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## 7<sup>TH</sup> MEETING OF THE FINANCE AND ADMINISTRATION COMMITTEE (FAC)

*Port Vila, Vanuatu, 14 to 18 February 2020*

### FAC 7 – Doc 07

### Implementation of FAC Performance Review Recommendations

*Secretariat*

#### 1. Background

Paragraph 16 of [Decision 06-2018](#) (First SPRFMO Performance Review) provides that “*the SC, CTC and FAC shall consider the final report during their meetings and report to the Commission the results of their discussions including plans for addressing any of the recommendations made by the performance review and tracking progress in that regard*”.

At the 6<sup>th</sup> FAC meeting in 2019, the FAC considered<sup>1</sup> the 10 recommendations that the Performance Review panel addressed to the FAC. Out of these 10 recommendations:

- No further action is needed in five: 202 (e), 278 (c), 386 (c), 386 (e) and 396 (c);
- FAC7 needs to consider the following four: 252 (f), 386(d), 320 (g) and 396 (b);
  1. 252 (f) Recommends that the Commission prioritise hiring a professional staff member with compliance expertise to lead the Secretariat’s efforts to implement the MCS measures already adopted and to analyse the data captured through these measures.
  2. 386 (d) Recommends that if the SPRFMO Observer Programme is to be properly implemented as part of the suite of MCS measures, the Commission should prioritise hiring a professional staff member with compliance expertise, as recommended above).
  3. 320 (g) Recommends that Members consider making a special budgetary allocation at the first meeting following a use of the Article 17 review panel process to reimburse the SPRFMO budget in order to cover the costs associated with support to the most recent Article 17 review panel proceedings.
  4. 396 (b) Recommends that the Commission, on advice of the Executive Secretary, give consideration to reviewing the structure of the Secretariat to ensure the most cost effective use of staff resources, and to investing additional resources in building the capacity of the Secretariat to analyse scientific and MCS data
- COMM8 needs to consider 100 (b).
  1. 100 (b) Recommends the Commission and Scientific Committee regularly review data collection requirements to ensure they align with the needs of new or revised CMMS, while recognising the challenges to SPRFMO database management through the addition of new data collection, access and storage requirements and Notes the need for investment in building the capacity of the SPRFMO database to meet these challenges.

The Secretariat provides the requested tracking in Section 2 “Implementation of FAC performance review recommendations”.

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<sup>1</sup> FAC responses to the Commission can be found in Annex 2 of the [FAC6 meeting report](#).



## 2. Implementation of FAC performance review recommendations

Recommendation of the Panel	
<b>Conservation and Management</b>	
<i>3.3 Data Collection and Sharing</i>	
<b>100 (b)</b> Recommends the Commission and Scientific Committee regularly review data collection requirements to ensure they align with the needs of new or revised CMMs, while recognising the challenges to SPRFMO database management through the addition of new data collection, access and storage requirements and Notes the need for investment in building the capacity of the SPRFMO database to meet these challenges.	
FAC6 Response: <i>“The FAC notes that in order to have a database serving its purpose, the Commission should invest accordingly on the needs of having an operational database.”</i>	
COMM7 Response: <i>“Instructs SC to provide advice to the Commission sufficient to enable its consideration of this recommendation. To be considered by SC in 2019.”</i>	
Secretariat action: SC7-Doc 08 Performance Review Recommendations concerning the Scientific Committee.	
SC7 Response: <i>“The SC acknowledges that a robust, accessible and comprehensive database supports the SC in fulfilling its mandate. Furthermore, considering the recent development of new CMMs and the added complexity in terms of data requirements on the revised CMMs, the SC agrees with this recommendation and supports the need for investing in building the capacity of the SPRFMO database”. SC7 Report Paragraph 36 and Annex 10.</i>	
<b>COMM8 Response:</b>	

<b>Compliance and Enforcement</b>	
<i>4.1 Flag State Duties</i>	
<b>202 (e)</b> Recommends the translation of those measures identified in d) above into the languages necessary to improve Members and CNCPs’ understanding of their obligations	
CTC6 Response: <i>“Notes that English is the official and working language of the Commission and its subsidiary bodies. Suggests that the translation of measures into languages other than English should be the responsibility of Members and CNCPs. Notes that there may be opportunities for Members to share translations of measures.”</i>	
FAC6 Response: <i>“The FAC supports the CTC recommendation.”</i>	
COMM7 Response: <i>“The Commission supports the CTC recommendation.”</i>	
<b>No further action needed from FAC</b>	

<i>4.3 Monitoring, Control and Surveillance</i>	
<b>252 (f)</b> Recommends that the Commission prioritise hiring a professional staff member with compliance expertise to lead the Secretariat’s efforts to implement the MCS measures already adopted and to analyse the data captured through these measures.	
<b>386(d)</b> Recommends that if the SPRFMO Observer Programme is to be properly implemented as part of the suite of MCS measures, the Commission should prioritise hiring a professional staff member with compliance expertise, as recommended above).	



CTC6 Response: <i>“CTC Recommends that the Commission give consideration to hiring a compliance expert including consideration of the timing of such a hire, recognizing the need for compliance expertise within the Secretariat staff and that the constrained budget environment will need to be considered”.</i>
FAC6 Response: <i>“Chile offered for one year a professional with Compliance expertise in support of the Secretariat tasks. Members thanks Chile for its generous offer. FAC is grateful for the offer and recommends the Commission to accept this generous offer from Chile”.</i>
COMM7 Response: <i>“The Commission accepted the offer and thanks Chile for making the offer.”</i>
Secretariat action: Administrative matters (MFAT; SERNAPESCA; Selection process; DC 122/126-2019 (Selection process results 12/09/2019); DC 129-2019 (Notification of new SPRFMO Compliance Officer and request for official visa 23/09/2019); DC 135-2019 (Outcomes of the Selection process of a Chilean Compliance Manager to SPRFMO 27/09/2019); G114-2019 (New SPRFMO VMS and Compliance Manager 11/11/2019).
<b>FAC7 Response:</b>

<b>4.4 Follow-up on Infringements</b>
<b>278 (c)</b> Recommends a modest investment of resources to facilitate increased engagement of the SPRFMO Secretariat with colleagues from other RFMO Secretariats, which will provide a benefit to the Commission beyond the expenditure of resources in expertise gained, shared lessons learned, use of best practices and avoid spending time and money developing tools, templates, processes and procedures that already exist.
CTC6 Response: <i>“CTC acknowledges the benefits that may flow from the SPRFMO Secretariat engaging with the Secretariats of other RFMOs. Acknowledges that it is the role of the Commission and its subsidiary bodies to develop and adopt its own tools, templates, processes and procedures. Recognizes that such engagement can be accomplished within normal budget constraints”.</i>
FAC6 Response: <i>“The FAC supports the CTC response”.</i>
COMM7 Response: <i>“Supports the CTC’s response to this recommendation”.</i>
<b>No further action needed from FAC</b>

<b>Decision-Making and Dispute Settlement</b>
<b>5.3 Dispute Settlement</b>
<b>320 (g)</b> Recommends that Members consider making a special budgetary allocation at the first meeting following a use of the Article 17 review panel process to reimburse the SPRFMO budget in order to cover the costs associated with support to the most recent Article 17 review panel proceedings.
FAC6 Response: <i>“The FAC Support this recommendation in principle and noted the importance of having funds available to resource the Commission’s contribution to any Review Panel established under Art 17”.</i>
COMM7 Response: <i>“The Commission supports FAC response also noting that no such provision has been made in next financial year budget”.</i>
Secretariat action: Secretariat Document FAC7-Doc 04.2 “SPRFMO Contingency Fund”, the FAC is invited to consider recommending the Commission approving the proposed budget amount of NZ\$ 20,000 for Budget Category 7,2 – Rebuilding the Contingency Fund for the Financial Year 2020-2021 as per FAC7-Doc 08 Draft Annual Budget.
<b>FAC7 Response:</b>



Financial and administrative issues	
7.1 Availability of Resources for Activities	
<b>386 (c)</b> Encourages the Secretariat to prepare an estimate of the additional financial cost which is likely to arise from proposed conservation and management measures.	
FAC6 Response: <i>"The FAC encourages Members to engage with the Secretariat when a proposal has financial impacts or influence on the Secretariat work".</i>	
COMM7 Response: <i>"Supports the FAC response to this recommendation".</i>	
Secretariat action: The Secretariat has provided FAC7-Doc 08.3 quantifying the financial impact of new or amended proposals received by 26 December 2019 (2 weeks after the Draft Budget for financial year 2020-21 and Forecast Budget for 2021-22 was circulated).	
<b>No further action needed from FAC</b>	
<b>386 (e)</b> Recommends that the Commission include in the budget a provision for increasing progressively over a five-year period the level of the contingency fund, and to reimburse any expenditures from the Fund for any Article 17 review process, until it reaches a level of 3 months of the operating budget as provided in the SPRFMO Financial Regulations.	
FAC6 Response: <i>"The FAC supports in principle the concept of resourcing the contingency fund appropriately and that a stepwise increase in some years would be an appropriate way of doing it".</i>	
Secretariat action: Secretariat Document FAC7-Doc 04.2 "SPRFMO Contingency Fund", the FAC is invited to consider recommending the Commission approving the proposed budget amount of NZ\$ 20,000 for Budget Category 7,2 – Rebuilding the Contingency Fund for the Financial Year 2020-2021 as per FAC7-Doc 08 Draft Annual Budget.	
<b>No further action needed from FAC</b>	
7.2 Efficiency and Cost-Effectiveness	
<b>396 (b)</b> Recommends that the Commission, on advice of the Executive Secretary, give consideration to reviewing the structure of the Secretariat to ensure the most cost effective use of staff resources, and to investing additional resources in building the capacity of the Secretariat to analyse scientific and MCS data.	
FAC6 Response: <i>"The FAC supports the recommendation and task the Executive Secretary to give consideration and to advise the Commission accordingly no later than the 2020 annual meeting".</i>	
COMM7 Response: <i>"Supports the FAC response and instructs the Executive Secretary to consider this recommendation and to advise the Commission accordingly no later than the 2020 annual meeting".</i>	
Secretariat action: The review of the structure of the Secretariat is presented in FAC7-Doc 12.	
<b>FAC7 Response:</b>	
<b>396 (c)</b> Recommends that the Commission set aside a half day for the Finance and Administration Committee in advance of the annual Commission meeting, and following the annual meeting of the Compliance and Technical Committee.	
FAC6 Response: <i>"The FAC considered the recommendation but agreed that the current arrangement should be retained, but this could be revisited in the future".</i>	
COMM7 Response: <i>"The Commission supports the FAC response".</i>	
<b>No further action needed from FAC</b>	