

7TH MEETING OF THE COMMISSION

The Hague, The Netherlands, 23-27 January 2019

COMM 7 – Doc 07

Performance Review Recommendations concerning the Commission

Commission Chairperson

1. Background

Noting paragraph 17 of Decision 06-2018 which provides that “*the final report and the conclusions of the Commission and each of its subsidiary bodies shall be placed on the SPRFMO website*”.

The Commission records its response to the Performance Review Recommendations (addressing the Commission) as follows:

2. Assessment of the Commission

Paragraph	Recommendation of the Panel <i>This only refers to recs seeking action – eg ‘recommends’ or ‘encourages’ or ‘urges’</i>	Responsible body	Commission Response
Conservation and management			
<i>3.1 –Status of fishery resources</i>			
51 (b)	Recommends that the Commission maintain a precautionary approach to setting catch limits for the Jack mackerel stock.	COMM	
<i>3.2 Ecosystem Approach</i>			
68 (b)	Recommends that the Commission apply a highly precautionary approach to fishery management decisions in the absence of sufficient information to permit the application of an ecosystem approach to management.	COMM	



<i>3.3 Data Collection and Sharing</i>			
100 (b)	Recommends the Commission and Scientific Committee regularly review data collection requirements to ensure they align with the needs of new or revised CMMs, while recognising the challenges to SPRFMO database management through the addition of new data collection, access and storage requirements and Notes the need for investment in building the capacity of the SPRFMO database to meet these challenges.	COMM SC FAC	
100 (c)	Recommends that the Commission strengthen the timelines for the submission and independent verification of catch and effort data for the Jumbo flying squid fishery and Urges such measures to be adopted together with a general management measure for that fishery.	COMM SC	
100 (d)	Recommends that the Commission implement more effective and comprehensive bycatch data collection and reporting, particularly but not limited to dependent and associated species in each fishery and identified species of concern, the collection of sufficient biological data to support the development of reliable stock assessments for all fisheries, and the extension of data collection programmes to include environmental data and other data to assist in estimating potential impacts on non-target species.	COMM SC	
100 (f)	Recommends that the Commission review, as a matter of priority, dataset sharing processes and procedures, both for data exchange within SPRFMO and externally, and provide specific guidance to the Secretariat with a view to removing impediments to the exchange and sharing of data.	COMM SC	
100 (g)	Recommends that the Commission work towards a standardisation of scientific data collection processes and procedures for observers across the different fisheries, and consider mechanisms to harmonise coordination of data collection with other regional and/or sub-regional observer programmes.	COMM SC	
<i>3.4 Quality and provision of scientific advice</i>			



108 (a)	Recommends that the Commission take urgent action to implement management measures for the Jumbo flying squid fishery, and for precautionary measures to be put in place until sufficient information is available to undertake a reliable stock assessment.	COMM SC	
<i>3.5 Adoption of CMMs</i>			
166 (d)	Recommends that the Commission take urgent action to update the management measures for bottom fisheries, adopt a precautionary approach to the conservation of all deepwater stocks, and implement a SPRFMO-wide approach to the management and protection of VMEs as a matter of priority.	COMM	
166 (e)	Commends the work undertaken thus far to minimise bycatch of seabirds and Recommends that the Commission extend the CMM relating to seabird bycatch to all fisheries in the SPRFMO Convention Area.	COMM	
166 (g)	Recommends that the Commission and its subsidiary bodies strictly apply the procedural and substantive requirements of CMM 13-2018 for all new and exploratory fishery proposals.	COMM SC CTC	
166 (h)	Recommends that the Commission review current efforts to give effect to Article 3(1)(a)(ii) to ensure impacts on non-target and associated or dependent species are taken into account, and Article 3(1)(a)(vii) which requires marine ecosystems to be protected, in particular those ecosystems which have long recovery times following disturbance.	COMM	
166 (i)	Recommends that the Commission develop conservation and management measures for species of concern, with particular priority to be given to measures to prevent adverse impacts of fishing activities on chondrichthyans.	COMM	
166 (j)	Recognises the difficulty of reaching allocation decisions, including in the Jack mackerel fishery, Considers that the Article 21 allocation criteria provide a solid foundation for decision-making, and Encourages the continued consideration of these criteria in making future allocation decisions for both Jack mackerel and other stocks.	COMM	



166 (k)	Recommends that the Commission develop a timeline for the implementation of measures to give full effect to Article 3(1)(a)(x) on measures to prevent pollution and waste originating from fishing vessels, discards, catch by lost gear or abandoned gear and impacts on other species and marine ecosystems.	COMM	
178 (b)	Recommends that the Commission maintain and enhance monitoring of fishing capacity systematically in all fisheries, especially where there is a risk that catch limits may be exceeded in future.	COMM	
178 (c)	Recommends that the Commission consider the implementation of fishing effort limits in the Jumbo flying squid fishery based on existing fishing capacity as a precautionary interim measure pending further scientific and management advice from the Scientific Committee.	COMM	
Compliance and Enforcement			
<i>4.1 Flag State Duties</i>			
202 (e)	Recommends the translation of those measures identified in d) above into the languages necessary to improve Members and CNCPs' understanding of their obligations;	COMM FAC	
202 (h)	Recommends that the Commission, in conjunction with the Secretariat, consolidate, and make publicly available, a list of capacity building needs and requests identified by Members and CNCPs in order to track progress, prioritise the needs and requests, and facilitate the ability of others to meet them.	COMM	
<i>4.3 Monitoring, Control and Surveillance</i>			
252 (f)	Recommends that the Commission prioritise hiring a professional staff member with compliance expertise to lead the Secretariat's efforts to implement the MCS measures already adopted and to analyse the data captured through these measures. <i>(see also recommendation 386(d))</i>	COMM CTC FAC	
<i>4.4 Follow-up on Infringements</i>			



278 (c)	Recommends a modest investment of resources to facilitate increased engagement of the SPRFMO Secretariat with colleagues from other RFMO Secretariats, which will provide a benefit to the Commission beyond the expenditure of resources in expertise gained, shared lessons learned, use of best practices and avoid spending time and money developing tools, templates, processes and procedures that already exist.	COMM CTC FAC	
278 (d)	Recommends additional engagement by the Commission with other international regional organisations that could serve as force multipliers on MCS issues (e.g., the Forum Fisheries Agency’s Regional Surveillance Centre).	COMM CTC	
Decision-Making and Dispute Settlement			
<i>5.1 Decision-making</i>			
304 (b)	Recommends that the Chair of the Commission continues to provide clear guidance on when attempts to achieve consensus have been exhausted.	COMM	
304 (c)	Recommends the continued use of informal discussions in attempts to achieve consensus.	COMM	
304 (d)	Notes the decision and observations on decision-making of the Article 17 review panel in 2018, and Urges their consideration by the Members.	COMM	
<i>5.3 Dispute Settlement</i>			
320 (g)	Recommends that Members consider making a special budgetary allocation at the first meeting following a use of the Article 17 review panel process to reimburse the SPRFMO budget in order to cover the costs associated with support to the most recent Article 17 review panel proceedings.	COMM FAC	
320 (h)	Recommends the Commission take steps to ensure the effective implementation of the findings of an Article 17 review panel at the first meeting following the decision of the panel.	COMM	
320 (k)	Notes the Commission in the wake of the 2013 use of the Article 17 review panel process indicated the process was intended as an unusual	COMM	



	occurrence, and Urges Members to continue to view the Article 17 review panel process in that light.		
International Cooperation			
<i>6.1 Transparency</i>			
328 (b)	Recommends that the Commission give consideration to developing a process for inviting observers to meetings where their participation would facilitate the meeting.	COMM	
328 (c)	Recommends that the Executive Secretary notify observers of the establishment of a review panel under Article 17 of the Convention and of the findings and recommendations of the review panel.	COMM	
338 (c)	Recommends that the Secretariat develop a communications strategy in order to enhance communications with Members, CNCPs and observers, to cost-effectively increase the visibility and profile of SPRFMO in the wider international fisheries community, and to ensure that there is a targeted approach to communications which bring direct benefits to the organisation.	COMM	
<i>6.2 Relationship with CNCPs</i>			
348 (a)	Recommends that further information is provided to CNCPs by the Commission on the benefits of becoming party to the SPRFMO Convention.	COMM	
348 (b)	Recommends that the Commission further encourages CNCPs to cooperate with the Commission in implementing its conservation and management measures, including data submission requirements, and that the Commission apply a consistent approach to the granting of CNCP status.	COMM	
<i>6.3 Relationship with non-members or non-CPs</i>			
353 (a)	Recommends that the Commission continue to encourage non-Members and non-CNCPs found to be fishing within the Convention Area to	COMM	



	cooperate with the Commission, including through requesting CNCP status.		
353 (b)	Urges the Secretariat to include in the SPRFMO Annual Administrative Report information on the outreach to non-Members and non-CNCPs that has been undertaken in the previous year.	COMM	
353 (c)	Recommends that Members and the Secretariat take a more proactive approach towards identifying those vessels of non-Members and non-CNCPs that are undertaking fishing operations in the SPRFMO Convention Area.	COMM	
<i>6.4 Cooperation with International Organisations</i>			
360 (b)	Recommends that the Commission develop a cooperation strategy which targets cooperation towards organisations and activities which would provide a direct benefit to SPRFMO.	COMM	
360 (c)	Recommends that in addition to the development of any necessary formal linkages through MOUs, the Secretariat engage informally with colleagues in other RFMOs to learn and share experiences of operational activities, not only in the MCS area as recommended above.	COMM	
<i>6.5 Special Requirements of Developing States</i>			
369 (b)	Recommends that the Commission and Secretariat encourage the use of the Developing States budget category for more than funding the attendance of participants from developing countries at SPRFMO meetings and that the Commission work to remove any impediments to accessing the Special Requirements Fund for technical assistance and capacity building.	COMM	
Financial and administrative issues			
<i>7.1 Availability of Resources for Activities</i>			
386 (c)	Encourages the Secretariat to prepare an estimate of the additional financial cost which is likely to arise from proposed conservation and management measures.	COMM FAC	



<i>7.2 Efficiency and Cost-Effectiveness</i>			
396 (b)	Recommends that the Commission, on advice of the Executive Secretary, give consideration to reviewing the structure of the Secretariat to ensure the most cost effective use of staff resources, and to investing additional resources in building the capacity of the Secretariat to analyse scientific and MCS data.	COMM FAC	
396 (c)	Recommends that the Commission set aside a half day for the Finance and Administration Committee in advance of the annual Commission meeting, and following the annual meeting of the Compliance and Technical Committee.	COMM FAC	