

Annex to the proposal of amendment to CMM 05-2019 “Establishment of the Commission Record of Vessels Authorised to Fish in the SPRFMO Convention Area”

From the Conservation and Management Measure for the establishment of the Commission Record of vessels authorized to fish in the Convention Area (CMM 05-2019), established by the South Pacific Regional Fisheries Management Organization (SPRFMO), it is inferred that it was designed for industrial vessels, without having a distinction for another type of fleet; that is, for those vessels less than 15 meters in length that, as in the case of Peru, carry out activities in a circumstantial manner outside its jurisdictional waters and even prior to the creation of the SPRFMO.

As stated in the proposed modification to CMM 05 (the “Proposal”), these vessels are unable to meet certain requirements established in CMM 05-2019 due to their own characteristics. In that sense, by not being able to register in the SPRFMO record, they would be affected by not being able to enter to the high seas.

Therefore, and according to the provisions of article 19, numeral 2, literal “b” of the “Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean” (the “Convention”), which notes the following: [..]

2 In giving effect to the duty to cooperate in the establishment of conservation and management measures for fishery resources covered by this Convention, the members of the Commission shall take into account the special requirements of developing State Contracting Parties in the region, in particular the least developed among them and small island developing States, and territories and possessions in the region, in particular:

(b) the need to avoid adverse impacts on, and ensure access to fisheries by, subsistence, small-scale and artisanal fishers and women fish workers, as well as indigenous people in such developing States Parties, and territories and possessions (emphasis added) [..]

Perú proposes to exempt fishing vessels of no more than 15 meters in length from compliance with the requirements established in literals “e)”[UVI (Unique Identification of Vessels) / IMO Number] and “ t) ”[Vessel communication types and numbers (INMARSAT A, B and C numbers)], as specified in the proposal form; aiming to support artisanal fishing in developing States, such as Peru.

Artisanal fishing is an activity that serves as an economic and social engine, provides food and nutritional security for the population, generates self-employment and other multiplier effects for local economies, and at the same time supports the livelihoods of riverside communities. In addition, that said activity is generally carried out in coastal areas and incidentally outside jurisdictional waters¹, they employ vessels no larger than 15 meters in length, mostly built from wood, with a hold capacity of 2 to 15 m³.

In the case of Peru, they operate mainly with a hand line with manual hooks (squid jiggers), in the North and South, with higher landings registered in the ports of Paita in the north and Matarani in the South, and eventually in Pucusana, places that have been become economically dependent on the jumbo flying squid, dedicating 70% to 90% of their local fleet to this fishery². Most of the fishermen come from families with a long tradition in artisanal fishing activities.³

In line with the earlier paragraph, taking into account the socioeconomical level of artisanal fishermen, it should be noted that most of them are from complete secondary school, and on average their incomes are between S/ 501

¹ The operator makes the decision to leave jurisdictional waters in a circumstantial manner, as the crew does not find the availability of the resource within them during the fishing operation.

² Instituto del Mar del Perú, Monitoring System for the Jumbo flying squid *Dosidicus gigas* fishery in Peru, October 2019. Retrieved from: <https://www.sprfmo.int/assets/2019-SC7/Meeting-Docs/SC7-SQ09-Monitoring-system-for-the-Jumbo-flying-squid-fishery-in-Peru.pdf>

³ Instituto del Mar del Perú, Informe ISSN 0378-7702, Volume 45, Number 3: July – September 2018, Callao- Perú.

and S/ 1,000 per month (equivalent to approximately \$ 140 - \$ 278). They are characterized by having a high family burden, so the main motivations for working in the artisanal fishing activity are economic necessity and familiar tradition.

In this context, Peru considers that the same requirements that can be met in the industrial fishing activities of the States, or more developed fishing entities, should not be required for artisanal fishing activities (with no more than 15 meters in length) within Regional Fisheries Management Organizations (RFMOs).

The foregoing argument is based on the fact that the main reason for the formation of the RFMOs is the regulation of activities in which highly autonomous vessels are employed, whose operations are mainly carried out continuously on the high seas, seeking to avoid risks associated with the sustainability of the resources contained in said area.

Peru estimates that artisanal vessels could be monitored by the VMS of the SPRFMO since many of them have satellite tracking systems that would allow knowing their location. In that sense, the SPRFMO VMS can replace the requirement of having an IMO number. Likewise, it should be taken into consideration that these vessels may have a registration number at the local level. Also, since they are not outside the jurisdictional waters for long, it would not be necessary to have INMARSAT communication numbers, since these are too expensive. Instead, for security issues they use the radiobeacon, being of mandatory use and established by the General Direction of Captaincies and Coast Guard - DICAPI. It should be added that this mechanism can be replaced by another type of communication system depending on each Member State.

Peru considers that this proposal to amend CMM 05-2019 is supported, in addition to what is contemplated in Article 19 (2) (b) of the Convention, in the Sustainable Development Goals 14 " Conserve and sustainably use the oceans, seas and marine resources" (SDG 14), since it goes beyond the importance of the conservation and sustainable use of the oceans and seas and places its attention and importance on food security, on people and artisanal fishing communities that depend on hydrobiological resources and in the very future on States especially developing States that depend on hydrobiological resources. Even more so when it is recognized as target 14.7, which calls for "By 2030, increase the economic benefits to Small Island developing States and least developed countries from the sustainable use of marine resources, including through sustainable management of fisheries, aquaculture and tourism" and, as target 14.b, "Provide access for artisanal fishers to marine resources and markets".

It should be remembered that SDG 14 is one of the great priorities of the 2030 Agenda for Sustainable Development and for the Decade of Ocean Sciences for Sustainable Development (2021-2030), declared by the United Nations as it seeks to strengthen the development and implementation of science-based solutions for the management of fisheries, especially artisanal fisheries⁴.

On the other hand, it should be noted that the United Nations General Assembly declared 2022 as the International Year of Artisanal Fisheries and Aquaculture (IYAFA 2022), considered as an important recognition of the millions of small fishermen, aquaculturists and workers from fish, which provide healthy and nutritious food to billions of people and contribute to achieving the goal of "Zero Hunger" set by the United Nations Development Programme. In this context, Peru was elected President of the Committee for the International Year of Artisanal Fisheries and Aquaculture 2022, in which the Food and Agriculture Organization of the United Nations (FAO) also participates, with the commitment to continue promoting policies and actions for the sustainable development of artisanal fishing and aquaculture.

⁴ 2022 The international year of artisanal fisheries and aquaculture. Scoping paper on small-scale fisheries and aquaculture. Food and Agriculture Organization of the United Nations.

This event is also considered as an opportunity to enrich dialogue, increase the participation of small fishermen and aquaculturist and facilitate the establishment of alliances for the sustainable use of hydrobiological resources and their favourable impact on the economic, environmental and social environment. In this sense, the commitment assumed by Peru is relevant, since it will seek to work on policies that contribute to the development of the artisanal fishery.

Finally, the proposal is based on articles 6.18, 7.2.2, literal "c" and 12.12 of the Code of Conduct for Responsible Fisheries or the objectives of the International Action Plan to prevent, discourage and eliminate Illegal, Unreported and Unregulated Fishing by the Food and Agriculture Organization of the United Nations (FAO), among others.