



# SPRFMO

South Pacific Regional Fisheries Management Organisation

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# 10<sup>TH</sup> COMPLIANCE AND TECHNICAL COMMITTEE MEETING REPORT

*7 to 10 February 2023*

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# 10<sup>TH</sup> MEETING OF THE COMPLIANCE AND TECHNICAL COMMITTEE

*Manta, Ecuador, 7 to 10 February 2023*

## CTC10 – Report

### 1. Opening of the Meeting

#### *a. Meeting Arrangements*

- 1 The CTC Chairperson, Ms Katherine Bernal (Chile), opened the 10<sup>th</sup> meeting of the Compliance and Technical Committee. She welcomed all participants and thanked Ecuador and the Secretariat for the work involved in preparing for the meeting. She noted that this will be the first meeting in three years that has been held in-person, albeit with a virtual option (hybrid modality).
- 2 The Rapporteurs (Mr Luis Ore and Mr Michael Cipoletti) were appointed. Interpretation was also provided for the meeting and the CTC was thankful to Ecuador for arranging for these services.
- 3 The Executive Secretary (Mr Craig Loveridge) detailed the meeting arrangements, and the local Ecuador meeting coordinator (Ms Dana Zambrano) detailed the local facilities available to delegates. The Executive Secretary noted the challenges associated with organising a Hybrid meeting.
- 4 The list of Participants is contained in Annex 1.

#### *b. Adoption of the Agenda*

- 5 **The CTC adopted** the agenda (CTC10-Doc01\_rev1) without modification (Annex 2). The CTC Chairperson presented and briefly overviewed the meeting programme (CTC10-Doc13\_rev1).

#### *c. Meeting Documents*

- 6 The CTC noted the List of Meeting Documents (CTC10-Doc03).

### 2. Matters Concerning Implementation of Current CMMs

#### *a. SPRFMO Fisheries.*

- 7 The Secretariat presented the SPRFMO Fisheries Implementation report (CTC10-Doc04\_rev2). The Data Manager (Dr Tiffany Vidal) explained that this implementation report replaces the former *Trachurus murphyi* Implementation Report and has been extended to cover implementation of the bottom fishing, squid, and exploratory fishery CMMs as well as the transshipment CMM (CMM12-2020).
- 8 The Data Manager noted that in 2022 there was an overcatch in the jack mackerel fishery (i.e., 959,029 t; 106.6% of the of the amount specified in paragraph 10 of CMM 01-2022). There were no implementation issues identified for jack mackerel, and the catch verification exercise showed strong agreement among the different data submissions (i.e., annual catch, monthly catch, fishing activity, transshipment, and landings).
- 9 There were no notable catch discrepancies among the different data submissions for the data provided for the squid, bottom, or exploratory fisheries; nor were there any issues encountered with the implementation of the squid and bottom fishing CMMs. It was noted that the catch thresholds for the bottom fishing measure, triggering a notification from the Secretariat, were not achieved in 2022.
- 10 The Data Manager noted the challenges associated with managing transshipment data, especially with respect to the squid fishery. Transshipment notifications, in particular, are a high-volume data stream with over 5,000 notifications and over 3,500 individual transshipment events reported in 2022. The current data management processes are inadequate to allow for monitoring data quality and compliance of transshipment activities.
- 11 The CTC noted the implementation report.



*b. Commission Record of Vessels*

- 12 The Data Manager presented the Commission Record of Vessels Implementation report (CTC10-Doc05\_rev1). She referred to the Commission request from last year to update the Record of Vessels to ensure that all mandatory data fields are complete for vessels authorised on the SPRFMO Record of Vessels.
- 13 The CTC acknowledged the information provided in this report and thanked the Secretariat for the support to progress the Commission’s request and for the continued effort and assistance throughout the year.
- 14 The Data Manager noted that the exercise to address data deficiencies in the Record of Vessels highlighted different interpretations regarding the time frame associated with updating vessel photographs. The Secretariat requested clarification from the CTC on the intent of this provision in the measure as well as guidance on the process for addressing currently authorised vessels that still have outstanding data deficiencies.
- 15 Regarding the exercise to update the Record of Vessels in accordance with the revised CMM 05-2022 **the CTC agreed** to review at its next meeting the list of vessels with outstanding data deficiencies as of 31 December 2022, but with respect to any additional information that had been provided to date. The CTC also resolved to continue discussions on clarifying the vessel photo requirements as part of the discussions on COMM10-Prop03.
- 16 The CTC noted the Implementation report.

*c. Commission VMS Implementation report*

- 17 The Secretariat’s Compliance Manager (Mr Randy Jenkins) presented the Commission VMS Implementation report (CTC10-Doc06). The Compliance Manager noted that the VMS was a useful and reliable tool for tracking vessels in the SPRFMO Convention Area. He noted that overall, vessel numbers had been more stable in 2022 with a peak during the 3rd quarter of the year. During the last year, there had been five requests for VMS data to support planned or active surveillance activities.
- 18 The VMS Implementation Report noted that one Member’s research vessel was a Navy vessel, and as such does not report, nor is tracked by the FMC. It was noted that the Commission VMS applies to all fishing vessels defined under the Convention and may include a range of vessel types.
- 19 The CTC thanked the Secretariat for the implementation report and for the efforts made to respond to last year’s feedback. The CTC noted the VMS Implementation Report.

*d. Port Inspection Implementation report*

- 20 The Secretariat presented the Port Inspection Implementation Report (CTC10-Doc07).
- 21 The CTC expressed its thanks to Members that carry out port inspections and was pleased with the high level of port Inspections, as well as the level of compliance detected from the port inspections.
- 22 The CTC noted its appreciation for the work of the Compliance Manager and considered the Secretariat suggestion to include at-sea inspections into a more general “inspections” implementation report replacing the current port inspection implementation report.
- 23 One Member expressed its opinion that the operations were not properly authorised and referred to its longstanding position regarding the boarding and inspections CMM. Some Members requested that the information concerning at-sea inspections be removed from the implementation report as it was not relevant for port inspections. Many Members noted that the Secretariat was factually reporting that at-sea inspections occurred and should be included in the port inspection implementation report.
- 24 Many Members noted that high seas boarding and inspections had been conducted for the first time in the SPRFMO Area with the United States conducting at-sea operations pursuant to CMM 11-2015 (Boarding and Inspection) and successfully inspecting two authorised SPRFMO vessels operating within the SPRFMO Area, one from China and another from Liberia. Many Members thanked the United States in the efforts for undertaking boarding and inspections and recognised the importance of this for effective MCS.



25 The CTC asked for the CTC10-Doc07 to be revised to remove activities beyond port inspections and noted the updated implementation report (CTC10-Doc07\_rev1). **The CTC agreed** that at-sea inspections be included in a broader inspections implementation report, after the adoption of a new high seas boarding and inspection CMM.

*e. SPRFMO Observer Programme*

26 The Secretariat presented the SPRFMO Observer Programme Implementation report (CTC10-Doc08) including the recommendations regarding accreditation of the Observer Programmes for China and CapMarine. Other Members are still advancing through the evaluation process.

27 Ecuador raised questions about the TunaCons Observer Programme, and indicated they were thought to be accredited. The confusion arose because Observer Programme contacts, provided by Members/CNCPs during the accreditation process are detailed on the SPRFMO website. The presence of contacts does not indicate accreditation; this was clarified with Ecuador and the website text was updated for clarity.

28 The Secretariat identified that the SPRFMO Observer accreditations are for a 5-year period after which re-evaluation is required. The Data Manager suggested that data quality criteria could be considered as part of the re-accreditation process; criteria which could potentially be developed by the proposed Data Working Group.

29 The CTC noted the revised implementation report and **recommended** that the Commission grant an accreditation for the observer programmes of China and CapMarine.

### 3. Assessment of Compliance of Members and CNCPs

*a. Consideration of the Revised Draft Compliance Report*

30 The Compliance Manager (Mr Randy Jenkins) introduced the revised Draft Compliance Report (CTC-Doc09). The Chairperson noted that, consistent with paragraph 11 of CMM 10-2020, the revised Draft Compliance Report had been reviewed in advance of the meeting and a status of “Non-Compliant, No Further Action” had been assigned to those situations that met the criteria.

31 The CTC reviewed each of the remaining potential compliance issues and the subsequent compliance status assigned for each issue is reflected in the Provisional Compliance Report (COMM11-WP07). As part of this review the CTC discussed the 2020/21 carry forwards from COMM10 (VMS and Exploratory Fisheries). In the case of VMS, the possible compliance issues were discussed on a case-by-case basis.

32 The CTC took a systematic approach to reviewing the potential compliance issues with CMM 06 -2020 (VMS) from both the 2020-21 and 2021-22 reporting periods.

33 The CTC noted that most VMS potential compliance issues had common circumstances (for example, similar technical issues, data provided late or in the wrong format) allowing them to be considered and assessed in a consistent manner.

34 In accordance with paragraph 11 of CMM 10-2020, the CTC Chairperson pre-assigned a status of ‘non-compliant’ and ‘no further action’ to Members/CNCPs where a reporting deadline or timeframe had not been met (where VMS data gaps occurred) and no further Member/CNCP action was required.

35 The CTC first considered whether the Member or CNCP met its obligations under relevant paragraphs of CMM 06-2022. This largely relied upon whether VMS data gaps existed for Members or CNCPs during the reporting period, the gap duration, and/or whether the issue related to the Secretariat’s VMS system. The CTC then used this consideration to determine whether the Member or CNCP was compliant or non-compliant with respect to its obligations.

36 After compliance or non-compliance had been determined, the CTC evaluated available information to inform the appropriate compliance status based on the criteria in CMM 10-2020, Annex 1. This included consideration of the length of VMS data gaps, the nature and level of Member or CNCP monitoring of and responses to its vessels’ VMS issues, and whether the data was subsequently provided to the



Commission.

- 37 **CTC10 recommended** that, in the future, the CTC use a similar approach when considering potential VMS issues in future compliance reports.
- 38 The CTC assigned a compliance status for all, but two, potential compliance issues identified in the draft compliance report. The two pending issues are referred to COMM11 for further consideration.
- 39 The CTC was unable to reach consensus on an appropriate compliance status for a potential compliance issue identified under CMM 11-2015 (Boarding and Inspection). One Member expressed its view that there could not be a compliance issue because that Member is not a contracting party to 1995 UN Fish Stocks Agreement and there was no procedure to conduct inspections in the SPRFMO Area, thus the boarding and inspection Member was not legally authorised to conduct HSBI activity and did not meet the requirements of the statement made by that Member on CMM 11-2015 which including the inspection vessels listing on the SPRFMO website and prior notification, the two fishing vessels are legally authorised fishing vessels and instructed by the authority of that Member to refuse the HSBI activity. Another Member questioned the ground to conduct the HSBI activity by the boarding and inspection Member.
- 40 Many Members clarified that the SPRFMO CMM on Boarding and Inspection did not rely on Members being party to the UN Fish Stocks Agreement (1995) and disagreed strongly with the interpretation by the Member whose compliance status was at issue. Many Members stated their view that the boarding and inspection Member had the right to board and inspect vessels in the SPRFMO Area in accordance with CMM 11-2015 and expressed gratitude to the United States for conducting boarding and inspection activities, as many Members do not have the capacity to do so themselves.
- 41 Many Members agreed that this was a clear case of non-compliance and some Members suggested that priority non-compliance was an appropriate status. The Member whose vessels were involved suggested its compliance status of “not assessed”.
- 42 An Observer expressed its view on the importance of a robust monitoring, control, and enforcement regime with appropriate follow-up.
- 43 The outstanding potential compliance issue with respect to CMM 13 (Exploratory Fisheries) carried forward from reporting period 2020-21 to CTC10, was considered. The CTC noted the work of the SC to evaluate patterns in species catch composition to better define the fisheries targeting jack mackerel, redbait, and alfonsino, to distinguish between target and bycatch species. Many Members noted one of the SC’s conclusion that (by)catches of alfonsino or redbait are inconsistent with the location, gear proximity to the depth, species composition and bathymetry as observed in the targeted fishery on Jack mackerel from 2007-2021 in the SPRFMO Convention area.
- 44 The relevant Member maintained that fishery is not defined in SPRFMO nor are there established bycatch levels, and therefore, its fishing actions were compliant with the current CMMs. That Member also noted that in accordance with international practice such as NAFO, for any one haul the species that comprises the largest percentage by weight of the total catch in the haul shall be considered has been taken in a directed fishery for the stock concerned. This Member also noted that alfonsino bycatch never dominated in catches on the haul-by-haul level in the 2020/2021 reporting period.
- 45 Many Members noted that the Russian Federation’s alfonsino catches were inconsistent with a directed jack mackerel fishery, but instead were indicative of a directed alfonsino fishery. They also noted that CMM 02 (data standards) requires vessels to report intended target species on a haul-by-haul basis and that the vessel had reported its intention to target jack mackerel.
- 46 As regards to the potential compliance issue related to the Russian Federation’s redbait catches in the 2021/22 reporting period, the Secretariat confirmed that it had issued advice to the Russian Federation that redbait had been subject to fishing in the previous ten years and therefore fell outside the scope of CMM 13 (DC24-2021). Many Members disagreed with the Secretariat’s interpretation that any quantity of catches, however small, could enable a directed fishery in the Convention area.





- 47 The relevant Member noted that redbait was subject to fishing in previous 10 years and in accordance with paragraph 4a of CMM 13-2021, it is not necessary to have an exploratory fishery. This statement was supported by written documentation from the Secretariat (DC24-2021).
- 48 **The CTC agreed** on a status of “not assessed” with respect to the catches of redbait with a further action that directed redbait fishing should not continue until catch advice from the SC and a CMM in place.
- 49 **The CTC recommended** to the Commission that directed redbait fishing should not continue until catch advice is received from the SC and a CMM is in place to manage such a fishery in a sustainable manner and in line with the precautionary approach. Additionally, CMM 13-2021 should be reviewed to ensure that SPRFMO’s fisheries continue to be managed sustainably.
- 50 A potential compliance issue was raised for New Zealand related to its exploratory toothfish fishery (CMM 14a-2019; paragraph 6) and the timing of fishing trips and catches relative to the spawning period. Members agreed that these activities were not a compliance issue, but instead reflect ambiguity in the measure. **The CTC agreed** on a status of “not assessed” with a further action to revise the CMM text for clarity at the next Commission meeting (COMM12).

#### *b. Follow-up actions taken since the last meeting*

- 51 The Secretariat presented document (CTC10-Doc10) summarising the actions taken by Members and CNCPs in response to issues identified from previous meetings requiring follow-up actions.
- 52 The CTC noted that there had been significant improvements in provision of port inspection reports by one Member and since 2022 this Member has provided all required information in accordance with CMM 07 (Port Inspections).
- 53 One Member who had not submitted its Implementation Reports for 2020/21 and 2021/22 confirmed that it will provide the implementation reports during this meeting. It further indicated that actions have been taken to improve this aspect of its reporting.
- 54 The CTC acknowledged improvement in the timely submission of Implementation Reports for some Members/CNCPs who had previously submitted late reports.
- 55 The CTC acknowledged that the last quarterly report from a Member concerning its vessel that was previously fishing in a closed VME area would be the final update from that Member as the court case is finished and penalties have been applied. The CTC thanked the Member for its actions and the quarterly reports.

#### *c. Development of Provisional Compliance Report*

- 56 The Secretariat, in consultation with the CTC Chairperson, developed the Provisional Compliance Report (COMM11-WP07) based on the CTC discussions and the 2023 Draft Provisional Compliance Report.
- 57 **The CTC agreed** to forward the Provisional Compliance Report (COMM11-WP07), the executive summary, and the compliance report matrix to the Commission for consideration and recommended that the Commission consider it as its Final Compliance Report, pending resolution of the two compliance issues that remain open.

## **4. Examination of Current and Draft IUU Vessel List**

### *a. Examination of the 2023 Draft IUU Vessel List*

- 58 The CTC examined the Draft IUU Vessel List. The Draft IUU Vessel list has two vessels (*Zhou Yu 929* and *Pu Yuan 755*) flagged to China. These vessels were proposed for listing on the IUU Vessel List by the United States for refusing to allow an at-sea boarding and inspection while operating in the Convention Area (in contravention of CMM 11-2015).





- 59 China expressed its appreciation for efforts of the United States and noted that there was a common interest to fight IUU fishing activities but explained that in its view, that there could not be a compliance issue because that Member is not a contracting party to 1995 UN Fish Stocks Agreement and there was no procedure to conduct inspections in the SPRFMO Area. Thus, the boarding and inspection Member was not legally authorised to conduct HSBI activity and did not meet the requirements of the statement made by that Member regarding CMM 11-2015 which includes the inspection vessels listing on the SPRFMO website and prior notification. The two fishing vessels are legally authorised fishing vessels and were instructed by the authority of that Member to refuse the HSBI activity. China supports further work on a SPRFMO-specific CMM on high seas boarding and efforts against IUU fishing activities. China disagreed with the United States' proposed listing on the Provisional IUU Vessel List.
- 60 Many Members agreed with the United States' position that the inspections were authorised and conducted in accordance with CMM 11-2015 (Boarding and Inspection) which incorporates the Articles 21-22 of the 1995 UNFSA. They agreed that the United States may conduct Boarding and Inspection activities in the Convention Area under the current CMM. These Members supported the inclusion of these vessels on the Provisional IUU List.
- 61 With respect to a SPRFMO registry of Inspection vessels, the United States noted that there is no requirement for this in the existing CMM, that the requirement to notify Members of the intention to conduct boarding and inspection was provided in compliance with Article 21 paragraph 4, and if the Commission adopts such a requirement in this regard, it will list its inspection vessels accordingly.
- 62 The CTC noted that there was no consensus to remove the vessels from the Draft IUU Vessel List therefore **the CTC adopted** the Provisional IUU Vessel List for submission to the Commission, while China expressed its disagreement on this Provisional IUU Vessel List.
- 63 The CTC noted that this discussion highlighted the need to advance the SPRFMO-specific provisions for at-sea boarding and inspection within CMM 11-2015.

#### *b. Examination of the Current (2022) IUU Vessel List*

- 64 The CTC noted that there are no vessels on the Current 2022 IUU Vessel List (CTC10-Doc11), and therefore, no discussions were held and no recommendations were made with respect to the current IUU Vessel List.

#### *c. Development of a 2023 Provisional IUU Vessel List*

- 65 As there was no consensus to remove the *Zhou Yu 929* and *Pu Yuan 755* from the Draft IUU Vessel List **the CTC decided** that the two vessels would be forwarded to the Commission for its considerations as part of the Provisional IUU Vessel List.

## 5. Assessment of CNCPs Applications

### *a. Current CNCPs*

- 66 The CTC considered the three applications for renewal of the CNCP status from Belize, Curacao and Liberia. **The CTC recommended** that all three applications be accepted by the Commission.

### *b. Other applicants*

- 67 There were no new applications for CNCP status.



## 6. Conservation and Management Measures (CMMs)

### a. Proposals to Amend current CMMs

#### i. COMM11-Prop12 regarding Deepwater Species (CMM 03a)

68 New Zealand introduced its proposal to amend CMM 3a on deepwater species. This proposal seeks to update the catch limits for orange roughy in the Louisville Ridge (and split into Central, North and South), West Norfolk Ridge, Lord Howe Rise and Northwest Challenger, based on the updated stock assessment (SC10-DW01\_rev1) and SC10 recommendations (SC10-Report). It also seeks to extend the catch limit for the Westpac Bank area from 2023 to 2024 fishing year due to an aborted voyage in 2022 to perform an acoustic biomass survey after COVID-19 was detected on the vessel and include an Annex describing the location of Fisheries Management Areas (FMAs). One Member noted that this needs more clarity for confirmation on the scientific basis to decrease the level of catch by this significant amount.

69 HSFG statement: “I want members to know that this will more or less end our fishing in SPRFMO area and will cost jobs. Please read our paper, I intend to comment more next week. This is ultra conservative and not warranted, we oppose this measure and ask for Status quo for the next 2 years while we carry out what is suggested in our paper”.

70 ECO NZ welcomed the proposal by New Zealand to reduce the orange roughy catch limits in line with SC advice. ECO NZ referred Members to the joint NGO observer paper COMM11-Obs07 for more detailed comments.

71 **The CTC recommended** that this proposal be forwarded to the Commission for its consideration.

#### ii. COMM11-Prop16 regarding Boarding and Inspections (CMM 11-2015)

72 The United States introduced its proposal to amend CMM 11 on Boarding and inspection. This proposal seeks to implement specific measures to govern high seas boarding and inspection of fishing vessels in the Convention Area, in accordance with Article 27 of the Convention. The proposal sets forth general obligations, provisions regarding interpretation and implementation, provisions regarding participation, specific boarding and inspection procedures, provisions regarding the use of force, provisions for inspection reports, provisions for serious violations, provisions for enforcement, provisions regarding annual reporting to the Commission, provisions regarding Commission coordination and oversight, and provisions regarding settlement of disagreements. The proponent noted that the current proposal is similar to the most recent proposed version except that some of the language around the use of force had been made consistent with similar language in the WCPFC.

73 The CTC thanked the United States for its proposal and supported SPRFMO-specific boarding and inspection procedures. Members are consulting on the final proposal text. One Member expressed concern about the use of force in the text of the proposal.

74 **The CTC recommended** that this proposal be forwarded to the Commission for its consideration.

#### iii. COMM11-Prop10 regarding Transhipments (CMM 12-2020)

75 Ecuador introduced its proposal to amend the CMM on Transhipment. This proposal seeks to standardise transhipment reporting in the Convention Area across all fisheries. Some Members expressed interest in continuing discussions with Ecuador about its proposal. Ecuador will provide a revised proposal based on comments from other Members.

76 **The CTC recommended** that this proposal be forwarded to the Commission for its consideration.



iv. *COMM11-Prop09\_rev1 regarding Exploratory Fisheries (CMM 14b-2022)*

77 The Cook Islands introduced its proposal to amend CMM 14b. This proposal extends the Cook Islands' exploratory fishery for one further year, to 2024, and adds a definition for a fishing trip. It includes maintaining the TAC of 300 t per fishing year. The Cook Islands has also updated the reference to the Fisheries Operation Plan in 2022, which is a correction (as the current FOP was modified by COMM 10) and consequential amendments to paragraphs 26 and 31.

78 **The CTC recommended** that this proposal be adopted by the Commission.

v. *COMM11-Prop14\_rev1 regarding Exploratory Fisheries (CMM 14e-2021)*

79 The European Union introduced its proposal to amend CMM 14e. The European Union explained that for operational reasons, it is necessary to extend the duration of the last exploratory trip under CMM 14e-2021 by two weeks, from 31 October to 15 November 2023. This will be conditional on implementing, during that two-week period, the additional seabird mitigation measures, as those implemented in 2021.

80 **The CTC recommended** that this proposal be adopted by the Commission.

vi. *COMM11-Prop15 regarding Observer Programme (CMM 16-2022)*

81 Peru introduced its proposal on CMM 16. This proposal seeks to incorporate an Annex into the CMM 16-2022 in accordance with paragraph 4 of the CMM 16-2022. This annex would enable an alternative observer programme in accordance with the recommendations established in paragraph 14 of the Report of the 10<sup>th</sup> Meeting of the SPRFMO Commission (COMM10).

82 The CTC discussed the proposal and requested clarification on some items including safety measures for observers. Some Members provided suggestions on placement of text and the rights of observers.

83 **The CTC recommended** that this proposal be forwarded to the Commission for its consideration.

vii. *CMM 18 Squid*

84 There were five proposals submitted to the Commission to amend CMM 18. Each proponent introduced its proposal to the CTC: COMM11-Prop11 (Ecuador), COMM11-Prop13 (European Union), COMM11-Prop17 (United States), COMM11-Prop20 (China), and COMM11-Prop22 (Korea).

85 No discussion followed at that stage as the CTC established a working group (WG) for squid (chaired by Alexa Cole, United States), according to article 9 paragraph 5 of the Convention.

86 The United States briefly introduced COMM11-WP02 which represented a consolidated document, combining all five individual proposals submitted to the Commission regarding squid. The WG prepared a revised version of the document.

87 **The CTC recommended** that this work continue with the view to present a proposal to Commission.

viii. *CMM 05 Record of Vessels (Secretariat)*

88 The Secretariat introduced its proposal to amend CMM 05-2022. This proposal seeks to update the title of the CMM to reflect the current state of the Record of Vessels; clarify the minimum data requirements for both the addition of new vessels as well as the authorisation or reauthorisation of vessels already on the Record of Vessels; to move the external markings data element from the optional to mandatory data fields, and to edit the text corresponding to vessel photos for clarification and to remove an outdated reference to physical photograph submissions.

89 **The CTC recommended** that this proposal be adopted by the Commission.



b. *Proposals for new CMMs*

i. *COMM11-Prop18 Proposed decision on climate change (USA)*

90 The United States put forward its proposal seeking to make climate change a priority in meetings of the Commission and its subsidiary bodies. The United States put forward its view that SPRFMO needs to prepare for the future impacts of climate change on fisheries and expressed its hope that SPRFMO will adopt measures similar to other similar organisations on climate change.

91 Many Members strongly supported the proposal by the United States and the CTC agreed that climate change was an important issue for the Organisation. After considering the comments from Members, the United States submitted a revised proposal and **the CTC recommended** that this proposal be forwarded to the Commission for its consideration.

c. *CMMs for review in 2023*

i. *C1. CMM 01 Jack mackerel (KOR)*

92 Korea introduced its proposal (COMM11-Prop21) to amend CMM 01 (*Trachurus murphyi*). This proposal includes a requirement for Members and CNCPs without gross tonnage limits to submit an effort management plan. The proposal also suggests that in cases where there is overcatch, then that amount is deducted from the TAC advised by the Scientific Committee. Finally, the proposal suggests extending the application of the percentages in the current CMM by one year and to commence a process to develop an allocation framework.

93 Korea stated that the negotiations on allocation keys or percentages tend to be extremely difficult and that there should be well-organised process and enough time as well as specific proposals to work on in order to reach an agreement. However, at the same time, Korea expressed its willingness to discuss allocation in this meeting if there is a proposal put forward.

94 Many Members thanked Korea for its proposal on this important fishery. Some Members expressed their preference that allocation is agreed upon during this annual meeting. The usefulness of the effort limits was discussed as well as a suggestion for interannual flexibility, which includes quota carryover. Some Members expressed their concerns that the jack mackerel TAC was exceeded by 6.6% and noted that all Members listed in Table 1 of the CMM complied with their quotas, and that the overcatch comes from waters in areas of national jurisdiction outside the Convention Area.

95 One Member expressed its concern about the proposed deduction of the overcaught quota from last year to this year's TAC, since according to the most recent assessment by the SC, with the Joint Jack Mackerel (JJM) model, a progressive increase in the total biomass and spawning biomass since 2018 is shown.

96 **The CTC recommended** that this proposal be forwarded to the Commission for its consideration.

97 The following statement was submitted by Peru for inclusion into the report:

*“Peru highlighted that regarding the proposal of jack mackerel, it requested the floor in due time. Nevertheless, the CTC Chairperson did not acknowledge this fact. This situation resulted in the denial to the Peruvian delegation by the Chairperson to have the opportunity to explain further its position properly. Peru kindly requested that the situation detailed above shall be properly reflected in the CTC report; for the Peruvian delegation it is of the utmost importance that all delegations, regardless of the modality of their participation, are given the floor at the right moment to contribute to the discussions.”*

98 Many Members acknowledged hybrid meetings are technologically challenging and the CTC Chair did not intend to deny any Member the opportunity to intervene.

ii. *c2. CMM 03 Bottom Fishing (COK)*

99 The CTC noted that this proposal was to be considered by the Commission, in accordance with the agenda.



iii. *c3. CMM 06 Vessel Monitoring System (SEC)*

100 The Secretariat introduced its proposal to amend CMM 06. This proposal seeks to update the wording in the CMM to reflect the VMS has been established, standardise the reporting timeframes, clarify the roles of Members in activating manual reporting protocols and adjust the CMM review date.

101 **The CTC recommended** that this proposal be forwarded to the Commission for its consideration.

*d. CMMs with Review Date Revisions Only:*

102 Before discussing the CMMs where the only proposed change was a new review date the CTC requested that the Secretariat produce a WP (COMM11-WP01) detailing the current and proposed CMM review dates. The CTC noted that this WP, alongside other appropriate international initiatives, be considered by the Commission when setting review dates for SPRFMO CMMs.

103 Subsequently, all proposals involving only an update to the review date, were submitted to the Commission for its consideration. This included: CMM07, CMM10, and CMM13.

*e. Other Secretariat Proposals:*

104 The CTC did not discuss Secretariat proposals for CMM 12 (Transhipments) and CMM 08 (Gillnets) and they were forwarded to the Commission for its consideration.

## 7. Other Matters

*a. Electronic Monitoring Opportunities for SPRFMO*

105 The 2022 COMM10 meeting requested that the SC and CTC provide advice on how electronic monitoring can support the Commission's objectives, including data collection and data verification needs, and consider a plan for the development of electronic monitoring minimum standards. The SC discussions are recorded in Section 3.4 of the SC10-Report.

106 No views on this topic were expressed during the CTC meeting and the Chairpersons encouraged Members to continue working on this topic at their discretion.

*b. Election of a CTC Vice chairperson*

107 The Chairperson asked if there were any candidates or proposals for the CTC Vice Chairperson. There were no nominations, so the CTC Chairperson requested that the vacant position be considered further during the Commission meeting.

## 8. Adoption of the CTC10 Report

108 **The CTC adopted** its meeting report on 10 February 2023 at 21:32 hrs.

## 9. Close of the Meeting

109 The meeting was closed on 10 February 2023 at 21:34 hrs.



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# 10<sup>TH</sup> MEETING OF THE COMPLIANCE AND TECHNICAL COMMITTEE (CTC)

*Manta, Ecuador, 07 to 10 February 2023*

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# 10<sup>TH</sup> MEETING OF THE COMPLIANCE AND TECHNICAL COMMITTEE (CTC)

Manta, Ecuador, 07 to 10 February 2023

## ANNEX 2 - CTC 10 Meeting Agenda

1. OPENING OF THE MEETING
  - a. Meeting Arrangements
  - b. Adoption of the Agenda
  - c. Meeting Documents
2. MATTERS CONCERNING IMPLEMENTATION OF CURRENT CMMs
  - a. CMM 01-2022 *Trachurus murphyi*
  - b. CMM 05-2022 Commission Record of Vessels
  - c. CMM 06-2020 Commission VMS Implementation report
  - d. CMM 07-2022 Port Inspection Implementation report
  - e. CMM 16- 2022 SPRFMO Observer Programme (*including evaluation of Observer Programmes*)
3. ASSESSMENT OF COMPLIANCE OF MEMBERS AND CNCPs
  - a. Consideration of the Draft Compliance Report (*including 2021-22 carry forwards*)
  - b. Follow-up actions taken since the last meeting
  - c. Development of Provisional Compliance Report
4. EXAMINATION OF CURRENT AND DRAFT IUU LIST
  - a. Examination of the 2023 Draft IUU List
  - b. Examination of the Current (2022) IUU List
  - c. Development of a 2023 Provisional IUU List
5. ASSESSMENT OF CNCPs APPLICATIONS
  - a. Current CNCPs
  - b. Other applicants
6. CONSERVATION AND MANAGEMENT MEASURES
  - a. Proposals to amend current CMMs
    - a1. CMM 03a Deepwater species (NZ)
    - a2. CMM 11 Boarding and Inspection (US)
    - a3. CMM 12 Transshipment (EC)
    - a4. CMM 14b Exploratory Potting Fishery (CK)
    - a5. CMM 14e Exploratory Toothfish Fishery (EU)
    - a6. CMM 16 Observer Programme (PE)
    - a7. CMM 18 Squid (EC)
    - a8. CMM 18 Squid (EU)
    - a9. CMM 18 Squid (US)
    - a10. CMM 18 Squid (CN)
    - a11. CMM 18 Squid (KR)
    - a12. CMM 05 Record of Vessels (SEC)
    - a13. CMM 08 on Gillnets (SEC)
  - b. Proposals for new CMMs
    - b1. Proposed decision on Climate Change (US)
  - c. CMMs for review in 2023:
    - c1. CMM 01-2022 *Trachurus murphyi* (KR)
    - c2. CMM 03-2022 Bottom Fishing (CK)
    - c3. CMM 06-2022 Vessel Monitoring System (SEC)
    - c4. CMM 07-2022 Port Inspection (SEC)
    - c5. CMM 10-2022 Compliance Monitoring Scheme (SEC)



- c6. CMM 12-2020 Transshipment (SEC)
- c7. CMM 13-2021 Exploratory Fisheries (SEC)

7. OTHER MATTERS

- a. Election of a CTC Vice-Chairperson
- b. Electronic Monitoring Opportunities for SPRFMO

8. ADOPTION OF THE CTC REPORT

9. CLOSE OF MEETING





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# 10<sup>TH</sup> MEETING OF THE COMPLIANCE AND TECHNICAL COMMITTEE (CTC)

*Manta, Ecuador, 07 to 10 February 2023*

## ANNEX 3 - Provisional Compliance Report

As per paragraph 18 of CMM 10-2020 (CMS), the Provisional Compliance Report shall not constitute public domain data, but the Final Compliance Report and the executive summary shall be public domain data (refer to the [COMM11-Report Annex 6a](#)).



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# 10<sup>TH</sup> MEETING OF THE COMPLIANCE AND TECHNICAL COMMITTEE (CTC)

*Manta, Ecuador, 07 to 10 February 2023*

## ANNEX 4 - Provisional IUU Vessel List

As per standard SPRFMO practice, the Provisional IUU Vessel List is not a public domain document, noting that the Final IUU Vessel List is contained in the [COMM11-Report as Annex 6b](#).