

## 11<sup>TH</sup> MEETING OF THE SPRFMO COMMISSION

*Manta, Ecuador, 13 to 17 February 2023*

### COMM 11 – Doc 08

#### Report on Cooperation efforts and MoUs

*Secretariat*

Following Article 31 of the Convention, SPRFMO is committed to cooperating, as appropriate, with other regional fisheries management organisations, the FAO, with other specialised agencies of the United Nations, and with other relevant organisations on matters of mutual interest.

This paper reports on those efforts as well as the Arrangements and Memoranda of Understanding (MoUs) that SPRFMO has in place in order to consult, cooperate and collaborate with such other organisations. In addition, where an Arrangement/MoU is due for renewal a short summary of related activities is provided.

#### COMM11 is invited to:

- *note* the Secretariat's report on cooperation efforts and MoUs.
- *decide* if the MoU with WCPFC should be renewed.
- *decide* if the MoU with Red LAC de Pesca INDNR should be renewed.
- *consider* the status of the proposed MoU with NPFC and make any recommendations or comments it deems necessary.

#### Report on Arrangements and MoUs

As an organisation, SPRFMO has entered into 7 Arrangements and/or Memoranda of Understanding and the Secretariat has entered into 3 separate agreements to promote cooperation and ensure the effective functioning of the Secretariat (<https://www.sprfmo.int/cooperation/mous/>).

#### CCAMLR:

The Arrangement between SPRFMO and the Commission for the Conservation of Antarctic Marine Living resources (CCAMLR) to facilitate cooperation to advance objectives, particularly with regard to stocks and species of mutual interest was renewed on 17 February 2022 (for 3 years). Cooperation under the Arrangement has been active throughout 2022 and is described in Annex 1. The Secretariats are regularly in communication, and the Executive Secretaries were able to exchange information on recent developments during the margins of the 9<sup>th</sup> Regional Secretariats Network meeting in Rome in September 2022. The organisations have put in place reciprocal arrangements for observer status at relevant meetings.



### **CPPS:**

The MoU with the permanent Commission of the South Pacific (CPPS) was renewed on 18 March 2022. Under the MoU, CPPS engaged with the SPRFMO Scientific Committee on a proposed joint workplan to participate in each organisations scientific working groups, to share reports and catch data related to sharks and strengthen cooperation in respect of sharks and other resources of mutual interest ([SC10-Obs02](#)). SC10 accepted the proposed workplan as a good way to progress the MoU and requested that the Secretariat work with the CPPS Secretariat to advance the described workplan.

### **IMCS Network:**

The Mission of the [International MCS Network](#) is to promote and facilitate cooperation and coordination among Members through information exchange, capacity development and collaboration in order to achieve the improved effectiveness and efficiency of monitoring, control and surveillance activities in order to prevent, deter and eliminate IUU fishing and related fisheries activities on local, regional and international levels. In 2022, COMM10 endorsed a proposal for SPRFMO to join the IMCS Network and SPRFMOs application was formally accepted on 1st March 2022. The IMCS Network continues to support the Pan-Pacific Fisheries Compliance Network (The PPFNC is an informal group of RFMO compliance officers who work together towards establishing closer links and better enable networking with other colleagues primarily in the Pacific region who are facing similar compliance challenges in the fight against IUU fishing. The SPRFMO Compliance Manager is the current chairperson for the PPFNC). During 2022 the SPRFMO Compliance Manager attended the IMCS Network Executive Committee and Business Meeting and participated in a planning meeting for the upcoming Global Fisheries Enforcement Training Workshop.

### **IATTC:**

The MoU between SPRFMO and the Inter-American Tropical Tuna Commission entered into force on 27 January 2022 (for 3 years). An initial coordination web meeting was held on 9 February 2022 where staff from both Secretariats were able to meet each other virtually and better understand the individual workings of each organisation and recently IATTC has begun to provide input concerning jack mackerel bycatch into the SPRFMO jack mackerel stock assessment. During the Regional Secretariats Network meeting in Rome in September 2022 the Executive Secretary met the new IATTC Director in person (Mr Arnulfo Franco) and both expressed their desire to continue to take advantage of future opportunities to learn and share experiences.

### **WCPFC:**

The MoU between SPRFMO and the Western and Central Pacific Fisheries Commission (WCPFC) commenced on 6 August 2020 (for 3 years). A short summary of the main activities supported by the MoU over the past 3 years is as follows:

The Organisations are on each other's communication lists and regularly exchange meeting reports, information and other documents. Both organisations have access to each other's record of vessels and exchange information on vessels identified on the respective IUU vessel lists. The SPRFMO and WCPFC conservation and management measures share many common features, and the organisations seek to align these measures where appropriate. The SPRFMO Secretariat has hosted Ms Eidge Sharp (Assistant Compliance Manager) from WCPFC to converse on a range of matters of shared interest including observer programmes and the systems and processes which each organisation uses for monitoring fishing activity in the respective Convention Areas. The Compliance Managers have exchanged information on the compliance monitoring schemes and are in regular contact via their participation in the Pan Pacific Fisheries Compliance Network (PPFCN) and other compliance related initiatives (eg. the PEW series of expert workshops on best practices in Compliance, attendance at PSMA meetings). The SPRFMO Data Manager and the WCPFC ICT Manager have exchanged



information on internal developments related to each other's record of vessels, transshipment data exchange and information management systems. The organisations have reciprocal observer status, and the Secretariats take advantage of this to attend specific meeting sessions on topics of mutual interest. In addition, the Executive Secretaries have kept up informal communications throughout the year on lessons learnt and shared experiences and opportunities to enhance cooperation.

This MoU is due to end its operation on 6 August 2023 and before the end of the three year period, the organisations are to separately review the operation of the MoU to decide whether it should be renewed.

### **FAO-FIRMS:**

Since 2004, the Fisheries and Resources Monitoring System draws together a unified partnership of 14 international organizations and 19 regional fishery bodies (RFBs) aiming to provide access to a wide range of high-quality information on the global monitoring and management of fishery marine resources. The 7<sup>th</sup> Annual Meeting of the Commission of the South Pacific Regional Fisheries Management Organisation (SPRFMO) approved a [Partnership Arrangement](#) with the FIRMS, and during [FIRMS11](#), SPRFMO became the 15th FIRMS Partner. The backbone information of FIRMS consists of Excel based Marine Resource and Fishery inventories where information provided by the partners is organized in a database and published in the form of Fact sheets, under both a biological domain and a fisheries domain. Initial work on factsheets for SPRFMO was undertaken in 2021 and these factsheets are updated annually.

### **Red LAC de Pesca INDNR:**

On 27 January 2019 the MoU with the Technical Secretariat of the Network for the Exchange of information and shared experiences between Latin American and Caribbean countries to prevent, deter and eliminate Illegal, Unreported and Unregulated fishing (Red LAC de Pesca INDNR) commenced.

Since the commencement of the MoU there has been limited exchange between the Secretariats despite efforts from the SPRFMO side. The SPRFMO IUU Vessel List is automatically shared with Red LAC de Pesca INDNR, and the organisation represents an important network to facilitate the exchange of information and experiences for decision making to prevent, discourage and eliminate IUU fishing, through cooperation among its participating countries (many of whom are also SPRFMO Members: Peru, Chile, Panama, Ecuador and the USA). In the most recent communication (from 16 November 2022) Red LAC de Pesca INDNR indicated its intent to review the MoU however, as of 1 January 2023, there have been no further replies.

This MoU should have ended its operation on 27 January 2022 and in the MoU document there is an intent to separately review the operation of the MoU to decide whether it should be renewed.

### **US NOAA:**

On 16 September 2020, the SPRFMO Secretariat and the National Oceanic and Atmospheric Administration, U.S. Department of Commerce (US NOAA) signed a MoU to enable US NOAA to provide funds to the Secretariat to support the implementation of the SPRFMO's MCS measures and/or other SPRFMO activities for the next 5 SPRFMO financial years, including the observer program accreditation process, implementation of SPRFMO's vessel monitoring system, and other international MCS related goals for the conservation and management of SPRFMO's marine resources. In June 2022, following the successful use of the first set of funds, the Secretariat provided NOAA with a series of proposed options for utilising any available funds and this was followed up with a virtual meeting to discuss the proposed options in greater detail. As a result, US NOAA agreed to provide a second contribution of USD 100,000 in funds which will primarily be used to enhance the various reports and alerts available



in the Commission VMS as well as modest support for participation in regional MCS initiatives and potential opportunities to brief officers and crew involved in SPRFMO patrols.

### **RMIT University:**

The relationship agreement that the Secretariat signed with the RMIT University is aimed at translating documents such as the Convention of SPRFMO and other relevant documents into languages other than English. In 2022 the universities enrolments were again affected by the pandemic and as a result there was ultimately no capacity for the languages identified in Rule 10 of the Rules of Procedure. The Secretariat continues to work with RMIT in the framework of the Agreement to work towards producing translations of the SPRFMO Convention and other basic SPRFMO documents into other languages.

### **ACAP:**

The MoU between the Secretariat and the Secretariat for the Agreement on the Conservation of Albatrosses and Petrels (ACAP) came into effect on 28 October 2014. Its objective is to facilitate cooperation between both Secretariats, with a view to supporting efforts to minimise incidental catches of seabirds of interest to ACAP. ACAP is a regular attendee at SPRFMO meetings, including the Commission and Scientific Committee, and continues to support seabird risk assessments for the SPRFMO Area. The SPRFMO CMM 09-2017 (seabirds) reflects the ACAP best practices guidelines and notes that these guidelines are supported by ongoing research and improvements. During the recent RSN9 meeting in Rome in September, the SPRFMO Executive Secretaries with his counterpart in ACAP (Ms Christine Bogle) and they were able to discuss recent developments in the area of best practice mitigation for seabirds. As a follow up a face-to-face meeting was held in December 2022 in the Secretariats premises with the Chairperson of the Seabird Bycatch working group (Mr. Igor Debski) to discuss options for reviewing the relevant aspects of the SPRFMO CMMs (considering recent the developments) and continue to strengthen the exchange of expertise, techniques and knowledge relevant to the conservation of albatrosses and petrels in the SPRFMO Convention Area.

### **Memorandum of understanding with NPFC:**

In 2020 the Secretariat presented a proposal (COMM8-Prop22) for a MoU with the North Pacific Fisheries Commission to facilitate, where appropriate, consultation, cooperation and collaboration between SPRFMO and NPFC in order to advance their respective objectives, particularly with respect to matters of common interest. COMM8 revised the original proposal and agreed that this MoU should be progressed.

Unfortunately, the 2020 NPFC meeting was postponed due to complications arising from the COVID 19 pandemic. In 2021, the Secretariat submitted an observer paper to the NPFC (NPFC-2021-COM06-OP01) however, due to time limitations, the NPFC Commission agreed to discuss cooperation with other organizations intersessionally. During 2021 and 2022 SPRFMO Executive Secretary has kept in contact with the NPFC Secretariat and was prepared to attend the 2022 NPFC meeting to support the MoU proposal but ultimately this meeting was also postponed. Hence the status of the proposed MoU remains unchanged since 2020. The Executive Secretary has reached out to the new Executive Secretary of NPFC (Dr Robert Day) with an eye towards the upcoming NPFC Commission meeting scheduled to begin on 22 March 2023 in Sapporo, Japan. A copy of the proposed MoU (updated with current personnel) is in Annex 2.



### External projects/inputs:

- FAO-ABNJ Deep-Seas Fisheries Project
  - Expert meeting on review of the Deepsea fisheries guidelines
  - Deep-Seas Fisheries inception workshop
- UN annual Contribution to Oceans and the Law of the Sea
- [Other external meetings](#) attended by Secretariat staff are listed on the SPRFMO website

### Outreach to non-Members and non-CNCs:

- Angola, included as observers into General communications – COMM11 Invitation
- Colombia, included as observers into General communications – COMM11 Invitation
- Federate States of Micronesia – COMM11 Invitation
- Fiji – COMM11 Invitation
- France Territories, included as observers into General communications - COMM11 Invitation
- Japan, included as observers into General communications –SC10 and COMM11 Invitation
- Kiribati – COMM11 Invitation
- Marshall Islands – COMM11 Invitation
- Nauru – COMM11 Invitation
- Niue – COMM11 Invitation
- Palau – COMM11 Invitation
- Papua New Guinea – COMM11 Invitation
- Samoa – COMM11 Invitation
- Solomon Islands – COMM11 Invitation
- Tonga, included as observers into General communications – COMM11 Invitation



## Annex 1: Cooperation between SPRFMO and CCAMLR

Year: 2022

Area of cooperation	Arrangement reference	Supporting actions
Exchange of meeting reports and other documents of mutual interest	Section: 2i.	SPRFMO – CCAMLR are included in each other's distribution list advising re: publication of reports, adoption of relevant CMMs and availability of meeting papers. The Secretariats hold a regular catch-up meeting in mid-April each year.
Data and Scientific exchange: (Authorised vessels)	Section: 2ii.a	Publicly available and on each other's website. The Data Managers from each organisation have compared the two authorised vessel lists and exchanged experiences on operational requirements and processes.
Data and Scientific exchange: (IUU vessels)	Section: 2iib Annex 1: A3	Publicly available and on each other's website. Each are included in distribution lists referred to under 2i. Both Compliance Managers are keeping a watching brief on external discussions concerning cross listing and are active in the IMCS network.
Data and Scientific exchange: Catch, bycatch and vessel information and data – consistent with rules of each organisation	Section: 2iic Annex 1: A1.b	Tag information – tags released and recaptured in the SPRFMO Area was exchanged in [to be determined] to be available as an input into stock assessments. Catch data from SPRFMO relevant to CCAMLR are included in Member reports [refer to 2022 SC reports] and papers to WG-FSA (see WG-SAM-2021, paragraph 3.29 – to update).
Cooperate to harmonise approaches: Target, bycatch and associated and dependant spp	Section: 2iiia Annex 1: A1.a	All three of SPRFMO toothfish CMMs specify CCAMLR protocols. Tags provided direct to industry from CCAMLR.
	Section: 2iiia Annex 1: A2.a	CDS information and summary data provided to SPRFMO (most recently [to be determined]), subsequent exchanges will be in [to be agreed] each year). SPRFMO Members to continue to apply the CDS (Toothfishing Members are Chile, EU-Spain & NZ).



Area of cooperation	Arrangement reference	Supporting actions
Cooperate to harmonise approaches: MCS/VMS	Section: 2iib	<p>Bilateral exchanges regularly take place between Compliance Managers of both organisations and often include exchanges with other organisations (eg. WCPFC, NPFC &amp; IATTC).</p> <p>Both participate in the Pan-Pacific Fisheries Compliance Network (PPFCN).</p> <p>The CCAMLR Compliance officer presented information on CCAMLRs CDS to the 2021 SPRFMO Port Stat Working Group and participated in their discussions on improving the implementation of the PSMA.</p>
Collaborate on analyses and research	Section: 2iv	CMM14a-2019 (NZ) requires SPRFMO collected data to be shared with CCAMLR.
	Section: 2iv Annex 1: A4.	<p>Scientific observer exchanges: SPRFMO Observer programme just beginning/MRAG has assessed the first 6 programs and we expect they will assess 3 this year. The SPRFMO CMM requires all participating programmes to be accredited prior to 2025.</p> <p>CCAMLR holds regular tagging/observer/conversion factor workshops and by involving SPRFMO these could be a good opportunity to reduce duplication and further standardise practices.</p>
Methods to support each other's CMMs/CMs	Section: 2v	<p>Cross cutting goal addressed by cumulative effect of other activities.</p> <p>CCAMLR keeping SPRFMO appraised of progress with its strategic plan for its data assets.</p>
Observer status	Section: 2vi	<p>Reciprocal observer status has been granted.</p> <p>Each organisation regularly nominates shared parties who attend each other's meetings.</p>
Consultative process	Section: 3	<p>CCAMLR and SPRFMO Secretariats report on their meetings and take additional opportunities for instance on the margins of the Regional Secretariats Network meetings.</p> <p>Both Secretariats felt that a worthy proposal for Member consideration would be an extension on the Areas of Cooperation to include HR/FAC type considerations.</p>



## Annex 2: Proposed Memorandum of Understanding between SPRFMO and NPFC



### Memorandum of Understanding between the South Pacific Regional Fisheries Management Organisation (SPRFMO) and the North Pacific Fisheries Commission (NPFC)

The South Pacific Regional Fisheries Management Organisation (hereafter SPRFMO) and the North Pacific Fisheries Commission (hereafter NPFC):

**Acknowledging** that the objective of the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean (hereafter SPRFMO Convention) is, through the application of the precautionary approach and an ecosystem approach to fisheries management, to ensure the long-term conservation and sustainable use of fishery resources and, in so doing, to safeguard the marine ecosystems in which these resources occur;

**Acknowledging** also the objective of the Convention on the North Pacific Fisheries Commission (hereafter NPFC Convention) is to ensure the long-term conservation and sustainable use of the fisheries resources in the Convention Area while protecting the marine ecosystems of the North Pacific Ocean in which these resources occur;

**Recognising** that Article 21 of the NPFC Convention requires to cooperate, as appropriate, on matters of mutual interest with relevant regional organizations or arrangements, especially with those regional fisheries management organizations or arrangements with responsibility for fisheries in marine areas near or adjacent to the NPFC Convention Area;

**Recognising** further that Article 21 of the NPFC Convention calls upon the NPFC to take into account the conservation and management measures or recommendations adopted by regional fisheries management organizations and arrangements and other relevant intergovernmental organizations that have competence in relation to areas adjacent to the NPFC Convention;

**Recognising** also that Article 31 of the SPRFMO Convention requires the SPRFMO Commission, *inter alia*, to cooperate, as appropriate, with other relevant organisations on matters of mutual interest and to seek to make suitable arrangements for consultation, cooperation and collaboration with such other organisations;

**Conscious of the fact** that the areas that fall within the purviews of the SPRFMO Convention and NPFC Convention are geographically adjacent to each other;

**Noting** that both the SPRFMO and the NPFC have conservation and management principles and approaches addressing non-target, associated or dependent species which belong to the same ecosystem as the target species;

**Desiring** to put in place a mechanism to promote and facilitate cooperation between SPRFMO and NPFC;

**Intend** to enter into the following Memorandum of Understanding (MoU):



## 1. Objective of this Memorandum

The objective of this MoU is to facilitate, where appropriate, consultation, cooperation and collaboration between SPRFMO and NPFC ('the Organisations') in order to advance their respective objectives, particularly with respect to matters of common interest.

## 2. Areas Of Cooperation

The Organisations should establish and maintain consultation and cooperation in respect of matters of common interest. The Organisations intend to:

- i. exchange meeting reports, information, documents and publications regarding matters of mutual interest, consistent with the confidentiality rules and information sharing policies of each Organisation;
- ii. exchange data and scientific information in support of the work and objectives of both Organisations, consistent with the confidentiality rules, information sharing policies and internal data security procedures of each Organisation including, but not limited to, information on:
  - a) vessels authorised to fish in accordance with conservation and management measures adopted under the SPRFMO and NPFC Conventions;
  - b) vessels identified as having engaged in illegal, unreported and unregulated (IUU) fishing activity and the IUU Vessel Lists established by each Organisation;
  - c) relevant stocks and species consistent with data use, access and confidentiality rules of each Organisation;
  - d) identifying scientific cooperation synergies between the SPRFMO multiannual scientific work plan and the NPFC research plans, and where appropriate co-sponsoring existing/new scientific research on mutual interest.
- iii. cooperate to harmonise approaches in areas of mutual interest and concern, including, but not limited to:
  - a) bycatch of non-target, associated and dependent species (ecologically related species);
  - b) monitoring, control and surveillance policies and systems, including with respect to Vessel Monitoring Systems;
  - c) administration and structure of observer programmes including information management policies;
  - d) compatibility of the conservation and management measures adopted by the Organisations.
- iv. consider methods of recognising and supporting conservation and management measures adopted under the SPRFMO Convention and the NPFC Convention;
- v. cooperate to strengthen the compliance review procedures in accordance with each Organisation's Compliance and Monitoring Scheme;
- vi. consistent with each Organisation's rules of procedure, grant reciprocal observer status to representatives of the respective Organisations in relevant meetings of each Organisation, including those of each Organisation's subsidiary bodies;
- vii. exchange on expertise gained, lessons learned and use of best practices between the Organisations Secretariats' in their areas of activity.

### 3. Consultative Process

To facilitate effective development, implementation and enhancement of cooperation, the Organisations may establish a consultative process between their respective Secretariats that includes telephone, email and any other means of communication. The consultative process may also proceed in the margins of meetings at which both Organisations' Secretariats are represented by appropriate staff.

### 4. Modification

This MoU may be modified at any time by the mutual written consent of both Organisations.

### 5. Legal Status

This MoU does not create legally binding rights or obligations. Each Organisation should cover their own costs related to the implementation of this MoU.

This MoU does not alter the obligations of members of either Organisation to comply with the conservation and management measures adopted under respective Conventions.

### 6. Others

This MoU should commence on the date of the second signature.

Either Organisation may discontinue this MoU by giving six months' prior written notice to the other Organisation.

This MoU should operate for three (3) years. Before the end of the three-year period, the Organisations will separately review the operation of this MoU to decide whether it should be renewed.

### 7. Signatures

Signed on behalf of the South Pacific Regional Fisheries Management Organisation and the North Pacific Fisheries Commission:

FOR THE SOUTH PACIFIC REGIONAL  
FISHERIES MANAGEMENT  
ORGANISATION (SPRFMO)

FOR THE NORTH PACIFIC FISHERIES  
COMMISSION (NPFC)

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Mr Craig Loveridge  
Executive Secretary

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Dr Robert Day  
Executive Secretary

Place:

Place:

Date:

Date: