

CTC4-Doc10

Revisions of CMMs due to regular review clauses or other reasons

Secretariat

BACKGROUND

The Secretariat has prepared this paper to support the discussions of the CTCs under agenda item 8 – Conservation and Management Measures (CMMs) under review.

A number of the CMMs contain a review clause for the Commission meeting in 2017, in particular:

- CMM 4.01 -*T. murphyi*, paragraph 25
- CMM 4.03 - Bottom fishing, paragraph 27
- CMM 2.07 – Port inspection, paragraph 35, and
- CMM 4.10 – *CMS*, paragraph 19.

In addition, some current CMMs may require a technical revision for other reasons as detailed in the following sections.

PARAGRAPH 34 OF CMM 2.07

Action required: Paragraph 34 of CMM 2.07 (Minimum standards of Inspection in Port; 2014) has become obsolete and should be deleted.

Explanation:

The paragraph states: “*The SPRFMO Executive Secretary shall develop minimum standards of information for prior notification and inspection reports required under this CMM, taking into account forms adopted in other relevant instruments, such as the FAO Port State Measures Agreement and other RFMOs, for consideration at the 2015 Annual Meeting of the Commission.*”

CMM 2.07 was adopted by the 2nd Commission meeting held in Manta, Ecuador on 31 January 2014 ([Annex Q](#)). At this time the CMM did not have any annexes and was scheduled to enter into force on January 1, 2015. Prior to the 2015 annual meeting the Secretariat had completed the requested development of minimum standards for prior notification and inspection reports, which were then adopted by the Commission as Annexes I and III of [current version of CMM 2.07](#) .

PARAGRAPHS 13 & 14 OF CMM 4.09

Action required: Paragraphs 13 & 14 of CMM 4.09 (Minimising bycatch of Seabirds; 2016) have become outdated and should be replaced with updated text or deleted.

Explanation:

The paragraphs state:

“13. Members and CNCPs are encouraged to extend during 2014 their observer programmes as specified in CMM 2.02 (Data Standards; 2014) and record data on seabird observations and all interactions with seabirds and report this information to the Scientific Committee in their National Reports.

14. The Scientific Committee shall evaluate at its 2014 meeting all information from observer programmes on seabird data and interactions specifically with trawl fishing and advise the Commission on the need to implement mitigation measures as described in Annex 2 or other CMMs.”

CMM 4.09 was originally adopted in January 2014 as CMM 2.04 ([Annex N](#)). Notably the 2014 [Roadmap for the Scientific Committee](#) included a review of the data standards measure to ensure full understanding of the nature and extent of bycatch interactions across all fisheries (in addition to the requirements stipulated in paragraphs 13 and 14).

The Scientific Committee (SC2) met in September 2014 (Honolulu, USA) and conducted extensive discussions on the impact of fisheries on the marine ecosystem. These discussions are reported in sections 8.3, 8.4 and 8.5 of the [2nd SC report and can be summarised as follows](#):

8.3. Review international best practices in bycatch, incidental catches and mitigation options in pelagic and bottom fisheries. The SC did not make any specific recommendations in relation to item 8.3, but it was recorded that ACAPs “*best practice advice for trawl and demersal longline fisheries was reviewed, but no changes were made, reinforcing the advice that was used to develop CMM 2.04*”. The SC2 also stated that a “*collection of data on seabird interactions with (SPRFMO) fisheries, and subsequent reporting, was encouraged*”.

8.4. Review CMM 2.02 (data standards) to ensure a full understanding of nature and extent of bycatch interactions across all fisheries. Under this item New Zealand presented a paper which proposed some revisions of the data standards ([SC-02-11](#)). The SC “*agreed that intersessional work would be required to further develop the detail of proposed changes, and once agreed could be considered by the Commission alongside changes proposed in relation to seabird bycatch*”. Those revisions were adopted at the 3rd Commission meeting in 2015 and incorporated into the Data standards CMM 3.02 ([Annex K](#)).

8.5. Risk to seabird species in the Convention Area and possible mitigation measures to minimise impact. In 2014, the SC did discuss two papers ([SC-02-13](#) and [SC-02-12](#)) that provided contextual information for risk assessments of seabirds mortality from trawl fisheries. The SC recognised the lack of standard bird observation protocols and initiated a collaboration between SPRFMO experts and ACAP to develop such protocols. To date this work has not been completed.

In October 2016, the [SC4](#) has recommended: “... *since the adoption of the original CMM both the Commission and the SC have taken steps to address paragraphs 13 & 14 of CMM 4.09. The Commission could consider updating these paragraphs to reflect current requirements.*” In this context, the SC4 requested the Secretariat to update the [guidelines for annual national reports](#) to incorporate data on seabird observations and interactions as required under paragraph 13 of CMM 4.09.

REVISION OF CMM 4.02 (IN ADDITION TO COMM5-PROP02 AND COMM5-PROP03)

Action required: Consider the recommendations and suggested amendment provided by the 4th SC meeting

Explanation:

1. Section 2 of the [fourth SC meeting report](#) contains the following recommendations:
 - “*The SC recommends that the SPRFMO Commission amend CMM4.02 to avoid confusion for Members and CNCPs regarding the use of the same templates for data recording and reporting*
 - *The SC also recommends that the SPRFMO Commission amend CMM4.02 to allow for an extension in the timing of data submissions in those cases where the Members and CNCPs do not yet hold this information for all vessels in their fleets and that an anticipated submission date is provided.*
 - *The SC requests the SPRFMO Commission to remind all Members and CNCPs that issues of data confidentiality are provided for in CMM4.02 and this may not be used as a reason for failure to submit data to the Secretariat.*
 - *The SC requests that the SPRFMO Commission commence a data recovery initiative to minimize the impact of this constraint. The data recovery should provide data that is consistent with the specifications of Annex4 of CMM4.02 to the extent possible.*

- *The SC asks the Commission to acknowledge the ongoing work to provide verification of fisheries vessel data.”*
2. Section 7.3 of the [fourth SC meeting report](#) also provides a suggested amendment to paragraph 1e) of CMM 4.02 (Data Standards; 2016):
- compile data on fishing activities and the impacts of fishing and provide these in a timely manner to the Secretariat of the South Pacific Regional Fisheries Management Organization (SPRFMO) using the SPRFMO data recording and reporting templates. ~~Such~~ [These] data are to be provided ~~in sufficient detail to facilitate~~ [for] effective [monitoring] and ~~stock~~ assessment [of stocks]. Members and CNCPs will provide by the 30th June, their previous (January to December) year’s data on fishing activities and the impacts of fishing described in sections 1b) – 1d) above. [In exceptional cases where Members and CNCPs do not yet hold this information for all vessels in their fleets an extension in the timing of data submissions (for this missing data) is possible provided that an anticipated submission date is specified to the SPRFMO Secretariat].