12TH ANNUAL MEETING OF THE SPRFMO COMMISSION

Manta, Ecuador, 29 January to 02 February 2024

COMM 12 – Report ANNEX 9a
Report of the Chairperson of the COMM12 Jack Mackerel Working Group

Monday, 29 January 2024 – 16:05 to 17:10

- The working group was opened with comments from the Chair encouraging transparent and inclusive discussions throughout the coming week in order to reach a decision on allocations by consensus.
- The working group discussed and reached consensus that the recommendation of the SC for an overall increase of 15% to the Jack Mackerel TAC be accepted in line with the agreed stock rebuilding program.
- The issue of banking and borrowing was discussed, several members agreed that the idea was good and noted that the SC had made a recommendation that the banking and borrowing system with a limit of 10% of a member's annual allocation would have minimal impact on the overall TAC. Some members expressed concern that those with smaller allocations would be limited, other members felt that the MSE process was a more appropriate forum to discuss banking and borrowing.
- The review panel findings were discussed with specific attention paid to the issue of procedural discrimination against the Russian Federation and "similarly situated members".
- Duration of a future allocation decision was discussed, some members felt that 10 years was too long as the Review panel commented on the short duration of negotiations compared to the long term of the agreement. Others commented that each decision is built on the discussions and negotiations over the last 10 years, other members commented that a longer duration provided stability.

Wednesday, 31 January 2024 – 11:00 to 12:15

- The working group opened with several comments in support of the EU proposal on CMM 01-2023 as a starting point for negotiations. It was noted that this proposal contained elements that specifically addressed the recommendations and spirit of the Review panel report.
- The issue of "similarly situated members" was discussed. The Chair shared with the working group that after discussions with all delegations, it was generally agreed that this group of similarly situated members included Russia, Korea, China, EU, Peru. It was noted that Chile is also part of this group.
- Members commented that although the term "similarly situated members" was mentioned in the report of the review panel, it was not a recommendation. Other members noted that "similarly situated members" was included in the findings and should be a basis for our discussions.
- One member shared that Korea had sent a letter in support of the Chilean proposal.
- Several nations reiterated the urgent need to respond to the review panel's findings.
- The discussion moved into the topic of a base year from which to start allocation proceedings. Some members felt 2022 was appropriate as the 2023 decision had been objected to, other members felt 2023 was a more appropriate base to start our discussions as it was a decision of the commission, and is not erased by the review panel's findings.
- The issue of banking and borrowing was again discussed. Many members felt it was a common way to improve fisheries management but that it should be discussed more in the future.
- One member noted the importance that all members read the entire report of the review panel and consider the report as a whole.
- Vanuatu offered a revised version of its proposal on CMM 01-2023. The working group agreed that there was insufficient time in the current session to discuss a revised proposal and an additional evening session was agreed.

Wednesday, 31 January 2024 - 17:30 to 18:10

- Vanuatu presented its proposal.
- Some members felt that the proposal did not take into account the full spirit of the review panel report.
- Other members asked for additional time to consider the proposal.
- Some members expressed a preference to use 2022 as a basis for discussions as opposed to 2023, which served as the basis for the Vanuatu proposal.

Thursday, 1 February 2024 – 18:30 to 23:30

- A brief discussion was held on how to open negotiations.
- After several interventions, it was agreed that the revised proposal of Vanuatu and the proposal of the EU would be displayed on the screen side by side.
- Detailed interventions were exchanged on the points of both proposals by several delegations.
- Delegations discussed different options to modify one table or the other to benefit the Members considered in the "similarly situated member" group.
- The EU sent a revised table to its proposal to try and assist in furthering the discussions.
- Many delegations thanked the EU for its hard work in trying to capture all of the concerns of the members and the recommendations of the review panel. Vanuatu appreciated that the method used was more sophisticated and included consideration not only of participation history but also considered actual catch. Some delegations expressed their appreciation for the work but noted that additional work needed to be done to make the proposal acceptable.
- Members expressed their opinions on the numerical limits of what they were willing to accept in order to continue moving forward with the discussions.
- Chile presented a revised table to its proposal, it noted that it was built on the foundation of the EU proposal with regards to addressing the panel recommendations and expressed willingness to continue moving forward with the discussions.
- Some members commented that this proposal did not address their specific needs.
- The working group was suspended so members could further contemplate the proposals that had been discussed.

Friday, 2 February 2024 – 08:00 to 09:12

- The working group convened at 08:00
- One delegation was unable to attend the session as they were in discussions with their capital.
- The group waited until 09:12 when the session was suspended.