to increase the catch limit by 15% to allow 680,000 tonnes. Further expressing agreement with the SC Workplan and having a new assessment of the management strategies for jack mackerel to help rebuild the stock, Peru highlighted commitment to continue work with Chile in the relevant Working Group.

#### *b. 2020 SC Workplan*

17. SC Chair Dr Ianelli invited Members to comment upon the multi-annual workplan proposed by the SC, noting it is quite lengthy and includes requests for scientific analysis on a series of issues as well as three workshops.
18. New Zealand introduced a document on the Commission's information needs on the bycatch of seabirds and the design of observer coverage. New Zealand stressed that the purpose is to seek guidance from the Commission on its information needs on the bycatch of seabirds and other species of concern. Presenting a graph on the relationship between observer coverage and estimations' reliability, New Zealand emphasised that, when designing observer coverage, the fishery needs to be understood and some sort of objective has to be clearly stipulated.



19. The United States of America reminded Members that the SPRFMO observers are more than scientific observers, covering more than data needs, noting that the observer coverage discussion is a complex one.
20. Australia supported having the suggestion reflected in the workplan for the SC, reiterating that human observers are not the only means for data collection and offering editorial suggestions on the recommendation.
21. The Commission endorsed that these recommendations become part of the SC workplan. (Annex 8a).
22. The Commission agreed that it requires information sufficient to:
  23. identify most bycatch issues related to seabirds and other species of concern in each of the major SPRFMO fisheries in the short to medium term;
  24. provide quantitative estimates in the medium term for all species of seabirds combined and some of the more common bycatch species.
25. The Commission agreed to communicate this information need to its SC. The Commission instructs the SC to assess and advise by no later than the Commission's 10<sup>th</sup> meeting in 2022 the observer coverage or other observations needed in each major fishery to deliver this information
26. Chile presented a manual on best practices of the industrial purse seine fishery of the jack mackerel from the South–Central zone of Chile. Chile underscored the value of the manual considering that 80% of the world's supply of jack mackerel comes from Chile, aimed to clearly communicate the different methods of avoiding discards and bycatch, as well as identification of Endangered Threatened or Protected species, with both English and Spanish versions available.
27. SC Chairperson Dr Ianelli highlighted the request to update the management procedures for jack mackerel contained in MSE Management Objectives (COMM8-WP17), noting the aim to have an operating model used for simulating data and testing management procedures to integrate uncertainty on stock structure hypotheses; growth and growth variability; natural mortality; productivity; and fishery distribution patterns.
28. SC Chairperson Dr Ianelli indicated that the original goal of the Commission to rebuild the stock above target level had been met, suggesting that the Commission provide a modification of overarching objectives to guide management procedures.
29. The Cook Islands noted that the objectives listed were mostly biological and that other considerations, such as TAC variability, CPUE, and bycatch, including some of those considered as secondary objectives and the paper needed serious consideration. The consequences of any objectives, including those proposed in the paper required review before the Commission could adopt them. Ecosystems and/or socioeconomic objectives also needed to be included, and since these are unlikely to be modelled this would not impact the planned modelling work which could continue in parallel. The development of a monitoring strategy was also considered a key element required in MSE development. The Cook Islands proposed a workshop devoted to developing the objectives be held between CTC8 and COMM9 in 2021.
30. The European Union volunteered to lead intersessional consultations with Members on the drafting of the elements of the revision of the MSE objectives.
31. SC Chairperson Dr Ianelli invited the Cook Islands and other Members to contribute to the SC small working group on the matter through intersessional web meetings, coordinated by European Union representative Martin Pastoors.
32. Peru clarified that it would be possible to provide more than one representative to participate in the work.
33. SC Chairperson Dr Ianelli confirmed that the general concepts proposed by Vanuatu to address carryover allocation of jack mackerel will be investigated in the work.
34. SC Chairperson Ianelli highlighted the management strategy will be referred to as an Annex 8b, reflecting the discussions of the Commission.



35. The Commission endorsed the SC recommendations and the SC Multiannual Workplan is available in Annex 8a.

#### 4. Finance and Administration Committee (FAC)

##### *a. Report of the FAC 7*

36. The Chairperson of the FAC, Ms Kerrie Robertson (Australia), presented the report (FAC7-Report) and recommendations of the seventh meeting of the FAC held during the eighth Commission Meeting. FAC Chairperson Robertson noted that the financial position of the Organisation is stable but could be further improved. FAC Chairperson Robertson further noted that the FAC recommended: that the Executive Secretary bring back a staffing strategy next year; recruiting a compliance manager; and acknowledging the exceptionally high level of service from the Secretariat and the Executive Secretary by increase in remuneration.
37. FAC Chairperson Robertson highlighted the following FAC recommendations to the Commission, including *inter alia*:
- accepting the Annual Financial Statements (FAC7-Doc04, FAC7-Doc04.1, FAC7-Doc04.2 and FAC7-Doc04.3);
  - accepting the Auditors Report, noting no concerns were identified (FAC7-Doc04);
  - appointing the accounting firm Crowe Howarth as the independent auditor for conducting audit work for the financial statements of the Organisation for Financial Years 2019-2020, 2020-2021 and 2021-2022.
38. The Commission agreed to adopt amendments to: the staff regulations of the Commission as contained in COMM8-Prop23\_rev1 (Annex 6a); the policy for secondments and internships as contained in document COMM8-Prop24\_rev1 (Annex 6b); and the Rules of Procedure for the Commission as contained in COMM8-Prop25\_rev2 (Annex 6c).
39. A lengthy discussion focused on whether the Executive Secretary should circulate Members' responses. The Commission noted that the meeting's report should indicate that the Executive Secretary should circulate responses unless the Members indicate differently.

##### *b. Budget*

40. Reminding Members that the FAC had requested the Commission to finalise outstanding discussions on the budget, FAC Chairperson Robertson highlighted changes in COMM8-WP15\_rev3, including *inter alia*: reflecting costs for the Compliance Manager; increasing the salary for the Executive Secretary; including full costs for database development; adding NZ\$ 20,000 for the 10<sup>th</sup> anniversary campaign; and increasing to \$40,000 the budgeted cost of the SPRFMO Observer Programme accreditation provider.
41. The Commission clarified that the budget will include:
- an allocation of NZ\$ 20,000 into the Contingency fund to advance the balance of this fund towards a level which would support three months operational cost;
  - An allocation of NZ\$ 55,965 towards the developing States fund, which in the financial year 2020-2021 would be covered by a voluntary contribution already provided by the US;
  - An allocation of NZ\$ 80,000 towards scientific support.
42. The Commission acknowledged the recent voluntary contribution made by the United States of America and accepted the contribution from CALAMASUR.
43. The Russian Federation expressed a principle position that the budget should follow the principles of zero nominal growth and cost-efficiency.





44. China announced a voluntary contribution of USD 20,000 to support the stock structure and genetic studies regarding the jumbo flying squid.
45. China expressed concern regarding the increased cost of the accreditation regarding the observer programme because it was just put forward in recent days with the European Union noting that the European Union grant covers the increased cost.
46. The Commission addressed the budget per category and approved all categories.
47. The Commission adopted the budget as amended (Annex 6d), and the Schedule of Contributions per Member (Annex 6e).

#### *c. Date and Venue of the next meetings of the Commission and Subsidiary bodies*

48. FAC Chairperson Robertson reported that FAC recommended the Commission accept the offer of the Russian Federation in Saint Petersburg to host the 2021 meeting of the Commission: from 21-23 January for CTC, and 25-29 January for the Commission meeting; and Peru's prospective offer to host the 2022 meeting of the Commission.
49. The FAC also confirmed New Zealand will host the 2020 SC8 meeting in Wellington, New Zealand, 3-8 October 2020 (SC8 will be preceded by a 2-day workshop on bottom fishing); and Panama offered to host the 2021 SC meeting, and Korea offered to host the SC meeting in 2022.
50. The Commission warmly accepted these offers.

## 5. Compliance and Technical Committee (CTC)

### *a. Report of the CTC 7*

51. CTC Chairperson Wright presented the report of the CTC7, held 10-12 February 2020 in Port Vila, Vanuatu. Noting an overall improvement among Members in compliance issues, as well as a decrease in priority non-compliance, he explained that the Secretariat went through the Draft Compliance Report and provided a compliance status of "non-compliant, no further action" to instances where the obligation had been met but that the information was provided after the required deadline, this allowed the CTC to focus on the more technical and serious compliance issues.
52. CTC Chairperson Wright highlighted that there were many areas where compliance had improved including for Panama (CMM 02, CMM 04, CMM 05, CMM 10), Korea (CMM 05, CMM 12), Liberia (CMM 05, CMM 12) and the Russian Federation (CMM 05, CMM 10). Additional information about the Final Compliance report is included in Section 5b of this report.
53. On matters concerning implementation of current CMMs, CTC Chairperson Wright highlighted that:
  - a number of Members raised concerns about the situation whereby the reported catches of *Trachurus murphyi* exceeded the level of 591,000 tonnes by nearly 7%, stating their strong support for measures aimed at preventing such a circumstance occurring again;
  - a number of Members expressed their general support for VMS data being better utilised, also cautioning against using VMS data as the only source to verify vessel activity in the Convention Area;
  - a decision needs to be made by the Commission on the CTC recommendation to adopt the data request template that would be used for scientific research purposes (Annex 8c);
  - the Port States Measures (PSM) CMM is an important tool in the Monitoring, Control and Surveillance (MCS) toolbox and any improvement in this measure will improve SPRFMO's monitoring in general; and
  - the Commission, CTC, SC and FAC Chairs have provided an assessment on the suitability of the shortlisted accreditation providers, concluding that MRAG is the most suitable provider.





54. CTC Chairperson Wright provided a summary of the CTC discussions and recommendations regarding the provisional IUU Vessel List. Additional information per vessel is included in Section 5c of this report.
55. On applications for renewing the CNCP status of Curaçao, Liberia, and Panama, the CTC recommended that all three applications be accepted, and the CTC expressed its regret that Colombia had decided not to renew their CNCP status.
56. On proposals to amend CMMs, CTC Chairperson Wright reported that 12 proposals were introduced and discussed, of which 5 proposals were to amend CMM 01-2019 (*Trachurus murphyi*). He indicated that the CTC recommended the adoption of the European Union proposal regarding CMM 04-2019 on IUU Vessel List (COMM8-Prop09\_rev1), adding that consideration of the other proposals would continue throughout the Commission.
57. Regarding proposals presented by the Secretariat to make minor amendments to CMMs, CTC Chairperson Wright noted the introduction of a table of review dates for current CMMs (COMM8-WP03\_rev1) as an effort to summarise the distribution of work over the coming years, noting that the dates do not prohibit any Member from bringing forward proposals. The Commission agreed to adopt new review dates when considering each proposal.
58. The CTC also considered the Performance Review Panel's recommendations (CTC7-Doc16), highlighting the results of discussion on the 10 outstanding items. The Commission agreed to take up all the recommendations provided by the CTC, including the reappointment of Andrew Wright (New Zealand) as Chairperson for a second term.
59. The Commission adopted the CTC7 Report. The Commission further adopted the template for data requests to be used for scientific research purposes and approved the selection of MRAG as an accreditation provider.

#### *b. Final Compliance Report*

60. The Commission considered the Provisional Compliance Report provided by the CTC (COMM8-WP07).
61. The European Union underscored the obligation for Members to submit their reports in a timely manner to allow for an informed discussion in the CTC regarding assessing compliance.
62. Ecuador confirmed that an Ecuadorian vessel, the MARIA DEL CARMEN IV, is registered in the SPRFMO Record of Vessels, clarifying that it is a support vessel and VMS data are being transmitted to the SPRFMO. Ecuador further confirmed that the points of contact have been updated. The Secretariat confirmed that the relevant information has been received.
63. The Commission took note of Ecuador's clarification and adopted the Final 2020 Compliance Report (Annex 4).

#### *c. Examination of the Current and Draft IUU Vessel List*

64. Regarding the Draft IUU List, CTC Chairperson Wright noted that, in light of the effective action taken by New Zealand and the commitment to provide quarterly reports on the progress and outcome of the prosecution case, the CTC reached consensus to remove the AMALTAL APOLLO from the 2020 Draft IUU Vessel List. In response to a Member's query, CTC Chairperson Wright clarified that since the CTC had decided to remove the vessel from the 2020 Draft IUU Vessel List, the list is empty and there is no decision to be made by the Commission.
65. CTC Chairperson Wright noted that three vessels (VLADIVOSTOK 2000, NAKHODKA and BELLATOR) are on the current IUU Vessel List.
66. On the VLADIVOSTOK 2000, CTC Chairperson Wright noted that extensive discussions were held in relation to the change of ownership and the planned activities of the vessel, specifically whether or not the vessel would remain operating in the Russian Exclusive Economic Zone (EEZ). Many Members had requested further information from the Russian Federation during the CTC meeting, which was provided. CTC Chairperson



Wright indicated that the CTC had reached consensus, recommending to the Commission that the VLADIVOSTOK 2000 be removed from the IUU Vessel List.

67. The Commission adopted the CTC recommendation to remove the vessel VLADIVOSTOK 2000 from the IUU Vessel List.
68. Regarding the vessel NAKHODKA, CTC Chairperson Wright summarised the CTC discussions, noting that consensus could not be reached during the meeting, and the CTC recommended that the item be reopened for discussion during the Commission meeting.
69. Following discussions, the Commission decided to remove the vessel NAKHODKA from the IUU Vessel List on the basis that it has been satisfied that effective action has been taken by the State.
70. On the BELLATOR, CTC Chairperson Wright summarised the request by Angola to delist the vessel and the discussions during the CTC meeting, noting that consensus could not be reached, and the CTC recommended discussions continue during the Commission meeting.
71. The Commission noted that the essential information to prove the change of ownership is still lacking, stressing that there is insufficient information for the vessel to be removed from the IUU Vessel List.
72. Following discussions, the Commission did not reach consensus for delisting the BELLATOR. Members requested that further communication between the Secretariat and Angola continue, explaining the reasons for the decision and encouraging them to become a Member to the SPRMFO and the Fish Stocks Agreement and further discuss any concerns in line with the CTC recommendation.
73. The Commission adopted its 2020 Final IUU List (Annex 5).

#### *d. Status of Cooperating non-Contracting Parties (CNCPs)*

74. The Commission reviewed the recommendations made by the CTC and agreed to renew the CNCP status for Liberia, Curaçao and Panama. The 3 CNCPs renewed their commitment to work towards achieving the Commission's objectives. The Commission thanked Panama for its commitment and for the information provided in their action plan (COMM8-WP04). The Commission took note that both Curaçao and Liberia sent letters expressing regret for not being able to attend COMM8. Noting with concern that Colombia had decided not to apply for CNCP status this year, the Commission requested that the Secretariat write to Colombia to encourage to reapply as CNCP.

## 6. Conservation and Management Measures (CMMs)

75. The Commission noted that all CMM-related proposals had been introduced in detail during the CTC deliberations.

#### *a. Amendments to current CMMs*

##### *i. CMM 01-2019 Trachurus murphyi (Prop01)*

76. The European Union presented the main amendments to the CMM brought forth by its proposal, including: clarifying the legal obligations regarding stock management; increasing the frequency of reporting when a certain level of catches is reached; introducing a system of payback when quotas are overshot; and introducing reporting obligations on the compatibility of measures in waters under national jurisdiction.
77. Peru noted with concern that the amendment fails to take into account specific provisions of the Convention, extending the faculties of the Commission to maritime zones that are not the subject of the Convention and affecting the rights of coastal states.
78. Chile fully supported the reinforcement of compatibility and cooperation duties in the Convention.
79. The United States of America appreciated the effort to increase compatibility of measures being taken by coastal States.



ii. *CMM 01-2019 Trachurus murphyi (Prop02)*

80. Vanuatu introduced its proposal aiming at creating a more flexible system to help avoid the situation where large catches of jack mackerel within areas of national jurisdiction result in the fishery-wide TAC set by the Commission being breached. Recognising that obligations on compatibility under Article 4 of the Convention are mutual, Vanuatu underscored that its proposal aims to find a mutually acceptable, constructive way forward. Vanuatu outlined their suggestion that undercatches of unallocated quotas be carried forward to following years, up to a maximum of 10% of the total catch limit, Vanuatu noted the erratic nature of catches in the Peruvian area of national jurisdiction and that the carry over mechanism proposed would allow the unallocated quota to increase during years of poor catches to be used later by Peru when catches increase, improving the flexibility of the system while not encroaching on the sovereign rights of Peru in the management of jack mackerel in their waters. Vanuatu further emphasised the inclusion of the proposal in the SC Management Strategy Evaluation (MSE) analysis to ensure that there are no sustainability issues.
81. Peru noted that the suggestion is technically correct, but needs further biological justification, stressing that the biomass has increased and thus the catch limit can be increased, also urging discussing the existence of two stocks of jack mackerel.
82. Noting that in principle they agree with what Vanuatu is trying to achieve, the European Union and Chile expressed concerns regarding risks for the biomass, emphasising the topic's consideration during the SC MSE discussions.
83. Korea queried the divergence in the suggested catch limit to the one proposed by the SC.
84. Noting that the proposal tries to reach a solution through cooperation, Ecuador expressed concerns of a scientific and technical nature.

iii. *CMM 01-2019 Trachurus murphyi (Prop03)*

85. Ecuador introduced its proposal that aims to consider the special needs of Ecuador as a developing coastal state and to develop its jack mackerel fishery in the Convention Area. Ecuador highlighted it has decided to give the express consent to open its EEZ in order to ensure the long-term conservation and sustainable management of jack mackerel, in accordance with the objectives of the Convention.
86. Ecuador summarised the proposal to assign an additional quota of 11,487 tonnes to Ecuador, reaching a total quota of 12,900 tonnes, by virtue of their special needs as a developing coastal State, their opening of their EEZ and the actual good health conditions of the resource as indicated in the SC7 assessment.
87. Many Members welcomed Ecuador's decision to give its express consent to apply CMM 01 to the area under its national jurisdiction. The European Union, with Vanuatu, United States of America and the Faroe Islands acknowledged efforts undertaken by Ecuador to provide economic justification in the proposal, indicating support for the objectives and willingness to work together to support a solution.
88. Peru and China expressed interest to better understand the sources for the increased quota to assess which would be most reasonable and sustainable.
89. Korea welcomed Ecuador's intention to give its express consent to apply CMM 01 to the area under its national jurisdiction and expressed interest to discuss further in a working group.

iv. *CMM 01-2019 Trachurus murphyi (Prop04)*

90. Chile introduced its proposal, which includes amendments to the preamble, and in the sections of general provisions, catch management and cooperation in respect of fisheries in adjacent areas under national jurisdiction. Chile's proposal aims to strengthen compatibility of the measures applicable to straddling species, as well as improvements to data collection and reporting to enhance the control of catches. Chile highlighted that, when total catches have reached 70% of the limit, the deadline for delivering catch reports is reduced and the reporting frequency is increased to every 15 days, within 10 days of the end of that period.
91. The European Union and Vanuatu fully supported the proposal.



92. The Russian Federation noted good ideas contained in the proposal and looked forward to working group discussions.
93. Peru disagreed with the proposal based on potential lack of compatibility with measures in national jurisdiction, noting that further explanations on effective and compatible measures for the sustainability of the jack mackerel resource will be shared during a working group.
94. Korea offered general support, suggesting consideration of merging with the European Union relevant proposal (COMM8-Prop01).
95. Faroe Islands acknowledged potential controversy in both Chile's and the European Union's proposals (COMM8-Prop01) and suggested they could be addressed in the informal setting of a working group.

v. *CMM 01-2019 Trachurus murphyi (Prop05)*

96. Peru introduced its proposal clarifying the scope of application of the CMM in regard to the distribution of jack mackerel without prejudice to the sovereignty rights that coastal States may exercise in their jurisdictional waters. Peru explained that the proposal is not only an issue of political principles over sovereign rights but is further based on the best available scientific evidence, underscoring that the timing of setting the catch limit nationally differs from that of the Commission, allowing the incorporation of updated scientific information. Peru further emphasised that when setting the catch limit nationally, biomass is not only calculated based on fisheries data and algorithmic estimations, but also includes the results of hydro-acoustic surveys as well as other types of surveys and analysis of fishing mortality and exploitation rates.
97. Peru further delivered a technical presentation, focusing on the productive characteristics of the Peruvian Sea, presenting graphs on catches in relation to primary productivity as well as the vulnerability of the Peruvian Sea to environmental conditions. Peru also focused on the decisions taken by the SPRFMO Commission with respect to jack mackerel allocations over time, stressing that historic unjustness on quota allocations should be remedied.
98. Chile underscored that they also set catch limits at the national level at a time different than the Commission, however if the Chilean allocation decided by the Commission is inferior to the one adopted by Chile, they fully comply with that decision, pursuant to the provisions of its fisheries legislation.
99. Peru responded that Chile has expressed its consent for the Commission to be able to make decisions regarding its jurisdictional waters, which is not the case for Peru.
100. The US noted that the SC takes both stock hypotheses into account during its deliberations and its recommendations are agreed by all Members. The US further emphasised that, while sovereign rights should be respected, so should compatibility obligations, pointing to solutions within SPRFMO provisions to address allocation issues.
101. China suggested that the five proposals be merged in a single proposal on jack mackerel, noting that when the catch limit is exceeded in a given year, appropriate deductions from next year's allocation should be considered as well as quotas could be transferred if unutilised.
102. The European Union stressed the issue of compatibility, noting that the scientific arguments Peru noted have not been discussed in the SC, and emphasising that they want to ensure that the same situation will not resurface next year. The European Union further noted that both stock hypotheses are taken into account when the SC sets the catch limit, adding that relevant, additional concerns by Peru should be addressed during the MSE discussions.
103. Peru stressed that a firm position needs to be achieved in relation to the two-stock hypothesis, noting that this is one of the bases and justification for their fisheries management decisions.
104. Australia, commenting generally, expressed its strong concern that the limit for jack mackerel had been exceeded in 2019, noting that this affects the credibility of the Organisation and the successes it has had so far in rebuilding this stock. Australia urged Members to find a resolution that aligns with the limit advised by the SC.



105. Vanuatu offered a historic view of the depletion of the jack mackerel stock, and the difficulties caused to the Commission in 2013 in reaching agreement on national catch limits by the large catches taken by Peru in its national waters in 2011 and 2012 when other Members participating in the jack mackerel fishery were exercising severe catch restraint aimed at rebuilding the jack mackerel stock. Peru questioned the cause and responsibility for the depleted resources, indicating that the collapse mentioned by Vanuatu was primarily caused by the large catches exerted on the jack mackerel stock in previous years by other Members. Peru added that the fishing mortality caused by Peruvian catches was minimal compared to the fishing mortality caused by other Members.
106. New Zealand noted the importance of implementing the CMM for the effective management of fisheries for jack mackerel throughout the range and the compatibility of CMMs established for fisheries resources that straddle in the Convention Area and areas under national jurisdiction.
107. Chairperson Urrutia suggested addressing matters in an informal working group, and proposed Mrs. Victoria Hallum as a friend of the Chairperson to guide the discussions. The Commission agreed to proceed this way. The mandate of the working group was to discuss consequences of the 2019 catches by Peru along with the four proposals regarding jack mackerel in order to bring recommendations to plenary on how to proceed as well as the proposal submitted by Ecuador.

*vi. CMM 01-2019 Chairperson's proposal on jack mackerel*

108. Chairperson Urrutia introduced COMM8-WP22, incorporating some of the substantive elements from proposals by the European Union, Vanuatu, Ecuador, Chile, Peru as well as outcomes from working group discussions on jack mackerel as reported in COMM8-WP25 into one single Chairperson's proposal.
109. Members discussed and offered amendments on sections referring to: cooperation in respect of fisheries in adjacent areas under national jurisdiction; catch management; and data collection and reporting.
110. In text related to catch management, Peru proposed that the Executive Secretary inform Members and CNCs when catches have reached 70% of an amount, rather than limits set.
111. In text related to data collection and reporting, Peru proposed revisions to clarify that when total catches have reached 70% of the amount, the Members and CNCs agree to increase frequency of reporting. Responding to a question by Korea, Peru explained that these changes aim to avoid future confusion and maintain accordance with the Convention.
112. Chairperson Urrutia introduced the proposal for catch management for Ecuador as contained in COMM8-WP22, explaining that 4,514 tonnes was calculated bearing in mind the inclusion of Ecuador's national jurisdiction waters to the Convention Area, as half of the difference of the 2019-20 increase of the unallocated part of the measure that increased from 2019 to 2020. Vanuatu noted that the total catch in paragraph 5 of this proposal should be adjusted upwards by the 4,514 tonnes.
113. Members exchanged opinions regarding the new proposal.
114. Ecuador noted the lowered amount and requested referencing the proposal by Vanuatu to account for catch history.
115. The United States of America, supported by Australia, Faroe Islands, and Cook Islands noted that table 1 recognises only the High Seas allocation for Ecuador, and not the inclusion of their EEZ, which would increase the total sum for their allocated amount. These Members considered that it was appropriate for table 1 to reflect Ecuador's full allocation as occurred with the other coastal State that had given its express consent.
116. The European Union, associating with comments by the United States of America, expressed support for the proposal previously made by Vanuatu, and suggested that it be the basis for further deliberations.
117. Australia and Cook Islands emphasised that it would be appropriate for Ecuador to receive a higher allocation given the significance of their steps to include their EEZ within the scope of the CMM.
118. Faroe Islands, with the Russian Federation, supported the new proposal prepared by Chairperson Urrutia, expressing skepticism for the proposal provided by Vanuatu as possibly preempting forthcoming joint



allocation discussions planned for 2022. In addition, Faroe Islands, with Korea, proposed that the SC consider the possibility to include a mechanism for members with small quotas – defined as being under 10,000 tonnes or under 2% in table 2 to have the option of accumulating quota between 2 years. In other words, carrying forward their entire quota to the following year in order to have a level of tonnage that can help make fisheries operations actually viable in the second year. It would be a condition in such a mechanism that quota accumulated in this way must be fished and not be transferred.

119. Faroe Islands noted that it would work with Korea to pursue scientific feedback from the SC on the idea of such a mechanism, with the view to bringing a proposal to the next Commission meeting.
120. Chile and Peru queried what will happen next year given this allocation is considered extraordinary.
121. Ecuador emphasised the importance of knowing the allocation basis, pointing to the proposal by Vanuatu, and stressing that a real, substantive solution is needed and can only be provided by the Commission.
122. Australia, supported by many Members, noted that there was no textual hierarchy in Article 21 (1) of the Convention and no single sub-criteria took precedence over any other.
123. Vanuatu noted that many Members seem to agree that the unallocated portion is the right place from which to derive the suggested Ecuadorian quota, noting that a consequence of the Ecuadorian decision to allow its zone to be subject to the CMM is that in effect it loses access to the unallocated quota and would from now on require a quota allocated by the Commission to catch jack mackerel both inside and outside its EEZ. Vanuatu emphasised the importance of the choice of catch history years having a logical and relevant basis. Vanuatu stated that the 2009-2016 period corresponds to the beginning of catch limits of jack mackerel under the interim measures and to the final year of catch data used to develop the current five-year allocation agreement. Vanuatu noted that while different historic catch years can be used and produce different outcomes, the proposal is anchored to important and relevant dates in the history of the management of the jack mackerel fishery.
124. The European Union reiterated that Ecuador has done everything they have been asked to do, suggesting going back to the Vanuatu proposal as a reference point for further discussion.
125. Peru made a presentation on historical catches, stressing that in the choice of years in Vanuatu's proposal there are two key years, 2010 and 2011, that had exceptionally high catches in both Ecuador and Peru. Peru emphasised that since 2002, they have established a strict regulation stating that jack mackerel can only be used for direct human consumption, thus lowering catch levels, contrary to Ecuador, therefore taking 2010 as a basis for Vanuatu percentage calculations was unfair and other later years should be used for this calculation. Peru further noted that the first CMM for jack mackerel was adopted when the Commission started its work in 2013, and the current CMM on jack mackerel was drafted in 2017, the negotiation for this 2017 CMM had been difficult and were based on the general conditions are reflected in the catches and percentages corresponding to those years. Peru emphasised that it would be completely unfair and inconsistent to take now a broader range of years than what we did in 2017, noting that both Vanuatu's proposal and the compromise solution proposed by the Chairperson are unbalanced. Peru suggested that if the Commission want to increase Ecuador's allocation, each Member should be equally affected, proposing that 0.66% of the total allocation of each Member be transferred to Ecuador.
126. Vanuatu, with the United States of America, introduced changes to mirror their previous proposal, including: adjusting the total catch of jack mackerel in paragraph 5 of CMM 01 to 618,001 tonnes; removing reference to the High Seas for Ecuador in table 1 and replacing the quota with 8,594 tonnes, and changing percentage for Ecuador to 1.2638% in table 2. Vanuatu clarified that the amount of quota is derived from the unallocated quota alone.
127. Following discussions, many Members, noted their support for the proposal tabled by Vanuatu. Peru opposed the proposal, noting it is unfair and unfounded.
128. The European Union requested the footnote to table 2 be factual, indicating that the percentages apply 2018-2022 inclusively as amended in 2020, and, with Chile and Cuba, agreed with the proposal.





129. Peru opposed the proposal by Vanuatu, noting that they agree and support the increased quota for Ecuador, but oppose the source for the allocation. Peru reiterated that the allocation is unfair and unfounded.
130. Chairperson Urrutia referred to Article 16 (decision making), noting that all efforts to reach a decision by consensus have been exhausted and reminding Members that, on questions of substance, decisions shall be taken by a  $\frac{3}{4}$  majority of the Members of the Commission casting affirmative or negative votes.
131. Chairperson Urrutia called on Members to express their votes. 13 Members cast a positive vote, 1 Member cast a negative vote and 1 abstained.
132. Peru requested that their opposition is noted in the meeting's report, reiterating that the way this decision is taken is not equitable, expressing their concern about the allocation of an extraordinary quota, and reserving their right to further express their objection at the right time and place in the future. Peru also announced that it would make a statement on this respect.
133. The Commission adopted the proposal to amend CMM 01-2019 (Annex 7a).

*vii. CMM 02-2018 Data Standards (Prop06)*

134. New Zealand introduced its proposal to update the data standards CMM to reflect changes in other CMMs in recent years and clarify data collection and reporting requirements, including submission of Annual Reports to the SC. New Zealand highlighted the inclusion of suggestions from the working group in the revised proposal (COMM8-Prop06\_rev3), such as reflecting the updated observer CMM, adding a review clause to update the CMM regularly, adding information regarding the measurement of squid, and noted that additional changes were not able to be made because they would require significant changes to the SPRFMO database.
135. Korea registered its concern regarding a provision that data should be collected regarding FAO species code and estimated live weight of catch retained on board for all species caught by the fishing event, including target, bycatch and species of concern. Korea expressed concern regarding the practicability of the requirement as well as regarding the reliability of the information to be collected by fishers. Korea added that it hopes that it would have a chance to review the particular requirements in the near future.
136. Following discussions, New Zealand introduced the revised proposal (COMM8-Prop06\_rev4).
137. China proposed text to reference the maximum operating depth in annex 4 on standards for squid jigging fishing activity data.
138. Following discussions, New Zealand introduced a revised proposal (COMM8-Prop06\_rev5).
139. The Commission adopted the proposal to amend CMM 02-2018 (Annex 7b).

*viii. CMM 03-2019 Bottom Fishing (Prop07)*

140. The European Union introduced its proposal to make the bottom fishing framework more precautionary for the protection of Vulnerable Marine Ecosystems (VMEs) and to improve data collection (COMM8-Prop07\_rev1). In particular, the proposal amends the weight thresholds for triggering the VME encounter protocol in any one tow for a single VME indicator taxa and raises the minimum observer coverage level for bottom line gear to at least 30% of hooks set.
141. New Zealand noted that the European Union proposed workshop to look at spatial management approaches has been included in costs and planning for the SC8 in New Zealand.
142. On the potential uncertainty of the level of protection currently afforded by existing management measures, in light of the different results from scientific models presented by Australia and New Zealand, Members raised the importance of using a precautionary approach.
143. SC Chairperson Ianelli identified the challenge to objectively measure the level of precaution and accompanying benefits.
144. New Zealand noted that SC's suggestion that any adjustment to the management approach should consider a broad suite of scientific management, regulatory, and economic aspects, and a need for some sort of analysis on conservation gains and costs associated with time and resources.





145. The Deep Sea Conservation Coalition stressed that the Commission should take a precautionary approach to respond to SC7 recommendation to adjust thresholds, asking whether the European Union proposal could achieve this.
146. The European Union, supported by the United States of America and Australia, urged Members to take actions to afford the right level of protection to prevent significant adverse impacts on VMEs, and to take a precautionary approach where there is scientific uncertainty, noting that lowering the VME indicator taxa thresholds would help to achieve this.
147. The High Seas Fishing Group urged Members to consider the socio-economic impact on people's livelihoods of increasing limits and closing areas for fishing.
148. Australia noted that a closed area is not analogous to a protected area, and the two terms could not be used interchangeably. Australia further noted that scientific analysis was ongoing.
149. Following discussions, the European Union introduced an amended proposal Rev1 setting the weight threshold for stony corals at 60 kg.
150. Australia thanked the European Union for their willingness to work with the participants in the fishery and appreciated the objectives the European Union was trying to achieve. Australia noted that while it could go along with the proposal to reduce VME indicator thresholds, it was not in a position to support increasing human observer coverage, noting that this is an issue of data collection better addressed through the bottom fishing impact assessment process that would occur in 2021. Australia stated it would be prepared to review observer coverage levels based on the outputs of that process and was fully willing to work with the European Union and others on the impact assessment process leading up to the SC.
151. Vanuatu expressed discomfort about the reduction in the weight threshold for stony coral, considering it premature ahead of results of current research on New Zealand and further SC discussions on the issue that would better inform the Commission on this matter.
152. The Cook Islands considered that any adjustment to the management approach should consider a broad suite of scientific management regulatory and economic aspects as noted by the SC, and ideally any adjustment to the thresholds should be made next year informed by the work the SC will be undertaking this year. However, it proposed that the threshold for stony coral increases to 80 kg in the interim.
153. The United States of America supported the precautionary approach assumed in the revised proposal, noting that the role of the Commission is to balance risk with information available to avoid significant adverse impacts on VMEs.
154. The High Seas Group viewed the current thresholds expressed in the CMM 03-2019 as hyper-precautionary and out of step with thresholds set in other RFMOs, urging Members to consider the risk of job loss by increasing thresholds, thus compromising the purpose of the Convention as expressed in Article 2 to ensure the long-term conservation and sustainable use of the fishery. The HSWG statement is available as Annex 11d.
155. The Deep Sea Conservation Coalition expressed the view that, while uncertainty exists, it is important to mitigate risk, recalling that the weight threshold only represents what is brought up by net and not the full impact under the surface, expressing hope that in the review in 2021, the precautionary approach is further enhanced.
156. The European Union proposed to maintain the current observer coverage minimum level for bottom line gear and that the Commission review the appropriateness of that level in 2021 taking into account the bottom fishing impact assessment and the related SC advice and recommendation.
157. Vanuatu remained concerned about the change in threshold for stony coral and requested time for further informal deliberations.
158. Following further discussions, the European Union proposed to set the weight threshold for stony corals to 80 kg, and to maintain the minimum level of observer coverage for bottom line gear at a minimum of 10%. The



European Union further noted that the Commission shall review the appropriateness of the minimum observer coverage at its annual meeting in 2021.

159. Vanuatu and New Zealand expressed concerns regarding potential negative impact on the fishing industry, noting lack of clarity in the relevant scientific discussion and forthcoming scientific research that will inform the discussion. Vanuatu and New Zealand requested taking note of their concerns, noting that they will not block consensus but would expect the stony coral weight also be reviewed in the full review of the measure.

160. The Commission adopted the proposal to amend the CMM (Annex 7c).

*ix. CMM 03a-2019 Deepwater species (Prop08)*

161. New Zealand introduced its joint proposal with Australia to revise the orange roughy catch limits based on recommendations from the SC and enable improved implementation and management of the adopted catch limits for orange roughy (COMM8-Prop08\_rev2). New Zealand noted that, following discussions in the CTC meeting, comments and feedback have been received from Members and observers, and taken into account.

162. The Deep Sea Conservation Coalition reiterated its concerns relating to the absence of a limit to which the catch can be exceeded as well as regarding carry-forward provisions.

163. New Zealand responded that the DSCC concerns have been taken into account, noting that any overcatch is deducted from the Member's catch limit for the next year, emphasising that the impact on biomass will be negligible, and assuring that reviewing the measure allows to take into account changes in the biomass or other modifications.

164. Australia noted its strong interest in maintaining a sustainable fishery, explaining how the system will work regarding overcatches and providing assurances that through the reporting system and other measures in place, the scenario of significantly overshooting the catch limit is highly unlikely.

165. Following discussions, New Zealand introduced an amended version of its joint proposal with Australia (COMM8-Prop08\_rev3), drawing attention to: an amendment to specify actions that Members and CNCPs shall take when they reach 70% of their catch limit; specifications on how this will work in practice; an addition regarding Members and CNCPs notifying the Secretariat as soon as practicable, of the catch limit being reached; and editorial amendments.

166. Following discussions, New Zealand introduced an amendment to the text to clarify that no tows will begin after the catch limit is reached.

167. Following further discussions, New Zealand presented a revised proposal (COMM8-Prop08\_Rev4), including all comments and suggestions.

168. The Commission adopted the proposal to amend the CMM 03a-2019 (Annex 7d).

*x. CMM 04-2019 IUU Vessel List (Prop09)*

169. The European Union, indicating that the proposal (COMM8-Prop09\_rev1) had been discussed in the CTC meeting and was recommended for adoption, clarified that the initial intention was to adopt a system for cross-listing of IUU Vessels that unfortunately could not reach consensus. The European Union explained that the only substantial change in the CMM refers to broaden the information that require updating regarding IUU Vessels that currently are limited to the name of the vessel and the International Radio Call Sign.

170. The United States of America expressed disappointment that discussions on cross-listing had not produced tangible results, noting that paragraph 16 of the current measure regarding non-discriminatory actions, signifies that cross-listing is required.

171. Chairperson Urrutia emphasised that a more open, clarifying discussion on cross-listing at some point in the future would be beneficial for the Organisation.

172. Korea noted its support on the idea of cross-listing in general, expressing concerns about conveying decisions on de-listing of vessels across different organisations in a timely manner.

173. The Commission accepted the CTC recommendation to amend CMM 04-2019 (Annex 7e).



*xi. CMM 05-2019 Record of Vessels (Prop10)*

174. Peru noted that its proposal to exempt artisanal and small-scale fishing vessels that could be affected by being included in the Register of Vessels authorised to fish in the Convention Area, is still under consideration by Members.
175. Chile and the European Union noted difficulties in accepting the proposal in its current form. The European Union suggested that there may be other ways to achieve a similar result, recommending a change of focus in the proposal.
176. Peru said that they have difficulties incorporating some of the suggestions received by Members in the proposal, requesting more time for further deliberations.
177. Chairperson Urrutia emphasised that this is an important proposal with potential implications for future compliance and the SPRFMO's capacity to implement its current legal framework, encouraging all Members to engage with Peru and interested Members in the discussions.
178. Following discussions, Peru stressed that the artisanal vessels going beyond 200 nautical miles are all small vessels, smaller than 32 cubic metres hold capacity, with 60% of them being smaller than 15 metres in length and less than 10 cubic metres hold capacity. Stressing that 90 of these small artisanal jigger vessels have the equivalent fishing power of one industrial vessel, Peru further emphasised that a process of formalisation is ongoing at the national level, noting that some of the vessels lack registration number and/or fishing licenses. Peru proposed to Members the commencement of a training programme for artisanal fishers to inform them regarding their SPRFMO-related obligations when fishing in the Convention Area. Peru informed that the training programme can be developed during 2020 so in January 2021 a Register of artisanal vessels can be implemented and the information submitted to the Commission, noting that some of the requirements may not be physically applicable given the size of the artisanal vessels.
179. Peru withdrew the proposal.

*xii. CMM 11-2015 Boarding & Inspection (Prop11)*

180. The United States of America introduced and provided an update of its proposal to implement specific measures to govern high seas boarding and inspection of fishing vessels in the Convention Area, in accordance with Article 27 of the Convention. The proposal takes into account comments received on previous similar proposals submitted at COMM6 and COMM7.
181. The United States of America noted that there are several changes to last year's proposal as that draft contained bracketed and mutually exclusive text. The United States of America further acknowledged that the text is both complex and sensitive, expressing its flexibility and commitment for further work to reach consensus. The United States of America requested time for an informal working group to discuss the text in greater detail.
182. Following an informal working group session and discussions on the margins, the United States of America introduced a revised proposal (COMM8-Prop11\_rev1), highlighting the significant progress made, with Members supporting the vast majority of the text. The United States of America noted several attempts to address China's concerns through edits and further explanation of the text. The United States of America highlighted the few remaining issues where there is not yet consensus, particularly paragraph 6 related to fishing entities and the use of force language.
183. Following further discussions, the United States of America noted that, despite all the constructive input and engagement, consensus could not be reached as one delegation still has concerns with the text. The United States of America respected that the participation constraints in this Commission meeting precluded further progress but expected delegations to then be prepared to support adoption at the next meeting. The United States of America expressed concerns that China introduced new positions that had not been raised in previous meetings and that would be inconsistent with the SPRFMO interim boarding and inspection measure, the UN Fish Stocks Agreement and other RFMOs measures.



184. Regarding future steps, the United States of America noted that the interim boarding and inspection measure is in place, encouraging all Members to think how to operationalise it over the course of this year, and requesting the Chairperson's support for further intersessional work.
185. The European Union, Chile, Australia and New Zealand supported the proposal, thanked the United States of America for its commitment and hard work, sharing its concerns that China could not accept the proposal and expressing hope that consensus can be reached next year.
186. The United States of America withdrew the proposal.

*xiii. CMM 12-2018 Transshipment (Prop12)*

187. The European Union introduced its revised proposal to clarify the applicability of the transshipment provisions to the main species managed by SPRFMO (COMM8-Prop12\_rev5).
188. The European Union noted the changes to the deadline of transmission of observer transshipment logsheets as no later than 15 days from debarkation of the observer, or in the case of the jumbo flying squid no later than 30 days with a footnote for exceptional circumstances requiring notification to the Executive Secretary.
189. Following further discussions, the Commission adopted the proposal to amend the CMM (Annex 7h)

*xiv. CMM 14b-2019 -Exploratory Potting Fisheries (WP02)*

190. Cook Islands presented a revised version of its proposal (COMM8-WP02\_rev3) following work on the margins of the CTC and Commission meetings.
191. The Commission adopted the proposal (Annex 7j).

*b. New CMMs*

*i. CMM for Exploratory fishing for Patagonian Toothfish (Prop13)*

192. Chile presented its proposal to provide for exploratory bottom longline fishing for toothfish in the Convention Area for the purpose of obtaining scientific data regarding bathymetry of the fishable area, characterisation of toothfish in the area, tagging of toothfish for stock linkage and life history studies, information for further genetic studies, information of bycatch and other associated or dependent species, and occurrence information on marine mammals, seabirds, turtles, sharks and other species of concern.
193. Chile noted that a revised version of its proposal (COMM8-Prop13\_rev2) had been circulated, addressing Members' comments.
194. The Commission adopted the CMM on Exploratory Toothfish fishing by Chile (Annex 7k).

*ii. CMM for Effort limitation on squid (Prop14)*

195. Following the submission of the proposal during the CTC meeting and discussions with Members on the margins, the European Union introduced a revised version of the proposal (COMM8-Prop14\_rev5).
196. New Zealand expressed support for the implementation of a management measure for squid, noting the recommendation of the performance review, and also the urgent need to ensure that robust information is available on potential interactions of this fishery with seabirds, particularly the endangered Antipodean albatross.
197. The United States of America noted general support, despite the view that the current proposal falls short of the recommendations made by the Performance Review. The United States of America proposed adding a clear metric for the 5 full time at sea observers by adding in parentheses the equivalent 1,825 days at sea.
198. China queried the number of days cited, and reserved its position.
199. Korea suggested that, in the spirit of compromise, the review date could be moved up for consideration by the SC in 2021 and the Commission in 2022.



200. The European Union urged all Members to be flexible to adopt some measure to manage squid, adding that it would be possible to continue to improve over time.
201. Chairperson Urrutia, echoed by Australia and Chile, underscored the importance of meaningful management in the squid fishery and called on Members to work together to find an adoptable measure.
202. Following discussions, the European Union proposed to clarify observer coverage, as follows: “Members and CNCs participating in the jumbo flying squid fishery shall ensure a minimum coverage of 5 full time at sea observers or 5% of fishing days for vessels flying their flag and ensure that such observers collect and report data as described in CMM 02-2018 (Data Standards)”. The European Union also proposed that the SC review the minimum observer coverage, including in relation to the specificities of different fleet segments, at the latest at its 2023 meetings and provide advice to the Commission.
203. The United States of America noted that, notwithstanding its concern that the amendment is not going as far as appropriate, it supports its adoption.
204. Peru highlighted Article 19 of the Convention (recognition of the special requirements of developing States), requesting additional time to consider the issue.
205. Noting general agreement among Members and the participation constraints of some Members, Korea noted that they will not block consensus, but requested their concern on the two options for observer coverage not being appropriate in terms of fairness and effectiveness be recorded in the meeting’s report.
206. The Russian Federation supported the proposal, stressing the importance of adopting this CMM at this Commission’s meeting.
207. Peru emphasised that while they share the same objective as other delegations regarding the CMM, they also have an obligation to attend to the aspirations of their national fishers, both artisanal and industrial.
208. CALAMASUR underscored that the issue is of great concern within the fishing world, reminding Members of the submission of their relevant proposal and the suggestion to hold a workshop, and emphasising that the measure centralises all the necessary actions to be taken by Members and CNCs for an ordered management of the jumbo flying squid fishery.
209. The European Union noted the importance of the request by the fishing sector asking the Commission to take action on this item, reminding Members that the European Union is not active in the fishery.
210. Following discussions, the European Union introduced a revised proposal (COMM8-Prop14\_Rev6).
211. Members agreed that the SC shall review the minimum scientific observer coverage at the latest at its 2023 meeting and provide advice to the Commission, including in relation to the specificities of different fleet segments up to 15 metres in length.
212. The Commission adopted the CMM on the management of the jumbo flying squid fishery (Annex 7l). The Commission recognised the significance of this achievement.

### *c. CMMs for review in 2020*

#### *i. CMM 01-2019 Trachurus Murphyi*

213. This CMM was discussed under “Concerning Implementation of Current CMMs” (pages 5 and 6 of this report).

#### *ii. CMM 06-2018 Commission VMS (Prop15)*

214. Executive Secretary Dr Rodríguez outlined the changes in the document (COMM8-Prop15\_rev3), noting that the CTC had recommended adoption.
215. The Commission adopted the proposal (Annex 7f).



### *iii. CMM 10-2019 CMS (Prop16)*

216. Executive Secretary Dr Rodríguez outlined editorial changes as well as changing the review date to 2023 (COMM8-Prop16).
217. The Commission adopted the proposal (Annex 7g).

### *iv. CMM 12-2018 Transshipment (Prop17)*

218. These amendments were incorporated into the European Union proposal on transshipment (Prop12).

### *v. CMM 13-2019 Exploratory Fisheries (Prop18)*

219. Executive Secretary Dr Rodríguez outlined editorial changes as well as changing the review date to 2021 (COMM8-Prop18\_rev1).
220. The Commission adopted the proposal (Annex 7i).

### *vi. CMM 14b-2019 Exploratory Potting CK (Prop19)*

221. The Secretariat indicated that this proposal is no longer necessary as it was overtaken by recent events, noting that the relevant Cook Islands proposal (COMM8-WP02) includes these suggestions.

## 7. SPRFMO Observer Programme Accreditation Evaluator

222. The Commission discussed the implementation of the SPRFMO Observer programme.
223. The Commission accepted the FAC and CTC Recommendations and selected MRAG as the SPRFMO Observer Programme Accreditation Evaluator (CTC7-Doc12).

## 8. Performance Review Recommendations

### *a. Implementation of Recommendations and SC responses*

224. Executive Secretary Dr Rodríguez presented a summary paper concerning the Implementation of the Commission related Performance Review Recommendations (COMM8-Doc08) and the SC Responses to the Performance Review (COMM8-Doc08.1). Members discussed the recommendations in a working group.
225. Working group facilitator Kirstie Knowles (New Zealand) reported progress in 9 of the 18 recommendations, with proposed text presented in COMM8-WP11\_rev1. She explained further deliberations are dependent on FAC advice and CMM decisions, and noted her proposal to add to each recommendation indication of whether the Commission considers the item open or closed.
226. Following discussions, facilitator Knowles provided an update, noting the changes in document COMM8-WP11\_rev1 and indicating that some of the measures had not been addressed due to lack of time.
227. Chairperson Urrutia suggested that the Commission endorse the document, noting it will serve as the basis for further discussions on the outstanding items during the next Commission meeting.
228. The Commission endorsed the recommendations and updated its plan accordingly (Annex 9).

## 9. Cooperation Priorities

### *a. Current Arrangements and MoUs*

229. The Secretariat provided a summary of the current SPRFMO arrangements and MoUs.
230. The Commission took note of the information provided.





### *b. New MoUs*

231. Executive Secretary Dr Rodríguez presented document COMM8-Doc07 on progress of cooperation with other RFMOs. Reminding Members that, at the 7<sup>th</sup> Commission meeting in 2019, the Commission decided to “prioritise enhancing cooperation with the North Pacific Fisheries Commission (NPFC), the Western and Central Pacific Fisheries Commission (WCPFC) and the Inter-American Tropical Tuna Commission (IATTC)”, he presented the final texts for Memorandums of Understanding with WCPFC and IATTC as well as the progress to date in developing an MoU with NPFC.
232. Regarding potential cooperation with IATTC, Executive Secretary Dr Rodríguez presented COMM8-Prop20\_rev1, focusing on the main changes and explaining the process for signing the MoU.
233. The Commission approved the MoU with minor editorial suggestions (Annex 10a).
234. Regarding potential cooperation with the WCPFC, Executive Secretary Dr Rodríguez outlined the revised proposal (COMM8-Prop21\_rev1).
235. Chinese Taipei queried whether a specific provision of the MoU creates a new requirement on transshipment activities, implying that the relevant regulations of both organisations need to be followed.
236. The United States of America offered its interpretation that SPRFMO resources are governed by SPRFMO transshipment provisions and the same stands for WCPFC, which the Secretariat confirmed.
237. Following clarifications on the transshipment provisions, the Commission approved the MoU with WCPFC (Annex 10b).
238. On potential cooperation with the NPFC, Executive Secretary Dr Rodríguez presented the revised proposal (COMM8-Prop22\_rev1), explaining the process to be followed, and noting that the NPFC Chairperson is present to the SPRFMO Commission meeting as an Observer.
239. The Commission approved the MoUs with IATTC and WCPFC, and agreed to the process to be followed with NPFC with no further comments.

### *c. Guidance on Regional processes relevant for SPRFMO*

240. Executive Secretary Dr Rodríguez presented a paper (COMM8-Doc06), requesting guidance on the extent that the Secretariat shall engage with various regional processes of relevance to SPRFMO. The Executive Secretary noted that the Commission has not provided clear advice or allocated the human and financial resources for the Secretariat to engage or not on regional processes related with the conservation and management of high seas fisheries resources from a policy point of view and therefore the Secretariat is looking for guidance from the Commission on how to approach these regional processes.
241. Faroe Islands and Australia noted that priority should be given to processes where the SPRFMO has a voice.
242. New Zealand noted that where SPRFMO is not represented in discussions where it could provide an important perspective, there may be value in making written submissions to these processes.
243. Chairperson Urrutia suggested and the Commission agreed that: participation should be decided on a case by case basis; processes where the SPRFMO has a voice will be prioritised; and relevant proposals will be included in next year’s budget.

## 10. Adoption of the Commission Report

244. The draft meeting report was prepared during the meeting by the professional rapporteur services, reviewed by the Chairperson assisted by the Secretariat, and presented to the Commission on the last day of the meeting for its consideration. Members expressed their appreciation for the quality of the draft report that was prepared by the rapporteurs as well as for the excellent work of the interpreters and the technical support provided throughout the meeting.
245. The report was adopted on 19 February 2020 at 01:39 am.





## 11. Close of the Meeting

246. After adoption, Chairperson Urrutia thanked the Members, CNCs and observers for their engagement and good work.
247. Chairperson Urrutia referred to the absence of several SPRFMO Members and CNCs as per documents and communications circulated by the Secretariat (COMM8-WP12, R07-2020), and also acknowledged and expressed appreciation for the excellent job and good cooperation of the new delegates to this meeting.
248. Peru made a statement regarding the competence of the Commission in regulation of straddling fish stocks beyond jurisdictional waters (Annex 11b).
249. Peru made a statement objecting the decision adopted and reserving its rights to exercise a legal action, in the provisions of the Convention itself and other relevant regulations of international law (Annex 11c).
250. The Commission expressed their appreciation to the Secretariat, interpreters and professional rapporteur teams for their support throughout the meeting. The Commission also thanked the Government of Vanuatu for hosting the meeting.
251. Chairperson Urrutia presented the delegation of Vanuatu with a small token of appreciation to acknowledge their support and the success of the meeting in Port Vila, in Vanuatu.
252. The meeting was closed 19 February 2020 at 01:50 am.