12TH MEETING OF THE SPRFMO COMMISSION

Manta, Ecuador, 29 January to 2 February 2024

COMM 12 – Prop 03

PROPOSAL TO:

☐ Amend ☒ Create	DECISION XX-2024 on WORKING GROUP ON THE USE OF BOTH THE ENGLISH AND SPANISH LANGUAGES

Submitted by: ECUADOR

Summary of the proposal:

This proposal aims to gradually advance in the implementation of the use of Spanish language in the work of the Commission. Stepwise, the most immediate need relates to the use of Spanish interpretation in the Commission, Scientific and subsidiary bodies meetings, and translation into Spanish language of the webpage constitutional and management measures to be available. Later, as funds are available and the Staff capacities allow it, the official communications between the Commission and the CNCPs could be translated into Spanish language. Proponents understand that this purpose can be achieved by means of a Commission administrative decision and does not imply an amendment to the Convention, as the objective of non-discriminatory participation is clearly enshrined in its spirit. The appropriation of funds for this purpose is set at a limited amount that when exhausted, Members and CNCPs are encouraged to increase from extraordinary contributions. A fund is also created to strengthen the financial ability of the Commission for achieving the objectives of this decision.

Upon the adoption of this decision, the Commission can expect to see increased participation of scientists and fisheries managers from Spanish Speaking Members, CNCPs and eventual new CNCPs from Latin American countries, so enhancing the work of the Commission and contributing to the achievement of the objectives of the SPRFMO Convention.

Objective of the proposal:

The objective of the proposal is to implement a Decision to use as a second language in the SPRFMO (South Pacific Regional Fisheries Management Organization) could be linked to several strategic purposes:

1. Inclusivity and Participation: Facilitate active and equitable participation of Spanish-speaking countries in SPRFMO deliberations and decision-making processes.
2. Effective Communication: Improve communication among member states by ensuring that key information, reports, and relevant documents are available in Spanish, promoting a more comprehensive and accurate understanding.
3. Access to Information: Facilitate access to SPRFMO information and resources for Spanish speakers, contributing to a more informed and active participation of these countries in the organization's activities and policies.
4. Promotion of Linguistic Diversity: Recognize and promote the linguistic diversity of member states, reflecting SPRFMO's commitment to the inclusion of all linguistic communities in the region.
5. Strengthening Bilateral Relations: Enhance bilateral relations and cooperation between Spanish-speaking countries and other SPRFMO members by reducing language barriers.
6. Consistency with the Region: Align with the linguistic reality of the region, where Spanish is widely spoken, thus strengthening the cultural and linguistic connection with member states.

7. Promotion of Transparency: Increase transparency and accountability by providing information in Spanish, ensuring that decisions and policies are understandable to all member states.
8. Facilitating the Participation of Experts and Delegates: Facilitate the participation of experts, delegates, and representatives from Spanish-speaking countries in SPRFMO meetings, conferences, and events by offering documentation and communication in their native language.

Ultimately, the implementation of Spanish as a language in SPRFMO aims to promote equity, effective collaboration, and inclusive participation of all member states, regardless of their primary language.

Has the proposal financial impacts or influence on the Secretariat work?	☒ Yes ☐ No
Ref: COMM12-PROP03	Received on: 10 December 2023

SPRFMO
South Pacific Regional Fisheries Management Organisation

DECISION XX-2024

USE OF BOTH THE ENGLISH AND SPANISH LANGUAGES IN OFFICIAL COMMUNICATIONS AS WELL AS SIMULTANEOUS INTERPRETATION DURING SCIENTIFIC AND COMMISSION MEETINGS

The Commission of the South Pacific Regional Fisheries Management Organisation;

RECALLING that Article 3, paragraph 1 (a), sub-paragraphs (i), (iv), (v), (viii), and (ix), Article 8 and Article 19, paragraphs 3 (c) and 5 of the Convention recognize the efficient, non-discriminatory and participative interaction of Members and CNCPs for the conservation and management of the fishing resources, as well as the work of the Commission and its subsidiary bodies;

NOTING THAT the SPRFMO Convention Area´s most representative fishery zone borders the EEZ of the countries of Central and South America, whose communities are characterized by their Spanish mother language and their condition as developing States, therefore requiring use of the Spanish language to better understand the work of the Commission and better participate in the joint work, as stated in Article 19, paragraph 3 (c) of the Convention, being paragraph 5 of the same Article an unequivocal expression of the length of such effort to ensure effective participation of developing States in the work of the Commission;

TAKING INTO ACCOUNT the principles of non-discrimination and full participation of the States that share interests in the fishing resources in the High Seas in the International Law, as they are reflected in article 119.3 of the United Nations Convention on the Law of the Sea of 10 December 1982 and in article 8.3 of the United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks;

DESIRING to strengthen the work of the Commission;

ADOPTS the following Decision:

1. For the purposes of this decision, “official communications” are the written communications issued by the Executive Secretary or by the Members and CNCPs whose contents may be relevant for decision-making, information, and/or compliance purposes and which are regarded as being in the common interest for the Commission´s work.

2. For the purposes of this decision, “Commission meetings” are virtual, in-person, or hybrid meetings convened by the Chairperson appointed by the Commission, which are held for analyzing, exchanging views, or deciding on the matters of the Commission, in accordance with the Rules of Procedure in force.

3. It is decided that a program to gradually facilitate the use of Spanish language be implemented in phases as follows:

    a) In 2024, the Commission shall ensure that Spanish interpretation in the Commission, Scientific and subsidiary bodies meetings is available, and the constitutional documents and management measures texts are available in Spanish language also.

    b) By 2026, as funds are available and the Staff capacities allow it, the official communications between the Commission and the CNCPs are translated into Spanish language

4. The Executive Secretary is hereby authorized to seek and hire the translation and interpretation services required, consistent with this decision.

5. The Commission shall allocate in the annual budget up to NZ$ ….(equal to US$40.000) for the English and Spanish interpretation services needed for the implementation of this decision, prioritizing its use for the Commission Meeting and the Compliance and Technical Meetings. For the purposes of translation of documents, the sum of up to …….. NZ$ (equal to US$20.000) shall be allocated.

6. The above appropriation of funds shall be executed in the fiscal year 2024-2026 at a limited basis. The Executive Secretary shall inform the Members and CNCPs when funds have been exhausted. Should this event occur, Members and CNCPs are encouraged to provide extraordinary funds to the Commission that facilitate interpretation and translation as envisioned by this decision.

7. It is further decided to create a fund, administered by the Secretariat, with voluntary contributions obtained from Members, CNCPs, or from national and international bodies or entities with the purpose of strengthening the financial capacity of the Commission for ensuring interpretation and translation in English and Spanish languages.

8. This decision does not modify Rule 10 of Procedure, nor does it prejudice the use of other languages in accordance with such Rule.