

6TH MEETING OF THE COMPLIANCE AND TECHNICAL COMMITTEE (CTC)

The Hague, The Netherlands, 19 to 21 January 2019

CTC 6 – Doc 11 Applications for CNCP status *Secretariat*

In the attached annexes are the full applications for the status of Cooperating non-Contracting Party (CNCP) received in accordance with Decision 02-2018.

The list includes the applications of:

- Annex 1. Colombia, received on 20 November 2018
- Annex 2. Liberia, received on 22 November 2018
- Annex 3. Panama, received on 22 November 2018
- Annex 4. Curaçao, received on 20 December 2018



Bogotá D.C.

Doctor

SEBASTIAN RODRIGUEZ

Executive Secretary

**SOUTH PACIFIC REGIONAL FISHERIES MANAGEMENT ORGANIZATION –
SPRFMO**

Secretariat

PO Box 3797

Wellington 6140 – **NEW ZEALAND**

REFERENCE: Colombian Renewal Application as a “*Cooperating Non-Contracting Party*” (CNCP) at the SPRFMO

Dear Dr Rodriguez,

Concerning the request to get the current status of the Republic of Colombia as a “*Cooperating non-Contracting Party*” (CNCP) of the “*South Pacific Regional Fisheries Management Organization*” (SPRFMO) renewed, I would firstly like to highlight the country was an active participant at the international and Preparatory Conference meetings to establish SPRFMO and it is a signatory to the Convention. Furthermore, the Republic of Colombia has also an interest in the fisheries managed by SPRFMO, and may have vessels that enter these fisheries in the mid-term future.

Moreover, it is also stated that the “*National Authority for Fisheries and Aquaculture*” (AUNAP) widely recognises the SPRFMO commitment to long term conservation and sustainable use of the fishery resources of the South Pacific ocean and protection of marine in which the resources occur, through the implementation of relevant “*Conservation and Management Measures*” (CMMs). Additionally, and as the AUNAP’s General Director, I am aware the important role the SPRFMO plays in the implementation of mechanisms to combat “*Illegal, Unreported and Unregulated*” (IUU) Fishing along high seas areas of the South Pacific Ocean.

Concluding on the previous words, and according to the SPRFMO Secretariat Letter Ref: DC89-2018 addressing dated on 2nd November 2018 concerning an invitation to get the “*Cooperating Non-Contracting Party*” (CNCP) at the SPRFMO renewed, and considering the rules for CNCPs, the information below is provided to support the renewal of the CNCP Status for the Republic of Colombia, as follows:

a. Reason for seeking CNCP status:

The Republic of Colombia has been an active participant in SPRFMO negotiations, has an interest in the fisheries managed by SPRFMO for the mid-term future, and supports the goals of the Convention. In addition, Colombia has waters of national jurisdiction adjacent to the SPRFMO Convention Area, and although currently there



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DE COLOMBIA



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DE ACUICULTURA Y PESCA

are not any vessels flying a Colombian flag fishing on this area, the National Government has the great willingness to cooperate with the SPRFMO in combating IUU Fishing around these areas regarding the fishery resources managed by the SPRFMO.

- b. A commitment to cooperate fully in the implementation of conservation and management measures adopted by the Commission and to ensure that fishing vessels flying its flag and fishing in the Convention Area and, to the greatest extent possible, its nationals comply with the provisions of the Convention and Conservation and management measures adopted by the Commission:

The Republic of Colombia is fully committed to cooperate in the implementation of all applicable measures, including "Conservation and Management Measures" (CMMs) that have been adopted by the SPRFMO Commission, and in case any vessel flying a Colombian flag fish or get involved in relating fishing activities in the SPRFMO Area adopted by SPRFMO, they will comply with the provisions of the Convention and CMMs adopted by Commission.

- c. An explicit commitment to accept high seas boarding and inspections in accordance with the Commission's procedures on high seas boarding and inspection, once they have been adopted; full data on its historical fisheries in the Convention Area, including nominal catches, number/type of vessels, name of fishing vessels, fishing effort and fishing areas:

The Republic of Colombia currently has no vessels participating in the fisheries managed by SPRFMO. In future terms, if vessels flying a Colombian flag enter fisheries in charge of SPRFMO, there will be accepted the Commission's procedures on high seas boarding and inspections.

- d. All the data and information members of the Commission are required to submit, in accordance with the standards adopted by the Commission:

The Republic of Colombia currently has no vessels operating under the SPRFMO jurisdiction. If Colombia flagged-vessels enter SPRFMO managed fisheries, the "*National Authority for Fisheries and Aquaculture*" (AUNAP) of the Republic of Colombia would provide the Commission with all relevant data and information, and abide all relevant measures adopted.

- e. A statement on how any compliance issues previously identified by the Commission have been addressed:

The Commission has not identified any compliance issues for the Republic of Colombia.

Full



f. Any further relevant information as determined by the Commission:

The “*National Authority for Fisheries and Aquaculture*” (AUNAP) of the Republic of Colombia is prepared to provide any additional information necessary to support this application, subject to Colombian domestic law.

g. A statement of intent to make voluntary financial contributions commensurate with what would be assessed should it become a Member, pursuant to the scheme of contributions established by the Commission in accordance with Article 15(2) of the Convention and particularly in accordance with paragraph 4.7 of the Financial Regulations of the Commission:

Concerning making voluntary financial contributions to the Commission, the AUNAP is currently making best efforts to provide such contributions next year, and as the General Director of AUNAP, I would deeply appreciate that Colombia can keep its CNCP Status at the SPRFMO for next year 2019.

✕ In the same direction, and regarding the recommendations included in the latest SPRFMO Commission Report issued on 15 February 2018, the AUNAP will be represented at the 7th Commission Meeting taking place in The Hague (The Netherlands) in January 2019. Therefore, by attending this significant meeting the AUNAP will be able to catch up with all the relevant information needed to fulfill the requirements that are continually made by the SPRFMO.

Finally, I deeply appreciate your attention to the Colombian CNCP Application, and if you have any further questions regarding this application, please contact the AUNAP's Research Officer Javier Plata by email at javier.plata@aunap.gov.co or Phone Number: 571-3770500 Ext. 1022

Thank you for your considerations.

Sincerely,



NICOLAS DEL CASTILLO P.
AUNAP's General Director

Researched and Drafted by: Javier Plata, “*Fisheries and Aquaculture Research Officer*”, OGCI-AUNAP HAS-Fellow on the Law of the Sea, University of Cambridge (UK), and Division for Ocean Affairs and Law of the Sea, DOALOS-UN (USA) *JPL*

CC: Carolina Díaz Acosta, Directora de Asuntos Económicos, Sociales y Ambientales
Ministerio de Relaciones Exteriores, Bogotá D.C.

Ricardo Alfredo Montenegro Coral, Dirección de Soberanía Territorial Desarrollo Fronterizo
Ministerio de Relaciones Exteriores, Bogotá D.C.



**REPUBLIC OF LIBERIA
MINISTRY OF FOREIGN AFFAIRS
MONROVIA, LIBERIA**

*Office of Deputy Commissioner of
Maritime Affairs*

November 21, 2018

Sothorn Pacific Regional Management Fisheries Organization (SPRFMO)
Attn: Dr. Sebastian Rodriguez, Executive Secretary
P.O. Box 3797
Wellington 6140
New Zealand

RE: COOPERATING NON-CONTRACTING PARTY STATUS

Dear Dr. Rodriguez:

The purpose of this letter is to request Liberia's continued participation as a Cooperating Non-Contracting Party (CNCP) of the SPRFMO. Liberia remains committed to its obligation as a CNCP and the implementation of Conservation and Management Measures (CMMs) adopted by SPRFMO.

In accordance with provisions set out in Decision 2-2018 (*Rules for Cooperating Non-Contracting Parties*), Liberia is submitting the following information in support of its request:

1. Reason for seeking renewal of CNCP status:

Liberia's seeks continued status as a CNCP because Liberia has a number of carrier vessels in the international registry that are participating in transshipment activities in the SPRFMO Convention Area.

2. Commitment to cooperate fully in the implementation of conservation and management measures adopted by the Commission and to ensure that fishing vessels flying its flag and fishing in the Convention Area and, to the greatest extent possible, its nationals, comply with the provisions of the Convention and conservation and management measures adopted by the Commission:

Liberia commits to cooperate fully in the implementation of CMMs adopted by the Commission and will continue to ensure that vessels flying the Liberian flag and engaging in transshipment activities in the SPRFMO Convention Area and, to the greatest extent possible, its nationals, comply with the provisions of the Convention and CMMs. Some of those CMMs include, but not limited to those listed below.

CMM 12-2018 Regulation of Transshipment and Other Transfer Activities,
 CMM 10-2018 Establishment of a Compliance and Monitoring Scheme,
 CMM 06-2018 Establishment of the Vessel Monitoring System in the SPRFMO Convention Area,
 CMM 02-2018 Standards for the Collection, Reporting, Verification and Exchange of Data,
 CMM 01-2018 Trachurus Murphyi,
 CMM 11-2017 Boarding and Inspection Procedures in the SPRFMO Convention Area,
 CMM 04-2017 Establishing a List of Vessels Presumed to have carried out IUU Fishing,
 CMM 07-2017 Minimum Standards of Inspection in Port, and
 CMM 05-2016 Establishment of the Commission Record of Vessels.

3. An explicit commitment to accept high seas boarding and inspections in accordance with the Commission's procedures on high seas boarding and inspection; full data on its historical fisheries in the Convention Area, including nominal catches, number/type of vessels, name of fishing vessels, fishing effort and fishing areas;

Liberia commits to accepting high seas boarding and inspections in accordance with CMM 11-2017 on Boarding and Inspection Procedures in the SPRFMO Convention Area.

Liberia has provided for previous years, and will continue to provide to the Secretariat full and complete data on historical transshipment information, including names of vessels, species and total quantities transshipped.

4. All the data and information members of the Commission are required to submit, in accordance with the standards adopted by the Commission:

Liberia has consistently submitted transshipment data and other information members are required to submit, in accordance with the standards adopted by the Commission.

5. A statement on how any compliance issues previously identified by the Commission have been addressed:

For example, Peru reported to the Liberian Administration (via the SPRFMO Secretariat on November 1, 2017) that Liberian flagged carrier vessel ZHONG XIANG was observed by Peru VMS system indicating that during the period between October 24-30, the ZHONG XIANG was operating at slow speeds and on a parallel approach with three Chinese vessels in the SPRFMO area adjacent to Peru's jurisdictional waters. The Liberian Administration advised the vessel's owner of the report and then ordered the vessel to a convenient port to conduct an investigation into possible IUU activities. Upon conclusion of the investigation, it was determined that the ZHONG XIANG had engaged in at least three unauthorized transshipment operations in the SPRFMO Convention Area between October 24-30, 2017.

Consequently, the vessel was issued a Notice of Violation for:

- a) Failure to obtain authorization prior to engaging in transshipment operations in the SPRFMO Convention Area, in violation of CMM 12-2017 (Para. 2) and Liberia Maritime Regulation 2.35;



- b) Failure to obtain authorization prior to engaging in at sea transfer of fuel, etc. in the SPRFMO Convention Area, in violation of CMM 12-2017 (Para. 3) and Liberia Maritime Regulation 2.35;
- c) Failure to obtain authorization prior to engaging in transshipment operations in the SPRFMO Convention Area and failure to report to the SPRFMO Secretariat and the flag State, in violation of Liberia Marine Notice FTP-001_Rev 8-17 and Section 203 of Liberia Maritime Law.

The vessel was fined \$30,000 for failure to comply with SPRFMO rules and Liberia Maritime Law and Regulations.

6. Any further relevant information as determined by the Commission:

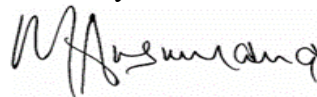
Liberia will provide relevant information as determined by the Commission.

7. A statement of intent to make voluntary financial contributions commensurate...pursuant to the scheme of contributions established by the Commission in accordance with Article 15(2) of the Convention and particularly in accordance with paragraph 4.7 of the Financial Regulations of the Commission:

Liberia intends to make voluntary financial contributions commensurate with what would be assessed and pursuant to the scheme of contributions established by the Commission in accordance with Article 15(2) of the Convention and particularly in accordance with paragraph 4.7 of the of the Financial Regulations of the Commission.

Thank you for your consideration.

Sincerely,



Margaret C. Ansumana
Deputy Commissioner for Maritime Affairs
Republic of Liberia



DIRECCIÓN GENERAL DE INSPECCIÓN, VIGILANCIA Y CONTROL

Panama, November 19, 2018
DGIVC/0376/2018

Honorable
Dr. Sebastián Rodríguez
Executive Secretary
South Pacific Fisheries Management Organization

Dear Dr. Rodríguez:

I am writing you in relation of your letter Ref.: DC87-2018 regarding of the invitation to become a Contracting Party to the SPRFMO Convention or to renew the status of Cooperating non-Contracting Party.

We hereby inform that the Government of Panama officially requests the SPRFMO Commission to renew our status as non-contracting party collaborating with the Convention. We also wish to inform that once we have the instruments of ratification in the Commission, we will proceed to take the necessary steps to become a Contracting Party.

The Aquatic Resources Authority of Panama (ARAP) and the Government of Panama are committed to prevent and eliminate the illegal, unreported and unregulated (IUU) fishing activities. We believe that IUU fishing is one of the most serious threats facing the biodiversity of the world's oceans. Our regulations highlight our role as an international partner in the fight against IUU activities.

We are committed to comply with the conditions established in SPRFMO regulations.

The reason to seek the status of Cooperating non Contracting Party is because we have a fleet that operate for fishing and support fishing vessel in the Convention Area.

We express our commitment to cooperate fully in the implementation of conservation and management measures adopted by the Commission and ensure that Panamanian fishing vessels and support fishing vessels comply with the provisions of the Convention, conservation and management adopted by the Commission.

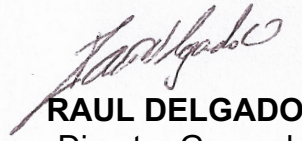
Also we inform the explicit commitment to accept high seas boarding and inspections in accordance with the Commission's procedures on high seas boarding and inspection. Also the commitment to make the voluntary financial contributions commensurate with what would be assessed should we become a Member established by the Commission.

All the data and information of the Commission required will be submitted, in accordance with the standards adopted by the Commission.

Also Panama intent to make voluntary financial contribution commensurate with what would be assessed should it become a Member, pursuant to the scheme of contributions established by the Commission in accordance with Article 15(2) of the Convention and particularly in accordance with paragraph 4-7 of the Financial Regulations of the Commission.

Any additional information requested, will be supplied to the SPRFMO Secretariat by ARAP.

Best Regards,



RAUL DELGADO
Director General





MINISTER OF
ECONOMIC DEVELOPMENT

To:
SPRFMO Secretariat
Att.: Dr. Johanne Fisher
Level 26 Plimmer Towers
Wellington 6011
New Zealand

Date:
18th December 2018

Contact person:
Ramon Chong

E-mail address:
ramon.chong@gobiernu.cw

Your letter of:
2nd November 2018

Your reference:
DC90-2018

Our number: Case number:
2018/056115

Topic:
Request to Renew CNCP Status

Page: No. of annexes:
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Dear Dr. Fisher,

We would like to express to the distinguished members of the South Pacific Regional Fisheries Management Organization (SPRFMO), Curaçao's interest to renew its status of Cooperating Non-Contracting Party (CNCP) of your Organization.

It is our objective as a Small Island Development State (SIDS) to continue to develop the international fisheries which could contribute to the economic development of Curaçao. Until now the fisheries sector contributes to less than 1% of Curaçao's GDP. The artisanal fishery sector delivers a minor contribution to the local markets based on fish caught within its territorial and EEZ waters. The development of the high seas pelagic fisheries industry is steadfastly developing into an important sector for Curaçao, not only as a food source, but also in providing employment and important socio-economic benefits for our people.

In the meantime, Curaçao has carried for one year the status of CNCP of the SPRFMO, with the objective to facilitate trade, and in particular the transport of fish caught in the South Pacific Seas. We hope to have fulfilled our compliance duties and the payment of the corresponding annual fee.

Curaçao has been a cooperating non contracting party of the International Commission for Conservation of Atlantic Tunas (ICCAT) since the year 2004. Recently Curaçao has also acquired the status of CNCP in the NEAFC.

The industrial tuna fleet is the main fishery income generator, contributing to the State budget through the issuance of fishing licenses and catch certificates to companies fishing tuna in the high seas located nearby the West African coast in the Atlantic Ocean. Currently five Curaçao registered purse seiners are fishing in the ICCAT area. For the first time this year, two fishing vessels operating in two West African States' EEZ has also contributed to the State revenues. Another six carrier vessels from the company Sea Trade are also licensed to operate in the RFMO areas of which Curaçao is a member state. Last year, based on the catches of mentioned fleet, Curaçao exported almost 35.000 tons of tuna mainly to Europe.

For Curaçao as a SIDS, it becomes essential to continue to develop its fisheries industry, in order to mitigate its vulnerable open economy. This industry has proven to be able to provide jobs to locals and to be less susceptible for the generation of state revenues. In addition, it possesses the capacity to spurs the international generated knowledge for the benefit of the development of the local fishery sector.

Furthermore, with respect to paragraph 3 of Decision 2-2018 of the SPRFMO, we are fully committed to cooperate in the implementation of the conservation and management measures adopted by your Organization and to ensure



Our number:

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that fishing vessels flying our flag and fishing in the Convention Area comply with the resolutions and provisions adopted by your Organization. We are explicitly committed to accept high seas boarding and inspections in accordance with the Commission's procedures on high seas boarding and inspection, once they have been adopted, and to report, comply, and deliver full fisheries data relevant to the Convention Area, including nominal catches, number/type of vessels, name of fishing vessels, fishing effort and fishing areas.

Furthermore, we are committed to deliver all the data and information, parties of your Organization are required to submit, in accordance with the standards adopted by your Organization and any further relevant information as determined by your Organization. Please be informed that Curaçao possess a full fledge Fishing and Monitoring Center which has been approved by the DG MARE of the European Union, which at this moment already comply with the monitoring and reporting requirements of ICCAT and FAO.

Not only are we willing to make a voluntary financial contribution, commensurate with what would be assessed if we were a member, but we do hope that in the meantime, you did receive our contribution of the current year, otherwise it is on its way.

Finally I would like to take this opportunity to reiterate, to the SPRFMO our expressions of highest esteem and consideration, in the hope that the SPRFMO members will review our endeavor to fully cooperate with your Organization and for the SPRFMO to consider favorably our request.

Yours Sincerely,



Dr. Steven Martina
Minister of Economic Development