

12TH MEETING OF THE SPRFMO COMMISSION

Manta, Ecuador, 29 January to 2 February 2024

COMM 12 – Prop 04

PROPOSAL TO:

<input type="checkbox"/> Amend <input checked="" type="checkbox"/> Create	DECISION XX-2024 on RULES OF PROCEDURE FOR PARTICIPATION OF OBSERVERS IN SPRFMO MEETINGS
Submitted by: ECUADOR	
<p>Summary of the proposal:</p> <p>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 CNCs 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 CNCs 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.</p> <p>Upon the adoption of this decision, the Commission can expect to see increased participation of scientists and fisheries managers from Spanish Speaking Members, CNCs and eventual new CNCs from Latin American countries, so enhancing the work of the Commission and contributing to the achievement of the objectives of the SPRFMO Convention.</p>	
<p>Objective of the proposal:</p> <p>The purpose of this proposal is to introduce observer fees for participants attending SPRFMO meetings, drawing inspiration from successful practices employed by other Regional Fisheries Management Organizations (RFMOs), such as the Inter-American Tropical Tuna Commission (CIAT) and the Western and Central Pacific Fisheries Commission (WCPFC).</p>	
<p>Has the proposal financial impacts or influence on the Secretariat work? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>Ref: COMM12-PROP04</p>	<p>Received on: 10 December 2023</p>

DECISION XX-2024

Rules of Procedure for Participation of Observers in SPRFMO 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. Objective:

The purpose of this Decision is to introduce observer fees for participants attending SPRFMO meetings in order to cover the administrative costs associated with the presence of observers at meetings, ensuring the smooth functioning of these critical sessions.

2. Observer Fees:

- 2.1 Introduce a reasonable observer fee to be paid by individuals representing observer organizations at SPRFMO meetings.
- 2.2 The fee will cover administrative expenses, including meeting logistics, materials, and related support services.

3. Fee Structure:

- 3.1 Establish a tiered fee structure based on the type and duration of the meeting attended, ensuring fairness and proportionality.
- 3.2 Consider offering reduced fees for non-profit organizations or developing countries to encourage broad participation.



4. Transparent Process:

- 4.1 Clearly communicate the introduction of observer fees, including the rationale and the specific breakdown of administrative costs covered.
- 4.2 Provide detailed information on the payment process and deadlines to ensure a smooth and transparent transaction.

5. Funds Allocation:

- 5.1 Clearly outline how the collected fees will be allocated towards meeting-related administrative expenses.
- 5.2 Ensure accountability and transparency in the use of funds, possibly through periodic financial reports.

6. Benefits:

- 6.1 **Financial Sustainability:** Observer fees will contribute to the financial sustainability of SPRFMO meetings, reducing the burden on the organization's budget.
- 6.2 **Resource Optimization:** Allocating fees to administrative costs allows SPRFMO to optimize resources and focus its budget on core functions and initiatives.
- 6.3 **Standardization with Best Practices:** Aligning with other successful RFMOs in implementing observer fees reflects a commitment to best practices in financial management.

7. Implementation

The Commission tasks the FAC to explore the feasibility and potential benefits of implementing observer fees. This can be discussed further during upcoming meetings in 2025 or through dedicated working groups focused on financial sustainability.