

**6th Meeting of the Commission
Lima, Peru, 30 January to 3 February 2018**

COMM6-Report ANNEX5: Final Compliance Report

(COMM6-Doc06)

Reporting period to which this report refers: 2016/17
(being 1 November 2016 – 31 October 2017)

Date report prepared: 25 January 2018

The SPRFMO Conservation and Management Measures which have been assessed include:

- CMM 01-2017 (*Trachurus murphyi*)
- CMM 02-2017 (Data Standards)
- CMM 03-2017 (Bottom Fishing)
- CMM 04-2017 (IUU List)
- CMM 05-2016 (Record of Vessels)
- CMM 06-2017 (Commission VMS)
- CMM 07-2017 (Port Inspection)
- CMM 08-2013 (Gillnetting)
- CMM 09-2017 (Seabirds)
- CMM 10-2017 (Compliance Monitoring Scheme)
- CMM 11-2015 (Boarding and Inspection)
- CMM 12-2017 (Transshipment)
- CMM 13-2016 (Exploratory Fisheries)
- CMM 14-2016 (Exploratory Toothfish fishing)
- CMM 15-2016 (Stateless Vessels)

The obligations under the Convention which have been assessed include:

- Articles 24, 25 and 26 of the SPRFMO Convention

Note, assessments of possible compliance issues are made using the best information available at this time.

In the following tables, a blank cell indicates that an obligation was “not applicable”.

Table 1: Possible Compliance Issues for CMM 01-2017 (*Trachurus murphyi*)

Member/ CNCP	2015/16 Compliance Status (Para)	2016/17 Assessments	2016/17 Compliance Status
China	Compliant	Secretariat Assessment: The April 2017 monthly catch report was received 3 months late (Para 11 and 16). Comment by Member/CNCP: China will pay more attention to monthly catch report next year.	Non-Compliant, No further action
Ecuador	Compliant	Secretariat Assessment: The 2017 annual report describing 2016 fishing activities was provided 1 month late (during the SC meeting) (Para 18). Comment by Member/CNCP: We apologize to the Commission for the late delivery of the report, this was due to internal logistical problems and we hope not to commit them again in the future.	Non-Compliant, No further action
European Union	Non-Compliant (11, 16)	Secretariat Assessment: The May 2017 monthly catch report was received 6 days late (Para 11 and 16). Comment by Member/CNCP: The 6 days' delay of the May 2017 monthly catch report was due to an administrative oversight. We apologize for this. We have instructed the relevant services to apply additional caution about the applicable deadlines in the future.	Non-Compliant, No further action
Korea	Non-Compliant (11, 16, 18)	(Not applicable)	Compliant
Panama	Priority Non-Compliant (11, 15, 16)	(Paras 11, 16) Secretariat Assessment: Based upon received transshipment notifications, 4 Panama reefers were active in the Jack mackerel fishery during November (2016) and during April, June, July, August & September of 2017. However, no monthly reports have been received for these periods. (Para 15) Secretariat Assessment: Panama has not submitted any VMS data for its reefer vessels that operating during 2016/17 in the Jack mackerel fishery. Comment by Member/CNCP: No Comment	(Para 11, 16) Seriously/Persistently non-Compliant, Compliance Remedy, to provide the outstanding information and data, within 30 days (Para 15) Seriously/Persistently non-Compliant, Compliance Remedy, to provide the outstanding information and data, within 30 days
Russian Federation	Non-Compliant (18)	(Not applicable)	Compliant

Member/ CNC	2015/16 Compliance Status (Para)	2016/17 Assessments	2016/17 Compliance Status
Vanuatu	Compliant	<p>Secretariat Assessment: The 2017 annual report describing 2016 fishing activities was provided 1 month late (during the SC meeting) (Para 18).</p> <p>Comment by Member/CNC: Submission was delayed because of ongoing attempts to acquire the full data set from Vanuatu flag vessels.</p>	Non-Compliant, No further action

Table 2: Possible Compliance Issues for CMM 02-2017 (Data Standards)

Member/ CNC	2015/16 Compliance Status	2016/17 Assessments	2016/17 Compliance Status
China	Non-Compliant (1e)	<p>Paragraph 1(a) - Secretariat Assessment: The 2016 Annual catch data was provided after 30 September (20 days late).</p> <p>Comment by Member/CNC: China will pay more attention to reporting requirements next year.</p>	Para 1(a) Non-Compliant, No further action
		<p>Paragraph 1(e) - Secretariat Assessment: 1) 2016 fishing activity data (Trawl) has not yet been provided to the Secretariat 2) 2016 fishing activity data (Squid jigging) was provided for 97 vessels. However, China's annual report indicates that 276 squid vessels were actively Squid jigging during 2016. The email that was sent with the data contained the following note "This data file does not cover all the Chinese fishing vessels, because lots of fishing vessels have operated in the high seas since last year and these fishing companies cannot submit the fishing logbook on time." The Secretariat acknowledges that the 2016 provided data were consistent with the appropriate Annex (previously 5*5 data was provided) 3) 2016 Transshipment data do not contain information on GIS (Squid) Transshipments.</p>	Para 1(e) Non-Compliant, No further action (Trawl)
		<p><i>Note that this was not-assessed last year and the CTC asked the Commission to clarify ambiguity of relevant obligation; with the result that paragraph 1e was modified (refer section 6 of COMM5 report).</i></p>	Para 1(e) Non-Compliant, Compliance review (Squid jigging)
		<p>Comment by Member/CNC: -China Overseas Fisheries Association (COFA) and SHOU were authorized by the Chinese government to jointly undertake the CJM and GIS fishing activities data collection. The CJM fishing activities data were submitted to the Secretariat in accordance with requirements of CMM02-2017. But it is difficult for Chinese squid jigging vessels to meet the requirements of CMM 02-2017 absolutely in such a short time, because there are hundreds of squid jigging vessels fishing in the South Pacific area, it needs much more time and effort to collect all the data required by the CMM from the vessels. China will continue working on the improvement of the squid data collection so as to meet requirements of CMM 02-2017 completely. -Regarding the 2016 fishing activity data (Trawl), I wrote a email contains observer data, fishing data, transshipment data and landing data of Trawl_2016 by the end of June 2017. But the email may not have been delivered successfully to your mailbox, I attached the data files to the report. China will pay more attention to data reporting next year. - Because of the huge number of Chinese authorised squid jigging vessels in SPRFMO Convention Area and fishing activity on the high seas throughout the year, it is hard to submit all squid transshipment data and fishing activities data on time. However, we are improving the data collection and reporting procedure gradually. 2016 transshipment data(squid) has been attached to this report.</p>	Para 1(e) Non-Compliant, No further action (Transshipment)

Member/ CNCP	2015/16 Compliance Status	2016/17 Assessments	2016/17 Compliance Status
		<p>Paragraph 2(d) - Secretariat Assessment: The 2016 observer data (trawl) has not been provided to the Secretariat yet</p> <p>Comment by Member/CNCP: COFA and SHOU have a programme for the observers' training, selection, dispatch, etc. Each year 1-2 scientific observers are dispatched to Chinese CJM fishing vessels. The annual observer implementation report will be submitted to the Secretariat before the deadline in CMM02-2017 and also it will be described in national report I wrote a email contains observer data, fishing data, transshipment data and landing data of Trawl_2016 by the end of June 2017. But the email may not have been delivered successfully to your mailbox, I attached the data files to the report. China will pay more attention to data reporting next year.</p>	Para 2(d) Non-Compliant, No further action
Liberia	Non-Compliant (1e)	(Not applicable)	Compliant
Panama	Non-Compliant (1e)	<p>Secretariat Assessment: 2016 transshipment data was supplied 45 days late</p> <p>Comment by Member/CNCP: No Comment</p>	Non-Compliant, No further action
New Zealand		<p>Secretariat Assessment: New Zealand's 2016 annual catch data was provided 9 days late.</p> <p>Comment by Member/CNCP: No Comment</p>	Non-Compliant, No further action
Russian Federation	Non-Compliant (1a, 1e,2d)	(Not applicable)	Compliant
Vanuatu	Compliant	<p>Para 1e Secretariat Assessment: 2 vessels were fishing during 2016, fishing activities were provided one month late and only for one vessel.</p> <p>Para 1e Comment by Member/CNCP: The tow by tow data of Frigg was supplied on time to Vanuatu but the datafile was corrupt. Efforts to get a replacement data file were thwarted by the sale of both vessels. Odin's data was submitted when it became apparent that Frigg's data would not be forthcoming in time.</p> <p>Para 18 (Jack mackerel) Secretariat Assessment: The Annual SC report did not contain a section for the annual observer implementation reports.</p> <p>Para 18 (Jack mackerel) Comment by Member/CNCP: This was an oversight. The observer report would have identified that the vessels both used tori lines for seabird mitigation (although there was no requirement for these vessels to do so).</p>	<p>Para 1e Non-Compliant, No further action</p> <p>Para 18 (Jack mackerel measure) Non-Compliant, No further action</p>

Table 3: Possible Compliance Issues for CMM 03-2017 (Bottom Fishing)

Member/ CNCP	2015/16 Compliance Status	2016/17 Assessments	2016/17 Compliance Status
Cook Islands	Compliant	Secretariat Assessment: The Cook Islands submitted a proposal for a potting fishery on 3 August 2017 (being 9 days late) (Para 17). Comment by Member/CNCP: No Comment	Non-Compliant, No further action
European Union	Compliant	Secretariat Assessment: On the 9 and 10 November 2016, the TRONIO used bottom fishing methods in the SPRFMO Area (Para 8) Comment by Member/CNCP: Please refer to SPRFMO Note Ref: 181-2017 of 17 November 2017.	Priority non-Compliant, no further action

Table 4: Possible Compliance Issues for CMM 04-2017 (IUU List)

Member/ CNCP	2015/16 Compliance Status	2016/17 Assessments	2016/17 Compliance Status
Russian Federation	Compliant	Secretariat Assessment: A port inspection carried out by Korean authorities during November 2016 indicated that the MYS MARII (a Russian Federation flagged vessel which is on the SPRFMO IUU List) had been issued licenses to fish for Halibut by the fishery agency of the Russian Federation using longline gear (para 13) Comment by Member/CNCP: No comment	Not assessed, Commission to clarify obligation and if necessary to amend relevant provision. The CTC would welcome any further information that the Russian Federation would like to provide.

Table 5: Possible Compliance Issues for CMM 05-2016 (Record of Vessels)

Member/ CNCP	2015/16 Compliance Status	2016/17 Assessments	2016/17 Compliance Status
Chile	Non-Compliant (8)	(Not applicable)	Compliant
China	Non-Compliant (6,7)	<p>Secretariat Assessment: China has provided images for 62% of its authorised fleet (last year 34%) and 7 of China's currently authorised vessels are missing IMO numbers (last year 8%) (Para 6).</p> <p>Comment by Member/CNCP: Now China has already provided images for all Chinese authorised vessels. Please refer to email on 21st and 22nd Dec 2017 to Secretariat. 7 Chinese authorised vessels namely HONG RUN 58, JIN HAI 799, LU YAN YUAN YU 016, LU YAN YUAN YU 017, ZHONG YUAN YU 11, ZHONG YUAN YU 16, ZHONG YUAN YU 17 are missing IMO numbers on the RFV. JIN HAI 799 was scrapped, it could be deregistered from RFV, and IMO number of LU YAN YUAN YU 017 is 8708268. Until now 5 of China's currently authorised vessels are missing IMO numbers, LU YAN YUAN YU 016, ZHONG YUAN YU 11, ZHONG YUAN YU 16, ZHONG YUAN YU 17 were bought from Japan 30 years ago, and renamed for many times, the original vessel name and hull number cannot be found, this greatly affects IMO application. HONG RUN 58 cannot obtain the IMO number also due to lack of required information.</p>	Non-Compliant, no further action, considering explanation provided by China and commitment to continue to try to obtain IMO numbers
Cook Islands	Non-Compliant (2,3,4)	<p>Secretariat Assessment: The 2017 Cook Islands Implementation report does not address the requirements of paragraphs 2,3 or 4.</p> <p>Comment by Member/CNCP: No comment (update provided during the meeting)</p>	Compliant
Cuba	Compliant	<p>Secretariat Assessment: Because Cuba has never submitted an Implementation report the Secretariat does not know whether Cuba is complying with paragraphs 2,3 and 4.</p> <p>Comment by Member/CNCP: No comment</p>	Non-Compliant, Compliance review (provide information that enables Secretariat to make assessment)
Korea	Non-Compliant (6)	(Not applicable)	Compliant
Liberia	Non-Compliant (6)	(Not applicable)	Compliant

Member/ CNCP	2015/16 Compliance Status	2016/17 Assessments	2016/17 Compliance Status
Panama	Non-Compliant (2,3,4,6)	<p>Para 2,3,4 Secretariat Assessment: The Secretariat is unable assess whether there may be a compliance issue because Panama has not submitted an implementation report (Paras 2,3,4).</p> <p>Para 6 Secretariat Assessment: Three of Panama's vessels are without images (MING HANG, TAI FU No.1 & TAI FU No.3) (Para 6).</p> <p>Comment by Member/CNCP: No Comment</p>	<p>Para 2,3,4 Non-Compliant, no further action</p> <p>Para 6 Non-Compliant, Compliance review (outstanding images to be provided within 1 month)</p>
Peru	Non-Compliant (6)	<p>Secretariat Assessment: Peru has provided IMO numbers for 75 vessels (Last year 70%) out of 98 and Peru has provided images for 68 of its currently authorised vessels (last year 79%) (para 6).</p> <p>Comment by Member/CNCP: Vessels with IMO: Regarding the IMO numbers, the request to the owners of the 23 vessels has been reiterated so they can send the information from their respective IMO numbers as soon as possible. The documents are: Oficio N° 278-2017-PRODUCE/DGPAPPA, Oficio N° 279-2017-PRODUCE/DGPAPPA, Oficio N° 280-2017-PRODUCE/DGPAPPA, Oficio N° 279-2017-PRODUCE/DGPAPPA So far, we are monitoring the aforementioned communications. We look forward to receiving such information shortly.</p> <p>Authorised Vessels with Images: with reference to the images of the vessels, it should be specified that to date it has been sent images of 85 vessels, having an advance percentage of 87% as of December 2017, missing only images from 13 vessels. (to be updated) During 2017 the following images were sent by email to the SPRFMO Data Manager: 05/26/2017, vessels: Chiara, Don Lucho II and Graciela. 10/26/2017, vessels: Brunella II, Chimbote 1, Cristina, Incamar 1, Incamar 2, Incamar 3 and San Fernando. On the other hand, the request to the owners has been reiterated with the following documents: Oficio N° 278-2017-PRODUCE/DGPAPPA, Oficio N° 279-2017-PRODUCE/DGPAPPA, Oficio N° 281-2017-PRODUCE/DGPAPPA So far, we are monitoring the aforementioned communications. We look forward to receiving the images shortly.</p>	<p>Non-Compliant, no further action, considering explanation provided by Peru and commitment to continue to try to obtain outstanding IMO numbers & image</p>
Russian Federation	Compliant	<p>Secretariat Assessment: The Russian Federation 2016/17 implementation report indicates that the Russian Federation does not maintain register of fishing vessels entitled to fly its flag and authorised to fish in the SPRFMO Area (Para 4)</p> <p>Comment by Member/CNCP: No Comment.</p>	Compliant

Table 6: Possible Compliance Issues for CMM 06-2017 (VMS)

Member/ CNCP	2015/16 Compliance Status	2016/17 Assessments	2016/17 Compliance Status
No possible Compliance issues			

Table 7: Possible Compliance Issues for CMM 07-2017 (Port Inspections)

Member/ CNCP	2015/16 Compliance Status	2016/17 Assessments	2016/17 Compliance Status
Chile	Compliant	<p>Secretariat Assessment: The 3 inspection report summaries were received on 9 June 2017 outside the 15-day timeframe specified in Paragraph 22 (being 8, 9 and 24 days late). The associated email contained the following comment “The delays in reporting times are due to internal coordination failures, however we hope that this will not happen again. They do not record detection of non-compliances to CMMs.” (Para 22)</p> <p>Comment by Member/CNCP: Three port inspection reports were sent late because of administrative coordination failures caused by staff recently hired at the National Fisheries and Aquaculture Service in different regions where ports are located. Arrangements have been made to avoid delays in the future submission of those reports.</p>	Non-Compliant, no further action
Cook Islands	Non-Compliant (Various)	<p>Secretariat Assessment: The 2017 Cook Islands Implementation report does not address the requirements of paragraphs 5,8, 9 ,13, 15,16a, 22, 24, 28 & 35.</p> <p>Comment by Member/CNCP: Port unloads of SPRFMO Species not expected.</p>	Compliant
Cuba	Non-Compliant (Various)	<p>Secretariat Assessment: The Secretariat is unable assess whether there may be a compliance issue because Cuba has not submitted an implementation report (Various)</p> <p>Comment by Member/CNCP: No Comment</p>	Non-Compliant, Compliance review (provide information that enables sec to make assessment)

Member/ CNCP	2015/16 Compliance Status	2016/17 Assessments	2016/17 Compliance Status
Ecuador	Non-Compliant (22)	<p>Secretariat Assessment: At this time, the Secretariat has not received any summaries for the 26 port inspections conducted by Ecuador (Para 22)</p> <p>Comment by Member/CNCP: Attached you can find the summaries of the port inspections. (All 26 Port inspections were conducted on Tuna vessels under IATTC regulations).</p>	Compliant
Peru	Compliant	<p>Secretariat Assessment: According to Peru's 2016/17 implementation report Peru has conducted 14 Port Inspections but thus far no summaries have been submitted to the Secretariat.</p> <p>Comment by Member/CNCP: Vessels inspected: Have been made 14 port inspections to 8 vessels of foreign flag (77 OCEAN, HSIAN LAI FU, TAH YUAN N°11, N° 103 BADA, 5 DONG IL, KWUAN JA HO, YAN YU 659, 707 AMOR) Reports transmitted (Port Inspectios): Regarding the 14 port inspections carried out on foreign flagged vessels, 12 inspections were carried out for transshipment of jack mackerel, mackerel and jumbo flying squid, captured within the SPRFMO area, and 2 inspections were carried out for the transshipment of the Calamar Illex, caught in a different area than the SPRFMO. Find attached to this report the inspections which were carried out to the foreign fishing vessels in the format of the Annex III from the CMM 07-2017. Additionally, find enclosed the formats used in Peru with the corresponding signatures. It's necessary to mention that Peru has the intention to adopt the format of the Annex III in its national regulation.</p>	Non-Complaint, no further action
Russian Federation	Non-Compliant (5,9)	(Not applicable)	Compliant

Table 8: Possible Compliance Issues for CMM 08-2013 (Gillnets)

Member/ CNC	2015/16 Compliance Status	2016/17 Assessments	2016/17 Compliance Status
Ecuador	Compliant	<p>Secretariat Assessment: Ecuador's 2017 Implementation report indicates that vessels have transited the SPRFMO Area, however no details have been provided to the Secretariat (Para 2)</p> <p>Comment by Member/CNC: There are vessels that transited the SPRFMO Area, but with other fishing gears such as Purse seiners. It is important to know that Ecuador does not register fishing activity in the SPRFMO Convention Area, due to the fact that we do not have a significant quota to develop the fisheries covered in this ROF. That means we don't have activities with large-scale pelagic driftnets and all Deepwater gillnets in the Convention Area.</p>	Compliant

Table 9: Possible Compliance Issues for CMM 09-2017 (Seabirds)

Member/ CNC	2015/16 Compliance Status	2016/17 Assessments	2016/17 Compliance Status
Korea	Non-Compliant (8)	(Not applicable)	Compliant
Vanuatu	Non-Compliant (8)	<p>Secretariat Assessment: The 2016/17 Implementation report indicates that the observers are not required to report seabird interactions and the SC annual report did not contain a section on seabirds (Para 9).</p> <p>Comment by Member/CNC: Administrative oversight, observers are required to report on seabird interactions.</p>	Non-Compliant, no further action

Table 10: Possible Compliance Issues for CMM 10-2017 (CMS)

Member/ CNCP	2015/16 Compliance Status	2016/17 Assessments	2016/17 Compliance Status
Cook Islands	Priority Non-Compliant (5)	Secretariat Assessment: The 2016/17 Implementation report was provided 17 days late and did not use the agreed template (Para 5). Comment by Member/CNCP: Cook Islands commits to provide Implementation report IR using the template next year.	Non-Compliant, no further action
Cuba	Priority Non-Compliant (5)	Secretariat Assessment: Cuba has not submitted a 2016/17 implementation report so far (Para 5). Comment by Member/CNCP: No Comment	Seriously/Persistently non-Compliant, refer to Executive Summary for specific actions
Faroe Islands	Compliant	Secretariat Assessment: The 2016/17 Implementation report was provided 30 days late (Para 5). Comment by Member/CNCP: Due to internal processes, the implementation report from the Faroe Islands was late. This is unfortunate and we will seek to improve our procedures for next year's report.	Non-Compliant, no further action
Korea	Non-Compliant (5)	(Not applicable)	Compliant
Panama	Priority Non-Compliant (5)	Secretariat Assessment: To date, the Secretariat has not received Panama's 2016/17 implementation report (Para 5). Comment by Member/CNCP: No Comment	Seriously/Persistently non-Compliant, refer to Executive Summary for specific actions

Table 11: Possible Compliance Issues for CMM 11-2015 (Boarding and Inspection)

Member/ CNCP	2015/16 Compliance Status	2016/17 Assessments	2016/17 Compliance Status
Russian Federation	Compliant	Secretariat Assessment: The 2016/17 implementation report does not indicate how the Russian Federation has complied with these provisions (Para 1) Comment by Member/CNCP: No Comment	Compliant
Vanuatu	Compliant	Secretariat Assessment: The 2016/17 Implementation report does not indicate how Vanuatu has complied with these provisions (Para 1). Comment by Member/CNCP: No Comment	Compliant

Table 12: Possible Compliance Issues for CMM 12-2017 (Transshipment)

Member/ CNCP	2015/16 Compliance Status	2016/17 Assessments	2016/17 Compliance Status
China	Non-Compliant (2,4)	Secretariat Assessment: Observer transshipment monitoring data as required under paragraph 6 has not been provided to the Secretariat yet (Para 6)) Comment by Member/CNCP: Observer transshipment monitoring data has been attached to this report.	Non-Compliant, no further action
European Union	Non-Compliant (4)	(Not applicable)	Compliant
Korea	Non-Compliant (4)	Secretariat Assessment: The Secretariat is aware that some Korean vessels conducted transshipments outside the SPRFMO area with unauthorised vessels (Agenda item 6c) (Para 2) Comment by Member/CNCP: In February 2017, Korean flagged fishing vessels conducted transshipment on the high seas outside of the Convention Area a few months after they had targeted jumbo flying squid in the Convention Area. In this process, Korea recognized the difficulty of applying provisions of CMM 12-2017 to the unloading and receiving vessels involved in the transshipment due to lack of clarity in the CMM. To address the issue of ambiguity, Korea would like to amend the CMM 12-2017 to be applicable to the transshipment,	Not assessed, Commission to clarify

Member/ CNCP	2015/16 Compliance Status	2016/17 Assessments	2016/17 Compliance Status
		whether it occurs within or outside of the Convention Area.	
Panama	Non-Compliant (4,8)	<p>Secretariat Assessment:</p> <p>1) Only 5 Transhipment notifications have been received during 2017 and all were received between 1 and 3 months after the expected date of transhipment (rather than 12 hours prior) (Para 4).</p> <p>2) Nine Transhipment details files have been received. All of which were received on a single day during August 2017 meaning that all were outside the timeframe of 7 days after the transhipment event(s). In addition, transhipment activities have been carried out since August for which there are no reports (Para 8)</p> <p>Comment by Member/CNCP:</p> <p>No Comment</p>	Priority Non-Compliant, Compliance Action Plan (Panama to provide outstanding data within 1 month)
Russian Federation	Non-Compliant (3)	<p>Secretariat Assessment:</p> <p>The Secretariat is aware that Russian Federation vessels conducted a transhipment outside the SPFRMO area with an unauthorised vessel (refer to Agenda item 6c) (Para 2).</p> <p>Comment by Member/CNCP:</p> <p>No Comment</p>	Not assessed, Commission to clarify
Vanuatu	Priority Non-Compliant (3) Non-Compliant (4)	(Not applicable)	Compliant

Table 13: Possible Compliance Issues for CMM 13-2016 (Exploratory Fisheries)

Member/ CNC	2015/16 Compliance Status	2016/17 Assessments	2016/17 Compliance Status
Cook Islands	Compliant	Secretariat Assessment: The Cook Islands submitted a proposal for a potting fishery on 3 August 2017 (being 9 days late). Comment by Member/CNC: No Comment	Non-Compliant, no further action

Table 14: Possible Compliance Issues for CMM 14-2016 (Exploratory Toothfish Fishing – NZ Only)

Member/ CNC	2015/16 Compliance Status	2016/17 Assessments	2016/17 Compliance Status
No possible Compliance issues			

Table 15: Possible Compliance Issues for CMM 15-2016 (Stateless Vessels)

Member/ CNC	2015/16 Compliance Status	2016/17 Assessments	2016/17 Compliance Status
No possible Compliance issues			

Executive summary of the Final Compliance Report (assessing 2016/2017)

The Commission adopted the CTC's Provisional Executive Summary without amendments.

Implementation Reports and Compliance Action Plans

None of the Members or CNCPs who were requested to provide a Compliance Action Plan in 2017 for not submitting an implementation report had provided such a plan. Despite this, the CTC noted that there was a decrease in the number of Members and CNCPs who did not submit an implementation report from four in 2017 to two in 2018. The CTC strongly encouraged the submission of implementation reports from all Members and CNCPs. Failing to report any information compromises the effectiveness of CMMs and the ability for the Commission to meet its objectives under the Convention.

Follow up actions

The CTC recommended to the Commission that unless otherwise stated in the Provisional Compliance Report:

- a. Members and CNCPs that were asked by the CTC to prepare a Compliance Review, shall transmit to the Secretariat any missing information, if the relevant information has not yet been provided, within 90 days after the end of the Commission Meeting 2018.
- b. Members and CNCPs that were asked by the CTC to prepare a Compliance Action Plan shall provide the Secretariat with detailed information on the steps taken to respond to and rectify the non-compliance and/or improve the implementation of the relevant obligations, within six months after the end of the Commission Meeting 2018.

The CTC noted that it had included the compliance status of 'seriously/persistently non-compliant' for the first time. Noting that it was unclear what specific steps should be taken as part of a preparing a Compliance Action Plan and a Compliance Remedy in accordance with Annex I of CMM 10-2017, the CTC recommended that further guidance could be provided in relation to these follow up actions. In addition, the CTC requested that the Commission task the Commission Chairperson and, where possible without requiring additional resources, the Secretariat, to communicate bilaterally with the Member and CNCPs with repeated non-compliance issues. CTC advised that this outreach should be directed at explaining the importance of this report and better understanding impediments to engagement and offering assistance, as appropriate.

Possible amendments or improvements to existing CMMs to address implementation or compliance difficulties

The CTC recorded a status of "not assessed" regarding the compliance of two Members in relation to the obligation contained in CMM 12-2017 due to uncertainty expressed as to whether this obligation concerns transshipments outside the Convention Area. The CTC recommends that the Commission consider clarifying these obligations.

The CTC also recorded a status of "not assessed" regarding the obligation in CMM 04-2017 in relation to the possible compliance issue identified in relation to the Russian Federation. Noting the difficulty in applying the measure to these circumstances, the CTC recommends the Commission consider clarifying the relevant obligations and if necessary amend the relevant provision.

Other observations

The CTC was pleased to see some improvements in representation at the CTC meeting compared with 2017 which facilitated the assessment task. The CTC took a consistent approach to including a 'non-compliant' status in cases where a reporting deadline or timeframe had not been met. Members agreed to the suggestion that discussions of the Draft Compliance Report would be expedited if the CTC Chairperson, with the assistance of the Secretariat, could pre-populate the Draft Compliance Report with a status of 'non-compliant' with 'no further action' required, if the obligation has been met two weeks prior to the commencement of the CTC session.

The CTC identified a source of confusion in relation to the Secretariat's assessments provided in relation to compliance with obligations in CMM 11-2015. The CTC recommends that the Secretariat provide a more thorough explanation for its assessments against this measure to avoid confusion in the future.

Summary table for the 2018 Final Compliance Report (which assessed 2016/17)

Table 16 below shows a Status of Compliance for each Member (or CNCP) versus each SPRFMO Conservation and Management Measure. *Note that where a Member has 2 compliance issues within a single CMM, only the most serious compliance status as defined in Annex I of CMM 10-2017 is shown.*

This year there has been a decrease in the number of CMMs with compliance issues (33 last year, dropping to 26).

Table 16: Overall Compliance Status for each Member and CNCP vs the SPRFMO CMMs

Assessed CMM (2018)	01-2017	02-2017	03-2017	04-2017	05-2016	06-2017	07-2017	08-2013	09-2017	10-2017	11-2015	12-2017	13-2016	14-2016	15-2016
Australia															
Chile															
China															
Cook Islands															
Cuba															
Ecuador															
European Union															
Faroe Islands															
Korea															
New Zealand															
Peru															
Russian Fed.															
Chinese Taipei															
United States															
Vanuatu															
Liberia															
Panama															
2018 Final CMS	5	4	2	0	4	0	3	0	1	4	0	2	1	0	0
2017 Final CMS	4	4	0	0	8	n/a	4	0	2	5	0	6	n/a	0	0
2016 Final CMS	9	9	2	1	8	n/a	6	0	6	8	n/a	n/a	n/a	n/a	n/a

KEY: Compliant, Non-compliant, Priority non-compliant, Seriously/Persistently non-compliant