

8TH MEETING OF THE COMPLIANCE AND TECHNICAL COMMITTEE (CTC)

Virtual Meeting, 21-23 January 2021

CTC 8 – Doc 05

The Revised Draft Compliance Report on Members and CNCPs (2019/20)

Secretariat

Reporting period to which this report refers: 2019/20 (1 October 2019 – 30 September 2020)

Date report finalized: 07 January 2021

SPRFMO Conservation and Management Measures which have been considered include:

- CMM 01-2020 (*Trachurus murphyi*)
- CMM 02-2020 (Data Standards)
- CMM 03-2020 (Bottom Fishing)
- CMM 03a-2020 (Deepwater species)
- CMM 04-2020 (IUU Vessel List)
- CMM 05-2019 (Record of Vessels)
- CMM 06-2020 (Commission VMS)
- CMM 07-2019 (Port Inspection)
- CMM 08-2019 (Gillnetting)
- CMM 09-2017 (Seabirds)
- CMM 10-2020 (Compliance Monitoring Scheme)
- CMM 11-2015 (Boarding and Inspection)
- CMM 12-2020 (Transshipment)
- CMM 13-2020 (Exploratory Fisheries)
- CMM 14a-2019 (Exploratory Toothfish NZ)
- CMM 14b-2020 (Exploratory Potting CK)
- CMM 14c-2019 (Exploratory Toothfish EU)
- CMM 14d-2020 (Exploratory Toothfish CL)
- CMM 15-2016 (Stateless Vessels)
- CMM 16-2019 (Observer programme)
- CMM 17-2019 (Marine Pollution)
- CMM 18-2020 (Squid)

Note, all figures are preliminary, and assessments of possible compliance issues are made using the best information available at this time. Additional information which supplements this report can be found in the Members and CNCPs own Implementation reports ([publicly available on the SPRFMO website](#)).

This draft compliance report (revised) incorporates comments provided by Members and CNCPs in response to the previously circulated initial draft compliance reports and all other information which has been provided since the initial circulation. This report also includes an assigned status of “non-compliant” with “no further action” in cases where the relevant obligation has been met prior to the circulation of this report being 14 days before the annual CTC meeting (refer paragraph 11 of [CMM 10-2020](#)).

In the following tables, “N/A” is used to indicate “not applicable”¹. **Yellow** indicates that the Secretariat has identified a possible compliance issue. **Light blue** indicates a status of “non-compliant” with “no further action” as assigned by the CTC Chairperson (with the assistance of the Secretariat).

¹ Eg. “n/a” is used when an obligation is not considered relevant against a Member/CNCPs activity. Note, rather than identifying 2 possible issues for a



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1. CMM 01-2020 *Trachurus murphyi*

1.1. Effort management

Paragraph 4

Relevant Members and CNCPs shall limit the total gross tonnage (GT) of vessels flying their flag and participating in the fishing activities described in Article 1, (1)(g)(i) and (ii) of the Convention in respect of the *Trachurus murphyi* fisheries in the Convention Area to the total tonnage of their flagged vessels that were engaged in such fishing activities in 2007 or 2008 or 2009 in the Convention Area and as set out in Table 1 of CMM 1.01 (*Trachurus murphyi*; 2013). Such Members and CNCPs may substitute their vessels as long as the total level of GT for each Member and CNCP does not exceed the level recorded in that Table.

Assessed CMM 01-2020 Para 4 requirement (s)				
Member/ CNCP	Gross Tonnage limit	2020 Active GT	2018/19 Compliance Status	2019/20 Possible compliance issues?
CHILE	96 867.24 GT + 3 756.81 GRT	0	Compliant	No
CHINA	74 516 GT	0	Compliant	No
COOK ISLANDS	12 613 GRT	0	Compliant	No
CUBA	N/A	0	Compliant	No
ECUADOR	N/A	0	Compliant	No
EUROPEAN UNION	78 600 GT	0	Compliant	No
FAROE ISLANDS	23 415 GT	0	Compliant	No
KOREA	15 222 GT	0	Compliant	No
PANAMA	N/A	0	Compliant	No
PERU	75 416 GT	0	Compliant	No
RUSSIAN FEDERATION	74 470 GT	7 731	Compliant	No
VANUATU	31 220 GRT	0	Compliant	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues.

Member Comments on Potential Compliance Issues

Member	Comment



1.2. Catch management

Paragraph 7

In the event that a Member or CNCP reaches 70% of its catch limit set out in Table 1, the Executive Secretary shall inform that Member or CNCP of that fact, with a copy to all other Members and CNCPs. That Member or CNCP shall close the fishery for its flagged vessels when the total catch of its flagged vessels is equivalent to 100% of its catch limit. Such Member or CNCP shall notify promptly the Executive Secretary of the date of the closure.

Paragraph 9

By 31 December each year a Member or CNCP may transfer to another Member or CNCP all or part of its entitlement to catch up to the limit set out in Table 1, without prejudice to future agreements on the allocation of fishing opportunities, subject to the approval of the receiving Member or CNCP. When receiving fishing entitlement by transfer, a Member or CNCP may either allocate it domestically or endorse arrangements between owners participating in the transfer. Members and CNCPs receiving fishing entitlements by transfer who have consented to a total allowable catch that will apply throughout the range of the fishery resource under Art 20(4)(a)(iii) may pursue those entitlements in the Convention Area and in their areas under their national jurisdiction. Before the transferred fishing takes place, the transferring Member or CNCP shall notify the transfer to the Executive Secretary for circulation to Members and CNCPs without delay.

Assessed CMM 01-2020 Paras 7 & 9 Table 1 requirement (s)					
Member/ CNCP	Initial 2020 Catch Limit	Effect of Catch Transfers	Preliminary 2020 Catch Total*	2018/19 Compliance Status	2019/20 Possible Compliance issues?
CHILE	439 034	566 761	551 209	Compliant	No
CHINA	43 164	43 164	0	Compliant	No
COOK ISLANDS	0	0	0	Compliant	No
CUBA	1 517	0	0	Compliant	No
ECUADOR	8 594	0	0	Compliant	No
EUROPEAN UNION	41 538	0	0	Compliant	No
FAROE ISLANDS	7 539	0	0	Compliant	No
KOREA	8 719	2 670	0	Compliant	No
PANAMA	N/A	N/A	N/A	Compliant	No
PERU	13 793	0	0	Compliant	No
RUSSIAN FEDERATION	22 321	5 406	4 739	Compliant	No
VANUATU	31 782	0	0	Compliant	No

* Catches to 15 December 2020

Secretariat Assessment of potential compliance issues

- No potential compliance issues.

Member Comments on Potential Compliance Issues

Member	Comment



1.3. Data collection and reporting

Paragraph 12

Members and CNCPs participating in the *Trachurus murphyi* fishery shall report in an electronic format the monthly catches of their flagged vessels to the Secretariat within 20 days of the end of the month, in accordance with CMM 02-2020 (Data Standards) and using templates prepared by the Secretariat and available on the SPRFMO website.

Paragraph 13

When total catches have reached 70% of the amount indicated in paragraph 10, Members and CNCPs agree to implement a 15-day reporting period:

- a) for purposes of implementing this system, the calendar month shall be divided into 2 reporting periods, viz: day 1 to day 15 and day 16 to the end of the month;
- b) once the 15-day reporting has been activated, Members and CNCPs shall report their catches within 10 days of the end of each period, excepting the first report, which shall be made within 20 days of the end of the period.

Paragraph 15

Except as described in paragraphs 12 and 13 above, each Member and CNCP participating in the *Trachurus murphyi* fishery shall collect, verify, and provide all required data to the Executive Secretary, in accordance with CMM 02-2020 (Data Standards) and the templates available on the SPRFMO website, including an annual catch report.

This paragraph is assessed below as part of the section on CMM 02-2020 (Data Standards).

Paragraph 17

Members and CNCPs participating in the *Trachurus murphyi* fisheries shall implement a vessel monitoring system (VMS) in accordance with CMM 06-2020 (VMS) and other relevant CMMs adopted by the Commission.

This paragraph is assessed below as part of the section on CMM 02-2020 (Data Standards).

Paragraph 18

Each Member and CNCP participating in the *Trachurus murphyi* fishery shall provide the Executive Secretary a list of vessels (Fishing vessels as defined in Article 1 (1)(h) of the Convention) they have authorized to fish in the fishery in accordance with Article 25 of the Convention and CMM 05-2019 (Record of Vessels) and other relevant CMMs adopted by the Commission. They shall also notify the Executive Secretary of the vessels that are actively fishing or engaged in transshipment in the Convention Area within 20 days of the end of each month. The Executive Secretary shall maintain lists of the vessels so notified and will make them available on the SPRFMO website.

Paragraph 20

In order to facilitate the work of the Scientific Committee, Members and CNCPs shall provide their annual national reports, in accordance with the existing guidelines for such reports, in advance of the 2020 Scientific Committee meeting. Members and CNCPs shall also provide observer data for the 2020 fishing season to the Scientific Committee to the maximum extent possible. The reports shall be submitted to the Executive Secretary at least one month before the 2020 Scientific Committee meeting in order to ensure that the Scientific Committee has an adequate opportunity to consider the reports in its



deliberations. Members should notify the Executive Secretary in the event they will not be submitting an annual report together with the reasons for not doing so.

The annual report part of this paragraph is assessed below as part of the section on CMM 02-2020 (Data Standards).

Assessed CMM 01-2020 Paras 12, 13, 18, 20 requirement (s)						
Member/ CNC	Number of reports	% received on-time	Active and transshipping vessels notified?	Observer data* (ALKs/Survey) provided to SC8	2018/19 Compliance Assessment	2019/20 Possible compliance issues?
CHILE	16	100%	N/A	Yes	Compliant	No
CHINA	5	N/A	N/A	Yes	Compliant	No
COOK ISLANDS	N/A	N/A	N/A	N/A	Compliant	No
CUBA	N/A	N/A	N/A	N/A	Compliant	No
ECUADOR	11	100%	N/A	N/A	Compliant	No
EUROPEAN UNION	5	N/A	N/A	Yes	Compliant	No
FAROE ISLANDS	11	N/A	N/A	N/A	Compliant	No
KOREA	6	100	Yes	Yes	Compliant	No
PANAMA	N/A	N/A	N/A	N/A	Non-Compliant	No
PERU	18	N/A	N/A	Yes	Compliant	No
RUSSIAN FEDERATION	3	100%	Yes	Yes	Compliant	No
VANUATU	N/A	N/A	N/A	N/A	Compliant	No

*Observer data being length frequencies

Secretariat Assessment of potential compliance issues

- No potential compliance issues.

Member Comments on Potential Compliance Issues

Member	Comment
Member	

Paragraph 21

In accordance with Article 24(2), all Members and CNCs participating in the *Trachurus murphyi* fishery shall provide a report describing their implementation of this CMM in accordance with the timelines specified in CMM 10-2020 (Compliance Monitoring Scheme). On the basis of submissions received the CTC shall develop a template to facilitate future reporting. The implementation reports will be made available on the SPRFMO website.

This paragraph is assessed below as part of the section on CMM 10-2020 (Compliance Monitoring Scheme).



Paragraph 22

The information collected under paragraphs 11, 13 and 18, and any stock assessments and research in respect of *Trachurus murphyi* fisheries shall be submitted for review to the Scientific Committee. The Scientific Committee will conduct the necessary analysis and assessment, in accordance with its SC Multiannual workplan (2020) agreed by the Commission, in order to provide updated advice on stock status and recovery.

Assessed CMM 01-2020 Para 22 requirement (s)				
Member/ CNC	CJM stock assessment provided to SC8	CJM research provided to SC8	2018/19 Compliance Assessment	2019/20 Possible compliance issues?
CHILE	N/A	Yes	Compliant	No
CHINA	N/A	Yes	Compliant	No
COOK ISLANDS	N/A	N/A	Compliant	No
CUBA	N/A	N/A	Compliant	No
ECUADOR	N/A	N/A	Compliant	No
EUROPEAN UNION	N/A	Yes	Compliant	No
FAROE ISLANDS	N/A	N/A	Compliant	No
KOREA	N/A	Yes	Compliant	No
PANAMA	N/A	N/A	Compliant	No
PERU	No	Yes	Compliant	No
RUSSIAN FEDERATION	N/A	Yes	Compliant	No
VANUATU	Yes	N/A	Compliant	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues.

Member Comments on Potential Compliance Issues

Member	Comment

Paragraph 23

Contracting Parties and CNCs, as port States, shall, subject to their national laws, facilitate access to their ports on a case-by-case basis to reefer vessels, supply vessels and vessels fishing for *Trachurus murphyi* in accordance with this CMM. Contracting Parties and CNCs shall implement measures to verify catches of *Trachurus murphyi* caught in the Convention Area that are landed or transhipped in its ports.....

This paragraph is assessed below as part of the section on CMM 07-2019 (Port Inspections).

Paragraph 24

Until the Commission adopts an Observer Programme in accordance with Article 28 of the Convention, all Members and CNCs participating in the *Trachurus murphyi* fishery shall ensure a minimum of 10 % scientific observer coverage of trips for vessels flying their flag and ensure that such observers collect and report data as described in CMM 02-2020 (Data standards). In the case of the flagged vessels of a Member or CNC undertaking no more than 2 trips in total, the 10% observer coverage shall be calculated by reference to active fishing days for trawlers and sets for purse seine vessels.



Assessed CMM 01-2020 Para 24 requirement (s)			
Member/ CNC	Observer coverage %	2018/19 Compliance Assessment	2019/20 Possible compliance issues?
CHILE	N/A	Compliant	No
CHINA	N/A	Compliant	No
COOK ISLANDS	N/A	Compliant	No
CUBA	N/A	Compliant	No
ECUADOR	N/A	Compliant	No
EUROPEAN UNION	N/A	Compliant	No
FAROE ISLANDS	N/A	Compliant	No
KOREA	100%	Compliant	No
PANAMA	N/A	Compliant	No
PERU	N/A	Compliant	No
RUSSIAN FEDERATION	100%	Compliant	No
VANUATU	N/A	Compliant	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues.

Member Comments on Potential Compliance Issues

Member	Comment

1.4. Cooperation in respect of Fisheries in Adjacent Areas Under National Jurisdiction

Paragraph 27

Where, due to exceptional and unforeseen circumstances in the stock biomass in the inter-session period, coastal States that have not given their express consent under Article 20 paragraph 4 (a) (ii) establish domestic measures concerning catches of *Trachurus murphyi* in areas under their national jurisdiction that may result in exceeding such difference as indicated in paragraph 26 above, they agree to:

- submit to the Secretariat, as a matter of urgency and no later than 15 days after their adoption, a report explaining to the Commission how the national measures concerning the *Trachurus murphyi* fishery in areas under their national jurisdiction are compatible with those adopted by the Commission, and how they have taken into account the requirements of Article 4 paragraph 2 (a), (b) and (c) of the Convention;
- report to the Secretariat any subsequent changes to the national measures, no later than 15 days after their adoption;
- cooperate in the coordination of the conservation measures they intend to apply with the Scientific Committee and the Commission to ensure that the intended measures do not undermine the effectiveness of the conservation and management measures adopted by the Commission.



Assessed CMM 01-2020 Para 27 requirement (s)						
Member/ CNC	Express consent Given?	Est domestic measures that allow catch to exceed 61 999 tonnes?	Submitted a report as per para 27a?	Reported subsequent changes as per para 27b?	2018/19 Compliance Assessment	2019/20 Possible compliance issues?
CHILE	Yes	N/A	N/A	N/A	Compliant	No
CHINA	N/A	N/A	N/A	N/A	Compliant	No
COOK ISLANDS	N/A	N/A	N/A	N/A	Compliant	No
CUBA	N/A	N/A	N/A	N/A	Compliant	No
ECUADOR	Yes	No	N/A	N/A	Compliant	No
EUROPEAN	N/A	N/A	N/A	N/A	Compliant	No
FAROE ISLANDS	N/A	N/A	N/A	N/A	Compliant	No
KOREA	N/A	N/A	N/A	N/A	Compliant	No
PANAMA	N/A	N/A	N/A	N/A	Compliant	No
PERU	No	Yes	Yes	Yes	Compliant	No
RUSSIAN FEDERATION	N/A	N/A	N/A	N/A	Compliant	No
VANUATU	N/A	N/A	N/A	N/A	Compliant	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues.

Member Comments on Potential Compliance Issues

Member	Comment
Member	



2. CMM 02-2018 Data Standards

2.1. Data on fishing activities and the impacts of fishing

Paragraph 1(a)

1 (a) ensure that for each calendar year, Members and CNCs collate annual catch totals raised to “live” weight for all species/ species groups caught during that year, and that these are collated as described in Annex 13. Members and CNCs will provide by the 30th September, their previous year’s (January to December) annual catch totals raised to “live” weight for all species/ species groups caught;

Assessed CMM 02-2020 Para 1(a) requirement (s)					
Member/ CNC	2019 annual catch provided	Received prior to 30 th Sept	Consistent with Annex 13	2018/19 Compliance Assessment	2018/19 Possible compliance issues?
AUSTRALIA	Yes	Yes	Yes	Compliant	No
CHILE	Yes	Yes	Yes	Compliant	No
CHINA	Yes	Yes	Yes	Compliant	No
COOK ISLANDS	Yes	Yes	Yes	Compliant	No
CUBA	N/A	N/A	N/A	Compliant	No
CURAÇAO	N/A	N/A	N/A	N/A	N/A
ECUADOR	N/A	N/A	N/A	Compliant	No
EUROPEAN UNION	Yes	Yes	Yes	Compliant	No
FAROE ISLANDS	N/A	N/A	N/A	Compliant	No
KOREA	Yes	No	Yes	Compliant	Non-Compliant, no further action
LIBERIA	N/A	N/A	N/A	N/A	N/A
NEW ZEALAND	Yes	Yes	Yes	Compliant	No
PANAMA	N/A	N/A	N/A	N/A	N/A
PERU	Yes	Yes	Yes	Compliant	No
RUSSIAN FEDERATION	Yes	Yes	Yes	Compliant	No
CHINESE TAIPEI	Yes	Yes	Yes	Compliant	No

Secretariat Assessment of potential compliance issues

KOREA	Korea’s Annual catch data was provided on the 9th October 2020 when it was due by the 30th September. There is a possible compliance issue with paragraph 1(a) due to the Secretariat receiving Korea’s annual catch data 9 days after the deadline.
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Member Comments on Potential Compliance Issues

Member	Comment
KOREA	The late submission of the annual catch data was simply due to an administrative oversight. We will make sure that the data is submitted within the deadline from next time.



Paragraph 1(d)

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 Organisation (SPRFMO) using the SPRFMO data submission templates. The data under this subparagraph will be used for the assessment and monitoring 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) – 1c).

Assessed CMM 02-2020 Para 1(d) requirement (s)							
Member/ CNCP	Activities undertaken (2019)	Activity data provided?	Includes non-target spp?	Received prior to 30 th June	Consistent with appropriate Annex?	2018/19 Compliance Assessment	2019/20 Possible compliance issues?
AUSTRALIA	Demersal Longline	Yes	Yes	Yes	Yes	Compliant	No
AUSTRALIA	Demersal Trawl	Yes	Yes	Yes	Yes	Compliant	No
AUSTRALIA	Landings	Yes	Yes	Yes	Yes	Compliant	No
CHILE	Purse Seine	Yes	Yes	Yes	Yes	Compliant	No
CHILE	Landings	Yes	Yes	Yes	Yes	Compliant	No
CHINA	Pelagic Trawl	Yes	Yes	Yes	Yes	Compliant	No
CHINA	Squid jigging	Yes	Yes	Yes	Yes	Compliant	No
CHINA	Transshipment	Yes	Yes	Yes	Yes	Compliant	No
COOK ISLANDS	Demersal Potting	Yes	Late	Yes	Yes	Compliant	Non-Compliant, no further action
COOK ISLANDS	Landings	Yes	Yes	Yes	Yes	Compliant	No
CUBA	Nil	N/A	N/A	N/A	N/A	Compliant	No
CURAÇAO	Transshipment	Yes	Yes	No	Yes	Compliant	Non-Compliant, no further action
CURAÇAO	Landings (<i>Reefer</i>)	Yes	Yes	No	Yes	Compliant	Non-Compliant, no further action
ECUADOR	Nil	N/A	N/A	N/A	N/A	Compliant	No
EUROPEAN UNION	Pelagic Trawl	Yes	Yes	Yes	Yes	Compliant	No
EUROPEAN UNION	Landing	Yes	Yes	Yes	Yes	Compliant	No
FAROE ISLANDS	Nil	N/A	N/A	N/A	N/A	Compliant	No
KOREA	Pelagic Trawl Squid Jigging	Yes	Yes	Yes	Yes	Compliant	No
KOREA	Squid Jigging	Yes	Yes	Yes	Yes	Compliant	No
KOREA	Landings	Yes	Yes	Yes	Yes	Compliant	No
KOREA	Transshipment	Yes	Yes	Yes	Yes	Compliant	No
LIBERIA	Transshipment	Yes	Yes	Yes	Yes	Compliant	No
NEW ZEALAND	Demersal Longline	Yes	Yes	Yes	Yes	Compliant	No
NEW ZEALAND	Demersal Trawl	Yes	Yes	Yes	Yes	Compliant	No
NEW ZEALAND	Demersal Drop/Dahn/Handlining	Yes	Yes	Yes	Yes	Compliant	No
NEW ZEALAND	Landings	Yes	Yes	Yes	Yes	Compliant	No
PANAMA	Transshipment	Partial	Yes	Yes	Yes	Compliant	Yes
PANAMA	Landing (<i>Reefer</i>)	Yes	Yes	Yes	Yes	Not Assessed	No
PERU	Jigging	No	N/A	N/A	N/A	Non-Compliant	No
RUSSIAN FEDERATION	Pelagic Trawl	Yes	Yes	Yes	Yes	Compliant	No



RUSSIAN FEDERATION	Landing	Yes	Yes	Yes	Yes	Compliant	No
CHINESE TAIPEI	Squid Jigging	Yes	Yes	Yes	Yes	Compliant	No
CHINESE TAIPEI	Transshipment	Yes	Yes	Yes	Yes	Compliant	No

Secretariat Assessment of potential compliance issues

COOK ISLANDS	The Cook Islands fishing activity data only contains catch estimates for main species Lobster (JSX) and Crab (GER). However, the Annual Catch data, as well as the Annual report to the Scientific Committee, indicates that over 20 other species were caught. There may be a possible compliance issue associated with Paragraph 1(d) because the Cook Islands fishing activity data did not include estimated live weight of catch retained on board for all species caught by set including bycatch species (refer Annex 5, paragraph 2q) of CMM 02-2020). <i>Secretariat Note: - Cook Islands submitted the missing data for bycatch species on 18 December 2020.</i>
CURAÇAO	According to Paragraph 1(d) Members should provide data in a timely manner and by the 30th June. Transshipment data and Reefer Landings was received from Curaçao on 26 August 2020 - 57 days after the due date.
PANAMA	Initial assessment indicated that transshipment data was not received from PANAMA relating to the vessels the FRIO OLYMPIC (8801802), HAI FENG 688 (9016985) or YONG XIANG 3 (9019119). According to other information held by the Secretariat those vessels conducted transshipment events transferring SPRFMO resources (GIS) within the SPRFMO Area during the reporting period with various Korean and Chinese fishing vessels. There is a possible compliance issue under paragraph 1(d) relating to Panama only submitting partial transshipment information relating to activities carried out during calendar year 2019. <i>Secretariat Note: On Dec 21, 2020 Panama sent additional Transshipment data pertaining to Hai Feng 688 and further indicated that work is ongoing to send the remaining data outstanding. On Jan 05, the data for Frio Olympic was received leaving only the data for the Yong Xiang 3 outstanding.</i>

Member Comments on Potential Compliance Issues

Member	Comment
COOK ISLANDS	Bycatch data has been added to the fishing activity template and has been resubmitted to the Secretariat on Friday 18 December 2020
CURAÇAO	We unintentionally missed the deadline for submitting said compliance report by an unfortunate administrative error, which took us longer to correct because of the unfortunate and exceptional circumstances we found ourselves in because of the COVID-19 pandemic. Our small island paradise was in total lock-down for quite some time and only slowly reverted back to something resembling a “new normal”, creating quite a number of operational challenges and administrative delays. Preventive measures have been taken in the interim, so we are confident a repeat will be avoided in 2021.
PANAMA	Transshipment data relating to the vessels Frio Olympic (8801802), Hai Feng 688 (9016985) and Yong Xiang 3 (9019119), was analysed and the results will be sent to the Commission. The Authority is undergoing some organizational and technological restructuring and has caused some data conflicts, however, Panama will comply with this obligation.



2.2. Observer Data

Paragraph 2(c)

Data Provision

Observer data should be provided to the Secretariat of the SPRFMO in a standardised format, to be included in a SPRFMO Observer Database. Specifications and standards for Observer data submissions are on the SPRFMO website. Until the Secretariat determines a change is needed, observer data will be submitted in Microsoft Excel format. Members and CNCPs will provide by the 30th September, their previous (January to December) year's data.

Assessed CMM 02-2020 Para 2(c) requirement (s)						
Member/ CNCP	2019 Observer data provided?	Received prior to 30 th September	Excel template?	Prescribed data format?	2018/19 Compliance Assessment	2019/20 Possible compliance issues?
AUSTRALIA	Yes	Yes	Yes	Yes	Compliant	No
CHILE	Yes	Yes	Yes	Yes	Compliant	No
CHINA	Yes	Yes	Yes	Yes	Compliant	No
COOK ISLANDS	Yes	Yes	Yes	Yes	Compliant	No
CUBA	N/A	N/A	N/A	N/A	Compliant	No
CURAÇAO	N/A	N/A	N/A	N/A	Compliant	No
ECUADOR	N/A	N/A	N/A	N/A	Compliant	No
EUROPEAN UNION	Yes	Yes	Yes	Yes	Compliant	No
FAROE ISLANDS	N/A	N/A	N/A	N/A	Compliant	No
KOREA	Yes	No	Yes	Yes	Compliant	Non- Compliant, no further action
LIBERIA	N/A	N/A	N/A	N/A	Compliant	No
NEW ZEALAND	Yes	Yes	Yes	Yes	Compliant	No
PANAMA	No	N/A	N/A	N/A	Compliant	No
PERU	N/A	N/A	N/A	N/A	Compliant	No
RUSSIAN FEDERATION	Yes	Yes	Yes	Yes	Compliant	No
CHINESE TAIPEI	N/A	N/A	N/A	N/A	Compliant	No

Secretariat Assessment of potential compliance issues

KOREA	Korea's observer data was provided on the 9 th October 2020; however it was due by the 30 th September. There is a possible compliance issue with paragraph 2(c) due to the Secretariat receiving Korea's observer data 9 days after the deadline.
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Member Comments on Potential Compliance Issues

Member	Comment
KOREA	The late submission of the annual catch data was simply due to an administrative oversight. We will make sure that the data is submitted within the deadline from next time. <i>Secretariat's note: Assuming comment applies to the "Observer data" and it is a typo to reference "annual catch data".</i>



2.3. Data verification

Paragraph 4

Members and CNCPs are to ensure that fishery data are verified through an appropriate system. Members and CNCPs are to develop, implement and improve mechanisms for verifying data, such as:

- position verification through vessel monitoring systems;
- implementation of the Observer Programme CMM (CMM16-2019 (Observer Programme));
- vessel trip, landing and transshipment reports;
- port sampling; and
- electronic monitoring.

2.4. Annual Reports to the SPRFMO SC

Paragraph 7

In order to facilitate the work of the Scientific Committee, Members and CNCPs shall submit reports on an annual basis in order to keep the Scientific Committee informed, in a concise format, of their fishing, research, management activities over the previous year and include information pursuant to paragraph 44 of CMM16- 2019 (Observer Programme). A “nil report” is still required in cases where there was no fishing inside the Convention Area. These reports should be prepared in accordance with the existing guidelines for such reports and shall be submitted to the Executive Secretary at least one month before each Scientific Committee meeting in order to ensure that the Scientific Committee has an adequate opportunity to consider the reports in its deliberations.

Assessed CMM 02-2020 Para 4 & 7 requirement (s)						
Member/ CNCP	Verification systems described?	Annual Report submitted to SC8?	In accordance with existing guidelines?*	Submitted 1 month prior to SC8?	2018/19 Compliance Assessment	2019/20 Possible compliance issues?
AUSTRALIA	Yes	Yes	N/A	Yes	Compliant	No
CHILE	Yes	Yes	N/A	Yes	Compliant	No
CHINA	Yes	Yes	N/A	Yes	Compliant	No
COOK ISLANDS	Yes	Yes	N/A	Yes	Compliant	No
CUBA	N/A	No	N/A	N/A	Compliant	Non-Compliant, no further action
CURAÇAO	Yes	No	N/A	N/A	Not Assessed	Non-Compliant, no further action
ECUADOR	Yes	Yes	N/A	No	Compliant	Non-Compliant, no further action
EUROPEAN UNION	Yes	Yes	N/A	Yes	Compliant	No
FAROE ISLANDS	N/A	No	N/A	N/A	Compliant	Non-Compliant, no further action
KOREA	Yes	Yes	N/A	Yes	Compliant	No
LIBERIA	N/A	No	N/A	N/A	Compliant	Non-Compliant, no further action
NEW ZEALAND	Yes	Yes	N/A	Yes	Compliant	No
PANAMA	Yes	No	N/A	N/A	Compliant	Non-Compliant, no further action
PERU	Yes	Yes	N/A	Yes	Compliant	No
RUSSIAN FEDERATION	Yes	Yes	N/A	Yes	Compliant	No
CHINESE TAIPEI	Yes	Yes	N/A	Yes	Compliant	No
UNITED STATES OF AMERICA	N/A	Yes	N/A	Yes	Compliant	No
VANUATU	Yes	Yes	N/A	Yes	Compliant	No

*Not assessed due to the non-binding nature of the obligation: “These reports should be prepared in accordance with the existing guidelines for such reports”.



Secretariat Assessment of potential compliance issues

Several Members failed to send Annual Report* to SC8.

*Note: Pursuant to paragraph 7 a “nil report” is still required in cases where there was no active fishing inside the Convention Area. *The Secretariat notes that this is a new requirement in CMM 02-2020 and under Paragraph 20 of CMM 01-2020 (Jack mackerel) there is an option to notify the Executive Secretary in the event Members will not be submitting an annual report together with the reasons for not doing so.*

CUBA	Cuba did not fish inside the Convention Area but failed to submit a “Nil” Report to SC8.
CURAÇAO	Curaçao did not fish inside the Convention Area - “Nil” report for SC8 was received late (Dec 17 th).
ECUADOR	Ecuador’s Annual Report was received 5 days late.
FAROE ISLANDS	Faroe Islands did not fish inside the Convention Area - “Nil” Report (no data) advised in Nov 23 rd email.
LIBERIA	Liberia did not fish inside the Convention Area - “Nil” Report (carrier vessels only) advised in Dec 15 th email
PANAMA	Panama did not fish inside the Convention Area - “Nil” Report (carrier vessels only) advised in Dec 22 nd email

Member Comments on Potential Compliance Issues

Member	Comment
CUBA	No comments received regarding lateness.
CURAÇAO	We unintentionally missed the deadline for submitting said compliance report by an unfortunate administrative error, which took us longer to correct because of the unfortunate and exceptional circumstances we found ourselves in because of the COVID-19 pandemic. Our small island paradise was in total lock-down for quite some time and only very slowly reverted back to something resembling a 'new normal', creating quite a number of operational challenges and administrative delays. Preventive measures have been taken in the interim, so we are confident a repeat will be avoided in 2021.
ECUADOR	No comments received regarding lateness.
FAROE ISLANDS	The reason for not submitting a report to SC8 is quite obviously the fact that we have no fishery data to contribute.
LIBERIA	Liberia was unaware of the ‘NIL Report’ requirement for cases where there was no fishing inside the Convention Area. Going forward, Liberia will report, as necessary, whether its vessels have fished or not in the SPRFMO Convention Area. Please note that Liberia only has carrier/receiver vessels operating in the Convention Area.
PANAMA	Panama recognize that in order to facilitate and keep the SC informed, each CNCP shall submit report on an annual basis pursuant Paragraph 44 of CMM16-2019. Please take this statement as a NIL report because there was no fishing vessels or activities (Panama does not have catching vessels) inside the Convention Area for 2019-2020. Considering the provisions established as a new requirement in CMM 02-2020 and under Paragraph 20 of CMM 01-20202 (Jack Mackerel), we have taken notes about to submit a NIL Annual Report to Scientific Committee.



3. CMM 03-2020 Bottom Fishing

3.1. General provisions

Paragraph 10

Members and CNCPs shall prohibit vessels flying their flag from participating in bottom fishing in the Convention Area other than in accordance with the provisions of this CMM together with CMM 03a-2020 (Deepwater species).

Paragraph 11

Only fishing vessels duly authorised pursuant to Article 25 of the Convention and in accordance with CMM 05-2019 (Record of Vessels) that are flagged to Members and CNCPs shall participate in bottom fishing in the Convention Area.

Paragraph 12

No Member or CNCP shall authorise vessels flying their flag to engage in any bottom fishing in the Convention Area unless:

- Authorisation has been given by the Commission under paragraph 20(d)(i); or
- paragraph 21 applies to the Member or CNCP; or
- approval has been given by the Commission under paragraph 12 of CMM 13-2020 (Exploratory Fisheries).

3.2. Bottom fishing Management Areas

Paragraph 14

Bottom fishing in the Convention Area shall occur only in the three Management Areas established in paragraph 13 and in accordance with the terms of this CMM together with CMM 03a-2020 (Deepwater Species). CMM 13-2020 (Exploratory Fisheries) does not apply to bottom fishing in the three Management Areas established in paragraph 13.

Paragraph 16

Unless a Member or CNCP is fishing in an exploratory fishery established pursuant to CMM 13-2020 (Exploratory Fisheries), Members and CNCPs shall ensure that vessels flying their flag comply with the following provisions:

- Bottom trawling shall only occur in a bottom trawl Management Area;
- Midwater trawling shall only occur in a midwater trawl Management Area or a bottom trawl Management Area;
- Bottom lining shall only occur in a Management Area.

Assessed CMM 03-2020 Paras 10, 11, 12, 14 & 16 requirement (s)						
Member/ CNCP	Bottom fished during Period?	Vessels authorised and on the SPRFMO Record?	Bottom fished conducted pursuant to?	Bottom fishing within appropriate Management Areas?	2018/19 Compliance Status	2019/20 Possible compliance issues?
AUSTRALIA	Yes	Yes	Para 12b	Yes	Compliant	No
NEW ZEALAND	Yes	Yes	Para 12b/c	Yes	Compliant	No
COOK ISLANDS	Yes	Yes	Para 12c	Yes	Compliant	No
CHILE	No	N/A	Para 12c	N/A	Compliant	No
EUROPEAN UNION	Yes	Yes	Para 12c	Yes	Compliant	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues

Member Comments on Potential Compliance Issues

Member	Comment



3.3. Marine mammals, seabirds, reptiles and other species of concern

Paragraph 18

Members and CNCPs shall require vessels flying their flag and undertaking bottom fishing to implement seabird mitigation measures in accordance with CMM 09-2017 (Seabirds), and shall report annually to the Commission on bycatch rates and total bycatch estimates in accordance with CMM 02-2020 (Data Standards) and the Guidelines for Annual National Reports to the SPRFMO Scientific Committee.

3.4. Assessment of proposed bottom fishing

Paragraph 20a

Each Member or CNCP proposing to participate in bottom fishing activities shall submit to the Scientific Committee a proposed assessment that meets the SPRFMO Bottom Fishery Impact Assessment Standard (SPRFMO BFIA) with the best available data including consideration of cumulative impacts, not less than 60 days prior to the annual meeting of the Scientific Committee. These submissions shall also include the mitigation measures proposed by the Member or CNCP to prevent such impacts.

Paragraph 22

Members and CNCPs whose bottom fishing proposal has been authorised by the Commission under paragraph 20(d)(i) or to whom paragraph 21 applies shall ensure that a proposed assessment meeting the requirements contained in paragraph 20(a) is submitted to the Scientific Committee and Commission at least every 3 years, and also when a substantial change in the fishery has occurred such that it is likely that the risk or impact of the fishery may have changed.

Assessed CMM 03-2020 Paras 18, 20(a) & 22 requirement (s)						
Member/ CNCP	Seabird mitigation implemented?	Annual report contains bycatch rates and estimates?	BFIA submitted (& on time)?	Current BFIA still applicable?	2018/19 Compliance Status	2019/20 Possible compliance issues?
AUSTRALIA	Yes	Yes	Yes	Yes	Compliant	No
NEW ZEALAND	Yes	Yes	Yes	Yes	Compliant	No
COOK ISLANDS	Yes	Yes	N/A	N/A	Compliant	No
CHILE	N/A	N/A	N/A	N/A	Compliant	No
EUROPEAN UNION	Yes	Yes	N/A	N/A	Compliant	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues

Member Comments on Potential Compliance Issues

Member	Comment



3.5. Encounters with VMEs

Paragraph 28

Where VME indicator taxa are encountered in any one tow at or above the threshold limits in Annex 6(A), or three or more different VME indicator taxa at or above the weight limits in Annex 6(B), Members and CNCs shall require any vessel flying their flag to:

- cease bottom fishing immediately within an encounter area of one (1) nautical mile either side of the trawl track extended by one (1) nautical mile at each end;
- report the encounter immediately to the Member or CNC whose flag the vessel is flying and the Secretariat, in accordance with the Guidelines for the preparation and submission of notifications of encounters with potential VMEs, contained in Annex 7.

Paragraph 31

Members and CNCs shall ensure that vessels flying their flags do not bottom fish in an encounter area notified under paragraph 30(b) unless and until such time as the Commission determines management actions under paragraph 34 that would permit the resumption of bottom fishing in the area.

Paragraph 32

Members and CNCs shall submit to the Scientific Committee a detailed description of each encounter by vessels flying their flag that resulted in a temporary suspension pursuant to paragraph 28, a comparison of the encounter with the existing model prediction, and suggested management actions to prevent significant adverse impacts on VMEs.

Paragraph 35

Members and CNCs shall submit to the Secretariat annual reports of all benthic bycatch data from vessels flying their flag, consistent with CMM 02-2020 (Data Standards), to enable an ongoing review of the effectiveness of the spatial management arrangements. By no later than its annual meeting in 2019, the Scientific Committee shall develop a review process to provide for ongoing monitoring and feedback.

Assessed CMM 03-2020 Paras 28, 31, 32 & 35 requirement (s)							
Member/ CNC	VME indicator taxa encountered above thresholds?	Appropriate actions taken (in case of encounter)?	Fishing in a notified encounter area?	SC Submission (in case of encounter)?	Benthic bycatch data reported?	2018/19 Compliance Status	2019/20 Possible compliance issues?
AUSTRALIA	No	N/A	N/A	N/A	Yes	Compliant	No
NEW ZEALAND	No	N/A	N/A	N/A	Yes	Compliant	No
COOK ISLANDS	No	N/A	N/A	N/A	Yes	Compliant	No
CHILE	N/A	N/A	N/A	N/A	N/A	Compliant	No
EUROPEAN UNION	No	N/A	N/A	N/A	Yes	Compliant	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues

Member Comments on Potential Compliance Issues

Member	Comment



3.6. Monitoring and control of bottom fishing activities

Paragraph 39a

Members and CNCPs shall:

- a) ensure that vessels that fly their flag and participate in bottom fishing:
 - i. are equipped and configured so that they can comply with all relevant SPRFMO CMMs;
 - ii. act in accordance with CMM 06-2020 (Commission VMS), polling once every 30 minutes for the duration of the trip;
 - iii. report tow or set start and end position to 1/100th degree resolution - decimal format, notwithstanding the Annexes of CMM 02-2020 (Data standards).

3.7. Observer coverage

Paragraph 40

All Members and CNCPs participating in bottom fishing pursuant to this CMM shall ensure scientific observer coverage of trips for vessels flying their flag consistent with the minimum observer coverage levels set out in Annex 8 and shall ensure that such observers collect and report data as described in CMM 02-2020 (Data Standards).

Assessed CMM 03-2020 Paras 39(a) & 40 requirement (s)						
Member/ CNCP	Ensure vessels comply with SPRFMO CMMs?	VMS equipped and reporting (30/60 mins)?	Fishing positions 1/100 th degree?	Observer coverage levels?*	2018/19 Compliance Status	2019/20 Possible compliance issues?
AUSTRALIA	Yes	Yes (30 mins)	Yes	BT – 100% MWT-100% BLL –11%	Compliant	No
NEW ZEALAND	Yes	Yes (30 mins)	Yes	BT – 100% MWT –100% BLL – 26%	Compliant	No
COOK ISLANDS	Yes	Yes (60 mins)	Yes	BP – 100%	Compliant	No
CHILE	Yes	N/A	N/A	BLL- N/A	Compliant	No
EUROPEAN UNION	Yes	Yes (60 mins)	Yes	BLL- 100%	Compliant	No

*BT=Bottom Trawl; MWT= Mid-Water Trawl; BLL= Bottom Longline; BP= Bottom Potting

Secretariat Assessment of potential compliance issues

- No potential compliance issues

Member Comments on Potential Compliance Issues

Member	Comment



4. CMM 03a-2020 Deepwater species

4.1. Catch Limits and monitoring

Paragraph 10

Until the Scientific Committee recommends precautionary catch limits, the catch of all other target and non-target fish species in the Evaluated Area shall be limited to a level that does not exceed the annual average catch levels of that Member or CNCP over the period 1 January 2002 to 31 December 2006 as shown in Table 3.

Paragraph 13

In 2020 Members and CNCPs are to share in the total catch of orange roughy, as specified in paragraphs 5, 7 and 9, in the tonnages set out in Table 1 of this CMM.

Paragraph 15

By 31 December each year a Member or CNCP may transfer to another Member or CNCP all or part of its entitlement to catch up to the limit set out in Table 1, without prejudice to future agreements on the allocation of fishing opportunities, subject to the approval of the receiving Member or CNCP. When receiving fishing entitlement by transfer, a Member or CNCP may allocate it on the basis of domestic legislation. Before the transferred fishing takes place, the transferring Member or CNCP shall notify the transfer to the Executive Secretary for circulation to Members and CNCPs without delay. Such transfers shall only occur within, and not across, the catch limits and areas defined in paragraphs 5, 7 and 9.

Paragraph 16

Where a Member or CNCP has reached 70% of their catch limit, that Member or CNCP shall monitor catch daily and ensure there is no further fishing effort by fishing vessels flying its flag once the catch limit has been reached. Members and CNCPs shall notify the Secretariat as soon as practicable of the catch limit being reached.

Paragraph 24

Members and CNCPs shall report, in an electronic format, the monthly catches of their flagged vessels participating in bottom fishing to the Secretariat within 20 days of the end of each month, consistent with the SPRFMO Data submission templates.

Assessed CMM 03a-2020 Paras 10, 13, 15, 16 & 24 requirement (s)							
Member/ CNCP	Monthly reports	Species – Area	2020 catch Limit (t)	Post transfer (t)	Provisional 2020 catch (t)*	2018/19 Compliance Status	2019/20 Possible compliance issues?
AUSTRALIA	12	ORY – Tasman	69	69	0	Compliant	No
AUSTRALIA		ORY – Louisville	114	114	0	Compliant	No
AUSTRALIA		ORY – Westpac	13	13	0	Compliant	No
AUSTRALIA		ORY – STR	0	0	0	Compliant	No
AUSTRALIA		Other Deepwater	211	211	12	Compliant	No
NEW ZEALAND	12	ORY – Tasman	277	277	142	Compliant	No
NEW ZEALAND		ORY – Louisville	1 026	1 026	130	Compliant	No
NEW ZEALAND		ORY – Westpac	245	245	27	Compliant	No
NEW ZEALAND		ORY – STR	0	0	0	Compliant	No
NEW ZEALAND		Other Deepwater	762	762	216	Compliant	No

*Catches to 30 November 2020



Secretariat Assessment of potential compliance issues

- No potential compliance issues

Member Comments on Potential Compliance Issues

Member	Comment



5. CMM 04-2020 Vessels presumed to have carried out IUU activities

5.1. Information on alleged IUU activities

Paragraph 2

Members and CNCPs shall transmit every year to the Executive Secretary at least 120 days before the annual meeting, their list of vessels presumed to be carrying out IUU fishing activities in the Convention Area over the past two years, accompanied by suitably documented evidence concerning the presumption of IUU fishing activity.

Paragraph 4

Before or at the same time as transmitting a list of presumed IUU vessels to the Executive Secretary, the Member or CNCP shall notify, either directly or through the Executive Secretary using the Reporting Form in Annex I, the relevant flag State of a vessel's inclusion on this list and provide a copy of the pertinent suitably documented information. The flag State shall promptly acknowledge receipt of the notification.

5.2. Draft IUU Vessel List

Paragraph 7

The Commission shall request the flag State to notify the owner of the vessel of its inclusion in the Draft IUU List and of the consequences that may result from its inclusion being confirmed in the IUU List adopted by the Commission.

5.3. IUU Vessel List

Paragraph 15

On adoption of the list, the Commission shall request Members, CNCPs and non-Members, whose vessels appear on the IUU List:

- To notify the owner of the vessel identified on the IUU Vessel List of its inclusion on the List and the consequences which result from being included on the List, as referred to in paragraph 16;
- To take all the necessary measures to eliminate these IUU fishing activities, including if necessary, the withdrawal of the registration or of the fishing licenses of these vessels, and to inform the Commission of the measures taken in this respect.

Paragraph 16

Members and CNCPs shall take all necessary non-discriminatory measures, under their applicable legislation and international law:

- *9 measures detailed as bullet points*



Assessed CMM 04-2020 Paras 2, 4, 7, 15 & 16 requirement (s)								
Member/ CNC	Transmitted a list of presumed IUU vessels?	Notified relevant flag State?	Vessels on any SPRFMO IUU Vessel List?	Notified owners about potential consequences?	Applied Para 16 measures?	Informed Commission about Measures taken?	2018/19 Compliance Status	2019/20 Possible compliance issues?
AUSTRALIA	No	N/A	No	N/A	N/A	N/A	Compliant	No
CHILE	No	N/A	No	N/A	N/A	N/A	Compliant	No
CHINA	No	N/A	No	N/A	N/A	N/A	Compliant	No
COOK ISLANDS	No	N/A	No	N/A	N/A	N/A	Compliant	No
CUBA	No	N/A	No	N/A	N/A	N/A	Compliant	No
CURAÇAO	No	N/A	No	N/A	N/A	N/A	Compliant	No
ECUADOR	No	N/A	No	N/A	N/A	Yes	Compliant	No
EUROPEAN UNION	No	N/A	No	N/A	N/A	N/A	Compliant	No
FAROE ISLANDS	No	N/A	No	N/A	N/A	N/A	Compliant	No
KOREA	No	N/A	No	N/A	N/A	N/A	Compliant	No
LIBERIA	No	N/A	No	N/A	N/A	N/A	Compliant	No
NEW ZEALAND	No	N/A	No	Yes	N/A	Yes	Compliant	No
PANAMA	No	N/A	No	N/A	N/A	N/A	Compliant	No
PERU	No	N/A	No	N/A	N/A	N/A	Compliant	No
RUSSIAN FEDERATION	No	N/A	Yes	Yes	Yes	Yes	Compliant	No
CHINESE TAIPEI	No	N/A	No	N/A	N/A	Yes	Compliant	No
UNITED STATES OF AMERICA	No	N/A	No	N/A	N/A	N/A	Compliant	No
VANUATU	No	N/A	No	N/A	N/A	N/A	Compliant	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues

Member Comments on Potential Compliance Issues

Member	Comment



5.4. Modification of the IUU Vessel List

Paragraph 21

A Member, CNCP or non-Member whose vessel appears on the IUU Vessel List may request the removal of this vessel from the list, including during the intersessional period, by providing to the Executive Secretary suitably documented information demonstrating that:

- a) it has adopted measures so that this vessel conforms with SPRFMO CMMs; and
- b) it is and will continue to assume effectively its responsibilities with respect to this vessel in particular as regards the monitoring and control of the fishing activities executed by this vessel in the SPRFMO Convention Area; and
- c) i. it has taken effective action in response to the IUU fishing activities in question including prosecution and/or imposition of sanctions of adequate severity; and/or
- ii. the vessel has changed ownership and that the new owner can establish the previous owner no longer has any legal, financial or real interests in the vessel or exercises control over it and that the new owner has not participated in IUU fishing.

5.5. Actions against nationals involved in IUU fishing activities

Paragraph 25

Without prejudice to the primacy of the responsibility of the flag state, Members and CNCPs shall take all appropriate measures, subject to and in accordance with their domestic laws and regulations, with regard to their nationals, and any other natural or legal person subject to their jurisdiction, identified as engaged in, responsible for, benefiting from, or supporting the activities of any vessel engaged in IUU fishing activities in the Convention Area. Nothing in this paragraph shall preclude the rights of Members and CNCPs to apply additional or more stringent measures.

Paragraph 28

To assist with the implementation of this CMM, Members and CNCPs shall include in their Implementation Reports the actions and measures taken in accordance with this CMM.

5.6. Information indicating a change of circumstances of vessel appearing on the current IUU List

Paragraph 29

A Member or CNCP with information indicating a change of name and/or an International Radio Call Sign (IRCS) of a vessel appearing on the SPRFMO IUU Vessel List shall, as soon as practicable, transmit such information to the Executive Secretary. The Executive Secretary shall communicate such information to all Members and CNCPs and, after verification, update the current IUU Vessel List on the SPRFMO website to reflect such information.



Assessed CMM 04-2020 Paras 21, 25, 28 & 29 requirement (s)						
Member/ CNC	Requested removal of an IUU Vessel?	Actions taken against nationals involved in IUU fishing activities?	Actions and measures taken included in Implementation report?	Transmitted information which indicated a change of circumstances?	2018/19 Compliance Status	2019/20 Possible compliance issues?
AUSTRALIA	No	No	No	No	Compliant	No
CHILE	No	No	No	No	Compliant	No
CHINA	No	No	No	No	Compliant	No
COOK ISLANDS	No	No	N/A	No	Compliant	No
CUBA	No	No	No	No	Compliant	No
CURAÇAO	No	No	No	No	Compliant	No
ECUADOR	No	No	No	No	Compliant	No
EUROPEAN UNION	No	No	No	No	Compliant	No
FAROE ISLANDS	No	No	No	No	Compliant	No
KOREA	No	No	No	No	Compliant	No
LIBERIA	No	No	No	No	Compliant	No
NEW ZEALAND	No	No	No	No	Compliant	No
PANAMA	No	No	No	No	Compliant	No
PERU	No	No	No	No	Compliant	No
RUSSIAN FEDERATION	No	No	No	No	Compliant	No
CHINESE TAIPEI	No	No	No	No	Compliant	No
UNITED STATES OF AMERICA	No	No	No	No	Compliant	No
VANUATU	No	No	No	No	Compliant	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues

Member Comments on Potential Compliance Issues

Member	Comment



6. CMM 05-2019 Commission Record of Vessels Authorised to Fish

Paragraph 2

Each Member and CNCP will take into account the history of fishing vessels and operators with respect to their compliance (or non-compliance) with relevant conservation and management measures when considering whether or not to authorise a particular fishing vessel flying its flag to fish in the Convention Area. Members and CNCPs shall ensure that no authorisation to fish in the Convention Area is issued to or maintained for a vessel included on any Regional Fisheries Management Organisation Illegal, Unreported and Unregulated (IUU) vessel list or on the IUU vessel list of the Commission for the Conservation of Antarctic Marine Living Resources.

Paragraph 3

Each Member or CNCP shall take necessary measures to ensure that vessels flying their flag and authorised to fish in the Convention Area have a sufficient level of ownership by citizens, residents or legal entities within its jurisdiction to allow enforcement action to be effectively taken against them.

Paragraph 4

Each Member and CNCP is to maintain a register of fishing vessels entitled to fly its flag and authorised to fish in the Convention Area.

Assessed CMM 05-2019 Paras 2, 3 & 4 requirement (s)					
Member/ CNCP	History of vessels and other IUU Lists accounted for?	Effective enforcement actions able to be taken?	National register of SPRFMO authorised vessels?	2018/2019 Compliance Status	2019/2020 Possible compliance issues?
AUSTRALIA	Yes	Yes	Yes	Compliant	No
CHILE	Yes	Yes	Yes	Compliant	No
CHINA	Yes	Yes	Yes	Compliant	No
COOK ISLANDS	Yes	Yes	Yes	Compliant	No
CURAÇAO	Yes	Yes	Yes	Compliant	No
ECUADOR	Yes	Yes	Yes	Non-Compliant	No
EUROPEAN UNION	Yes	Yes	Yes	Compliant	No
FAROE ISLAND	Yes	Yes	Yes	Compliant	No
KOREA	Yes	Yes	Yes	Compliant	No
LIBERIA	Yes	Yes	Yes	Compliant	No
NEW ZEALAND	Yes	Yes	Yes	Compliant	No
PANAMA	Yes	Yes	Yes	Non-Compliant	No
PERU	Yes	Yes	Yes	Compliant	No
RUSSIAN FEDERATION	Yes	Yes	Yes	Compliant	No
CHINESE TAIPEI	Yes	Yes	Yes	Compliant	No
VANUATU	Yes	Yes	Yes	Compliant	No



Secretariat Assessment of potential compliance issues

- No potential compliance issues.

Member Comments on Potential Compliance Issues

Member	Comment

Paragraph 5

Members and CNCPs are to collect and include for each vessel on its register of fishing vessels entitled to fly its flag and authorised to fish in the Convention area, the data described in Annex 1 of this Measure.

Paragraph 6

For vessels not previously on the SPRFMO Record of Vessels Members and CNCPs shall inform the Executive Secretary of the vessels flying their flag authorised to fish in the Convention Area at least 15 days previous to the first entry of such vessels in the Convention Area for the purposes of fishing for SPRFMO fishery resources. In doing so, Members or CNCP shall provide the Executive Secretary the vessel's details, as indicated in Annex 1 of this Measure.

Paragraph 7

Members and CNCPs shall ensure that the vessel data specified in Annex 1 for the vessels flying their flag authorised to fish in the Convention Area is updated. Any modification regarding the vessel data shall be notified by the relevant Member or CNCP to the Executive Secretary within 15 days after such modification.

Paragraph 8

Members and CNCP shall inform the Executive Secretary when authorisations to fish in the Convention area are revoked, relinquished or otherwise no longer valid. This information shall be submitted immediately or in any case in no more than 3 days of the date of any such change.

Paragraph 13

The Record of Vessels shall indicate which of the authorised vessels have been actively fishing for each year. To this end each Member and CNCP participating in fishing activities in the Convention shall notify the Executive Secretary of the vessels that are actively fishing or engaged in transshipment in the Convention Area. In the case of vessels involved in the *Trachurus murphyi* fishery, this information shall be submitted within 20 days of the end of each month. For vessels involved in other fisheries within the Convention area, this information shall be submitted on annually basis, within 30 days of the end of the year. The Executive Secretary shall maintain lists of the vessels so notified and will make them available on the SPRFMO website.



Assessed CMM 05-2019 Paras 5-8 & 13 requirement (s)									
Member/ CNC	Number of vessels authorised (active)?	New & (revoked) authorisations during 2019/20?	All new vessels notified 15 days prior?	All revoked authorisations notified within 3 days?	Other modifications notified within 15 days?	Annex 1 Format?	Authorised Vessels with Images (IMO)	2018/19 Compliance Status	2019/20 Possible compliance issues?
AUSTRALIA	7 (2)	0 (0)	N/A	N/A	N/A	Yes	100% (100%)	Compliant	No
CHILE	158 (0)	0 (3)	N/A	Yes	Yes	N/A	100% (100%)	Compliant	No
CHINA	702 (540)	75 (2)	Yes	No	Yes	Yes	100% (100%)	Non- Compliant	Non- Compliant, no further action
COOK ISLANDS	10 (1)	1 (0)	Yes	N/A	Yes	Yes	100% (100%)	Compliant	No
CURAÇAO	7 (1)	0 (0)	N/A	N/A	Yes	N/A	100% (100%)	Compliant	No
ECUADOR	1 (0)	0 (0)	N/A	N/A	N/A	N/A	100% (100%)	Compliant	No
EUROPEAN UNION	9 (1)	0 (0)	N/A	N/A	N/A	N/A	100% (100%)	Compliant	No
FAROE ISLAND	0 (0)	0 (0)	N/A	N/A	N/A	N/A	N/A	Compliant	No
KOREA	39 (13)	0 (0)	N/A	N/A	Yes	N/A	100% (100%)	Compliant	No
LIBERIA	21 (4)	1 (1)	Yes	No	Yes	Yes	100% (100%)	Compliant	Non- Compliant, no further action
NEW ZEALAND	16 (7)	0 (0)	N/A	N/A	Yes	Yes	100% (100%)	Compliant	No
PANAMA	141 (132)	24 (1)	Yes	No	Yes	Yes	100% (100%)	Non- compliant	Non- Compliant, no further action
PERU	99 (0)	0 (0)	N/A	N/A	Yes	N/A	100% (100%)	Non- Compliant	No
RUSSIAN FEDERATION	6 (1)	1 (0)	Yes	N/A	Yes	Yes	100% (100%)	Compliant	No
CHINESE TAIPEI	61 (5)	6 (0)	Yes	N/A	Yes	Yes	100% (100%)	Compliant	No
UNITED STATES OF AMERICA	0 (0)	0 (0)	N/A	N/A	N/A	N/A	N/A	Compliant	No
VANUATU	0 (0)	0 (0)	N/A	N/A	N/A	N/A	N/A	Compliant	No



Secretariat Assessment of potential compliance issues

Late notifications of revoked, relinquished or otherwise no longer valid authorizations: As per paragraph 8, Members and CNCPs shall inform the Executive Secretary when authorisations to fish in the Convention area are revoked, relinquished or otherwise no longer valid. This information shall be submitted immediately or in any case in no more than 3 days of the date of any such change.

CHINA	The Secretariat was informed on 16 January 2020 that the HANYI705 was scrapped on 12 Oct 2019 and the HANYI9 was scrapped on 12 Nov 2019. The notifications were submitted well after the required timeframes (60+ days late).
LIBERIA	The MEITA MARU (IMO 9071583) transferred to the flag and ship registry of Panama on 23 September 2020. The Secretariat was not informed until 7 days later.
PANAMA	The Secretariat received an email on 29 May 2020 asking to remove the SOUTA MARU (IMO 9263021) from the Record of Vessels. The deletion certificate that was attached indicated that the vessel was removed from the Panamanian Registry on 28 April 2020 (i.e. request received 32 days after vessel de-registered).

Member Comments on Potential Compliance Issues

Member	Comment
CHINA	We always regard vessel registration in RFMOs as one of its work priorities, vessel registry is the first step of all the compliance work. Meanwhile, we do our best to keep updated all the vessel information accurately and timely according to CMM 05-2020, although China has the largest registration vessel list in SPRFMO. However, it is indeed that we did not inform the Secretariat immediately or within 3 days to such scrapping of these two vessels. This is because the staff responsible for vessel construction/scrapping did not communicate in a timely manner with the staff in charge of SPRFMO vessel registration in relation to the scrapping of these two vessels, which resulted in the delayed notification to SPRFMO Secretariat. We will do our best to avoid such non-compliance with technical nature in the future through the establishment of a new vessel database. I would like to take this opportunity to appreciate the kind assistance which SPRFMO Date Manager provided, given the quantity of our registered vessels, we deeply know this is not easy.
LIBERIA	Due to the intricacies involved with vessel deletion and transfer procedures, the Transshipment Department was not made aware of the vessel's final deletion date until after the vessel was registered with Panama. Internal measures have been put in place to remedy this issue.
PANAMA	Under the Paragraph 8, the Panama process of flag registry and deletions is below of the Maritime Authority of Panama, other governmental institution which supports the Aquatic Resources Authority work. Now we are exchange this kind of information weekly in order to improve the information exchange and send the vessel deletion information when they have been withdrawn from the Panama Registry on time.



7. CMM 06-2020 Establishment of Vessel Monitoring System

7.1. Purpose

Paragraph 4

The purpose of the Commission VMS is to continuously monitor the movements and activity of fishing vessels that are on the Commission Record of Vessels and are authorised by Members or CNCPs to fish for fisheries resources in the SPRFMO Convention Area in a cost-effective manner in order to, *inter alia*, support the implementation of SPRFMO CMMs.

7.2. Nature and Specification of the Commission VMS

Paragraph 9

Without prejudice to the principle of flag State responsibility, each Member and CNCP shall require vessels flying its flag to report VMS data automatically either:

- to the Secretariat via their flag State's FMC; or
- simultaneously to both the Secretariat and its FMC

Paragraph 10

Each Member and CNCP shall notify the Executive Secretary of its chosen means of reporting (option (a) or (b) under paragraph 9) before the Commission VMS is activated.

Paragraph 11

Members and CNCPs that choose to report under option (a) of paragraph 9 shall automatically forward VMS reports to the Secretariat at an interval not less frequent than hourly.

Assessed CMM 06-2020 Paras 4 & 9-11 requirement (s)				
Member/ CNCP	Vessels reporting to Commission VMS	Chosen Method	2018/19 Compliance Status	2019/20 Possible compliance issues?
AUSTRALIA	Yes (2)	9b	Compliant	No
CHILE	Yes (2 - <i>in transit</i>)	9a	Compliant	No
CHINA	Yes (697)	9a	Compliant	No
COOK ISLANDS	Yes (5)	9b	Compliant	No
CURAÇAO	Yes (1)	9b	Compliant	No
ECUADOR	Yes (1)	9b	Compliant	No
EUROPEAN UNION	Yes (1)	9a	Compliant	No
FAROE ISLANDS	N/A	N/A	Compliant	No
KOREA	Yes (13)	9a	Compliant	No
LIBERIA	Yes (2)	9a	Compliant	No
NEW ZEALAND	Yes (8)	9b	Compliant	No
PANAMA	Yes (109)	9b	Compliant	No
PERU	Yes (99)	9a	Compliant	No
RUSSIAN FEDERATION	Yes (1)	9b	Compliant	No
CHINESE TAIPEI	Yes (9)	9a	Compliant	No
VANUATU	N/A	N/A	Compliant	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues

Member Comments on Potential Compliance Issues

Member	Comment



Paragraph 12

All Member and CNCP fishing vessels required to report to the Commission VMS shall use a functioning ALC (*Automatic Location Communicator*) that complies with the Commission's minimum standards for ALCs in Annex 1.

Paragraph 13

All Members, CNCPs, the Secretariat, the service provider and the Scientific Committee and its subsidiary bodies shall manage VMS data in accordance with the Security and Confidentiality Requirements in Annex 2 of this CMM and the Maintenance of Confidentiality Requirements of Paragraph 6 of CMM 02-2020 (Data Standards).

7.3. Use and Release of VMS Data Requiring the Permission of the Member or CNCP

Paragraph 21

All requests for access to VMS data must be made to the Secretariat by electronic means by a VMS Point of Contact as specified in paragraph 7 of Annex 2 of this CMM. Other than the specific purposes set out in paragraph 24 of this CMM, the Secretariat shall only provide VMS data to a requesting Member or CNCP where the VMS data relates to vessels flagged to other Members or CNCPs that have provided prior written consent through their VMS Point of Contact for the data to be shared. The Secretariat shall only provide VMS data in accordance with the Security and Confidentiality Requirements at Annex 2 of this CMM.

7.4. Use and Release of VMS Data not requiring the Consent of the Member or CNCP

Paragraph 24

Upon request of a Member or CNCP, as applicable, the Secretariat shall only provide VMS data in accordance with the procedure of Paragraphs 25 to 28 and Annex 5 of this CMM without the permission of the Member or CNCP for the exclusive purposes of:

- a) planning for active surveillance operations and/or inspections at sea within 72 hours of the expected start of the operations;
- b) active surveillance operations and/or inspections at sea;
- c) supporting search and rescue activities undertaken by a competent Maritime Rescue Coordination Centre (MRCC) subject to the terms of any Arrangement between the Secretariat and the competent MRCC.

Paragraph 25

For the purpose of implementing Paragraph 24 a) and b):

- a) Inspections at sea will be undertaken in accordance with CMM 11-2015 (Boarding and Inspection);
- b) each Member or CNCP, as applicable, shall only make available such VMS data to a Member authorised inspector, and any other government officials for whom it is deemed necessary to access the data;
- c) VMS data relevant to the planned or active surveillance operations and/or inspections at sea shall be transmitted by the VMS Point of Contact of the Member or CNCP, as applicable, to the inspectors and government officials in charge of the operations referred to in paragraph 24 a) and b);
- d) Members and CNCPs, as applicable, shall ensure that such inspectors and government officials keep the data confidential and only use the data for the purposes described in paragraph 24 a) and b);
- e) Members may retain VMS data provided by the Secretariat for the purposes described in paragraph 24 a) and b) until 24 hours after the time that the active operation has concluded. Except in the circumstances outlined in paragraph 25 f), Members shall submit a written confirmation to the Secretariat of the deletion of the VMS data immediately after the 24 hours' period;
- f) Members and CNCPs' authorised inspectors and government officials authorities may retain VMS data provided by the Secretariat for the purposes described in paragraph 24 a) and b) for longer than the periods specified in paragraph 25 e) only if it is part of an investigation, judicial or administrative proceeding of an alleged violation of the provisions of the Convention, any CMMs or decisions adopted by the Commission, or domestic laws and regulations. Members shall inform the Secretariat of the purposes and expected timing of the additional period of data retention.



Paragraph 26

For the purpose of paragraph 24 b), the Secretariat shall provide VMS data for vessels detected during surveillance, and/or inspection activity. Members conducting the active surveillance and/or inspection activity shall provide the Secretariat and the VMS Point of Contact of the Member or CNCP with a report including the name of the vessel or aircraft on active surveillance and/or inspection activity. This information shall be made available without undue delay after the surveillance and/or inspection activities are complete.

Paragraph 27

For the purpose of paragraph 24 b), the Secretariat shall provide VMS data for vessels detected during surveillance, and/or inspection activity. Members conducting the active surveillance and/or inspection activity shall provide the Secretariat and the VMS Point of Contact of the Member or CNCP with a report CMM 06-2020 Commission VMS 5 including the name of the vessel or aircraft on active surveillance and/or inspection activity. This information shall be made available without undue delay after the surveillance and/or inspection activities are complete.

Paragraph 28

For the purpose of paragraph 24 c), upon the request of a Member or CNCP, the Secretariat shall provide VMS data without the permission of the Member or CNCP for the purposes of supporting search and rescue activities undertaken by a competent MRCC subject to the terms of an arrangement between the Secretariat and the competent MRCC. The Member or CNCP requesting the information shall ensure that the data will only be used only for the purposes described in this paragraph.

Assessed CMM 06-2020 Paras 12, 13, 21, & 24-28 requirement (s)						
Member/ CNCP	ALCs comply with Annex 1?	VMS point of Contact designated?	Received SPRFMO VMS data?	Adhered with Annex 5 & para 24-28?	2018/19 Compliance Status	2019/20 Possible compliance issues?
AUSTRALIA	Yes	Yes	No	N/A	Compliant	No
CHILE	Yes	Yes	No	N/A	Compliant	No
CHINA	Yes	Yes	No	N/A	Compliant	No
COOK ISLANDS	Yes	Yes	Yes	N/A	Compliant	No
CURAÇAO	Yes	Yes	No	N/A	Compliant	No
ECUADOR	Yes	Yes	No	N/A	Compliant	No
EUROPEAN UNION	Yes	Yes	No	N/A	Compliant	No
FAROE ISLANDS	N/A	Yes	No	N/A	Compliant	No
KOREA	Yes	Yes	No	N/A	Compliant	No
LIBERIA	Yes	Yes	No	N/A	Compliant	No
NEW ZEALAND	Yes	Yes	No	N/A	Compliant	No
PANAMA	Yes	Yes	No	N/A	Compliant	No
PERU	Yes	Yes	No	N/A	Compliant	No
RUSSIAN FEDERATION	Yes	Yes	No	N/A	Compliant	No
CHINESE TAIPEI	Yes	Yes	No	N/A	Compliant	No
VANUATU	N/A	Yes	No	N/A	Compliant	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues

Member Comments on Potential Compliance Issues

Member	Comment



7.5. Procedure for Manual Reporting

Paragraph 14

In the event of failure of automatic reporting, the procedure outlined in Annex 3 of this CMM shall apply.

7.6. Measures to Prevent Tampering with ALCs

Paragraph 16

Where a Member or CNCP has reason to suspect that an ALC does not meet the requirements of Annex 1, or has been tampered with in any way, it shall immediately notify the Secretariat and:

- in the event that the ALC is installed onboard a vessel flying the flag of another Member or CNCP, the Member or CNCP shall notify the Member or CNCP concerned;
- in the event the vessel is flagged to the Member or CNCP, it shall:
 - investigate the suspected breach of this measure as soon as possible;
 - depending on the outcome of the investigation, if necessary suspend the vessel from fishing until an ALC that meets the specifications outlined in Annex 1 is operational onboard the vessel; and
 - communicate actions taken to the Commission, including the outcome of the investigation.

Paragraph 17

Members and CNCPs shall ensure that vessels flying their flag install and use ALCs which fulfil the conditions of Annex 4 of this CMM.

Paragraph 18

Members and CNCPs shall report in the annual Implementation Report of paragraph 5 of CMM 10-2020 (CMS) the methods used to prevent tampering by their individual vessels. Such methods may include the use of ALCs sealed by the Member or CNCP or manufacturer, tamper-evident external or internal seals, or other methods. The Commission shall review the effectiveness of the tampering methods applied by the vessels of Members and CNCPs at the latest at its annual meeting in 2023 in accordance with paragraph 33 of this CMM.

Paragraph 19

Members and CNCPs shall report on their implementation of paragraph 17 through the Implementation Report of paragraph 5 of CMM 10-2020 (CMS), including the brand, model, security features, e.g. "tamper-evident seals installed", and identification of the ALC approved for use for each vessel flying its flag.

Assessed CMM 06-2020 Paras 14 & 16-19 requirement (s)							
Member/ CNCP	Manual reporting used?	Annex 3 procedure applied?	Any ALC failures investigated?	Annex 4 conditions applied?	Para 18/19 details provided?	2018/19 Compliance Status	2019/20 Possible compliance issues?
AUSTRALIA	No	N/A	No	Yes	Yes	Compliant	No
CHILE	No	N/A	No	Yes	Yes	Compliant	No
CHINA	No	N/A	No	Yes	Yes	Compliant	No
COOK ISLANDS	No	N/A	No	Yes	Yes	Compliant	No
CURAÇAO	No	N/A	No	Yes	Yes	Compliant	No
ECUADOR	No	N/A	No	Yes	Late	Non-Compliant	Non-Compliant, no further action
EUROPEAN UNION	No	N/A	No	Yes	Yes	Compliant	No
FAROE ISLANDS	N/A	N/A	N/A	N/A	N/A	Compliant	No
KOREA	No	N/A	No	Yes	Yes	Compliant	No
LIBERIA	No	N/A	No	Yes	Yes	Compliant	No
NEW ZEALAND	Yes (1)	Yes	No	Yes	Yes	Compliant	No
PANAMA	No	N/A	No	Yes	Yes	Compliant	No
PERU	No	N/A	No	Yes	Yes	Compliant	No
RUSSIAN FEDERATION	No	N/A	No	Yes	Yes	Compliant	No
CHINESE TAIPEI	No	N/A	No	Yes	Yes	Compliant	No
VANUATU	N/A	N/A	N/A	N/A	N/A	Compliant	No



Secretariat Assessment of potential compliance issues

- Ecuador's Implementation report did not specify the methods used to prevent tampering nor was the ALC specific information provided for their vessel.

Secretariat Note: Following the initial draft CMS report, on 23 December 2020 Ecuador submitted additional information as well as supporting documentation. The TABLE requiring the relevant ALC Information for the vessel in question was also completed and provided.

Member Comments on Potential Compliance Issues

Member	Comment
ECUADOR	The vessel had been transmitting signal during 2019 directly to the Commission. Ecuador recently asked the Secretariat to suspend the transmission of the signal because the vessel is not within the Convention Area. DIRNEA, the Navy Agency in charge of the monitoring of the vessels (including fishing vessels) should comply with the Resolution COGMAR-JUR-036-2015 (attached) to ensure the correct functioning of the VMS: Art. 16.- The vessel whose VMS stops transmitting for a period greater than that established by the Authority, will be automatically placed on the "UNAUTHORIZED LIST", which will temporarily prevent the supply of fuel and the granting of departure in any port of the country. The vessel that registers more than three data transmission interruptions during a navigation, must be inspected by personnel of the Harbor Master's Office together with personnel of the company providing the service prior to departure, in order to verify that the equipment has been repaired and it is working properly. Second: If it is detected that the Transmitter Device of a vessel has not been turned on, or its signal has been blocked, the Maritime Authority will deny the corresponding dispatch and / or return to the immediate port; The same will occur in the case of those vessels that have completed the installation period established by the Maritime Authority, have not planned the implementation of their Transmitter Device. Also, the vessels are required to permanently send signal to the Commission in compliance with the CMM 06-2020.



8. CMM 07-2019 Minimum standards of Inspection in Port

8.1. Points of Contact

Paragraph 5

Each Member and CNCP shall designate a point of contact for the purposes of receiving notifications pursuant to paragraph 11. Each Member and CNCP shall designate a point of contact for the purpose of receiving inspection reports pursuant to paragraph 24(b) of this CMM. It shall transmit the name and contact information for its points of contact to the SPRFMO Executive Secretary no later than 30 days following the entry into force of this CMM. Any subsequent changes shall be notified to the SPRFMO Executive Secretary at least 14 days before such changes take effect. The SPRFMO Executive Secretary shall promptly notify Members and CNCPs of any such change.

8.2. Designated ports

Paragraph 8

Each Member and CNCP shall, to the greatest extent possible, ensure that it has sufficient capacity to conduct inspections in every designated port pursuant to this CMM.

Paragraph 9

Each Member and CNCP shall provide to the SPRFMO Executive Secretary within 30 days from the date of entry into force of this CMM a list of designated ports. Any subsequent changes to this list shall be notified to the SPRFMO Executive Secretary at least 30 days before the change takes effect.

8.3. Prior notification

Paragraph 11

Each Member and CNCP, in its capacity as a port State shall, except as provided for under paragraph 12 of this CMM, require foreign fishing vessels seeking to use its ports for any purposes to submit as a minimum the information in the Port Call Request Template located in Annex 1 to its point of contact identified in paragraph 5, at least 48 hours before the estimated time of arrival at the port. Each Member and CNCP, in its capacity as a port State may also request additional information as it may require to determine whether the vessel has engaged in IUU fishing, or related activities. Members and CNCPs, in their capacity as port States, shall promptly inform the Secretariat of any request received to use their ports under this CMM.

Paragraph 13

After receiving the relevant information pursuant to paragraph 11, as well as such other information as it may require to determine whether the foreign fishing vessel requesting entry into its port has engaged in IUU fishing, the Member or CNCP, in its capacity as a port State shall decide whether to authorise or deny the entry of the vessel into its port. In case the port State decides to authorise the entry of the vessel into its port, the following provisions on port inspection shall apply. Where a vessel has been denied entry, the port State shall report this to the Members and CNCPs.



Assessed CMM 07-2019 Paras 5, 8, 9, 11 & 13 requirement (s)								
Member/ CNC	Points of contact up-to- date?	Sufficient capacity?	Designated ports up-to- date?	Foreign vessels seeking port services?	Informed Secretariat re: port call requests?	Vessels denied entry	2018/19 Compliance Status	2019/20 Possible compliance issues?
AUSTRALIA	Yes	Yes	Yes	1	Yes	No	Compliant	No
CHILE	Yes	Yes	Yes	6	Yes	1	Not assessed	No
CHINA	Yes	N/A	N/A	N/A	N/A	N/A	Non- Compliant	No
COOK ISLANDS	Yes	N/A	N/A	N/A	N/A	N/A	Compliant	No
CUBA	Yes	N/A	N/A	N/A	N/A	N/A	Compliant	No
CURAÇAO	Yes	N/A	N/A	N/A	N/A	N/A	Compliant	No
ECUADOR	Yes	Yes	Yes	0	N/A	No	Compliant	No
EUROPEAN UNION	Yes	N/A	N/A	N/A	N/A	N/A	Compliant	No
FAROE ISLANDS	Yes	N/A	N/A	N/A	N/A	N/A	Compliant	No
KOREA	Yes	Yes	Yes	2	Yes	No	Not assessed	No
LIBERIA	-	N/A	N/A	N/A	N/A	N/A	Compliant	No
NEW ZEALAND	Yes	Yes	Yes	0	N/A	No	Compliant	No
PANAMA	Yes	N/A	N/A	0	N/A	No	Compliant	No
PERU	Yes	Yes	Yes	13	Yes	No	Not assessed	No
RUSSIAN FEDERATION	Yes	N/A	N/A	N/A	N/A	N/A	Non- Compliant	No
CHINESE TAIPEI	Yes	Yes	Yes	0	N/A	No	Not assessed	No
UNITED STATES OF AMERICA	Yes	Yes	Yes	0	N/A	N/A	Compliant	No
VANUATU	Yes	N/A	N/A	N/A	N/A	N/A	Compliant	No

Secretariat Assessment of potential compliance issues

- No Potential Compliance Issues

Member Comments on Potential Compliance Issues

Member	Comment



8.4. Port inspections

Paragraph 15

Each year Members and CNCPs shall inspect at least 5% of landing and transshipment operations in their designated ports made by notified foreign fishing vessels.

Paragraph 16

Port Members and CNCPs shall, in accordance with their domestic law, inspect foreign fishing when:

- a) there is a request from other Members and CNCPs or relevant regional fisheries management organizations (RFMO's) that a particular vessel be inspected, particularly where such requests are supported by evidence of IUU fishing by the vessel in question, and there are clear grounds for suspecting that a vessel has engaged in IUU fishing;
- b) a vessel has failed to provide complete information as required in paragraph 11;
- c) the vessel has been denied entry or use of a port in accordance with this or other RFMO's provisions.

Paragraph 17

Consistent with CMM 04-2020 (IUU List), except for the purposes of inspection, enforcement action or emergency, port Members and CNCPs shall take all necessary measures, subject to, and in accordance with, their applicable laws and regulations and international law, to deny port access to fishing vessels included in the list of SPRFMO IUU vessels.

This paragraph is assessed above as part of the section on CMM 04-2020 (IUU List).

Paragraph 24

The port Member or CNCP, in its capacity as a port State shall transmit a copy of the inspection report to the SPRFMO Executive Secretary no later than 15 working days following the date of completion of the inspection using the Format for Port Inspection Reports in Annex 3. If the inspection report cannot be transmitted within 15 working days, the port State shall notify the SPRFMO Executive Secretary within the 15 working day time period the reasons for the delay and when the report will be submitted. The Executive Secretary shall promptly convey the report to the authorities of the fishing vessel inspected.

8.5. Procedure in the event of Infringements

Paragraph 26

If the information collected during the inspection provides evidence that a foreign fishing vessel has committed a breach of the SPRFMO CMMs, the inspector shall:

- a) record the breach in the inspection report;
- b) transmit the inspection report, including possible subsequent measures that could be taken by the port State competent authority, to the port State competent authorities, which shall forward a copy to the SPRFMO Executive Secretary and to the flag Member or CNCP point of contact as soon as possible and no later than 5 working days;
- c) to the extent practicable, ensure safekeeping of the evidence pertaining to such alleged breach.

Paragraph 27

If the breach falls within the legal jurisdiction of the Member or CNCP, in its capacity as a port State, the port State may take action in accordance with its domestic laws. The port State shall promptly notify the action taken to the competent authority of the flag Member or CNCP and to the SPRFMO Executive Secretary, who shall promptly publish this information in a secured part of the SPRFMO website.

Paragraph 28

Other infringements shall be referred to the point of contact of flag Member or CNCP. Upon receiving the copy of the inspection report, the flag Member or CNCP shall promptly investigate the alleged infringement and notify the SPRFMO Executive Secretary of the status of the investigation and of any enforcement action that may have been taken within 90 days of such receipt. If the flag Member or CNCP cannot provide the SPRFMO Executive Secretary this status report within 90 days of such receipt, the flag Member or CNCP should notify the SPRFMO Executive Secretary within the 90-day time



period the reasons for the delay and when the status report will be submitted. The SPRFMO Executive Secretary shall promptly publish this information in a secured part of the SPRFMO website.

Paragraph 29

The authorities of the fishing vessel subsequent to the process referred to in paragraph 28, can authorise the competent authority of the port State to undertake the investigation. The competent authority of the port State on accepting to undertake the investigation shall report the findings of the investigation to the authorities of the fishing vessel and the SPRFMO Executive Secretary within 90 days. Enforcement action will remain the responsibility of the authorities of the fishing vessel as applicable

8.6. General Provisions

Paragraph 32

Nothing in this CMM affects the entry of vessels to port in accordance with international law for reasons of *force majeure* or distress or prevents a port State from permitting entry into port to a vessel exclusively for the purpose of rendering assistance to persons, ships or aircraft in danger or distress.

Assessed CMM 07-2019 Paras 15, 16, 24, & 26-29 requirement (s)								
Member/ CNC	Vessels Inspected (%)	Requested Inspections?	Reports transmitted? (Number /on-time)	Breaches detected?	Appropriate action taken (breach response)	Report provided? (breach response)	2018/19 Compliance Status	2019/20 Possible compliance issues?
AUSTRALIA	1 (100%)	0	1 (100%)	0	N/A	N/A	Compliant	No
CHILE	4 (80%)	0	4 (4)	0	N/A	N/A	Non- Compliant	No
CHINA	0 (0)	0	N/A	N/A	N/A	N/A	Compliant	No
COOK ISLANDS	0 (0)	0	N/A	N/A	N/A	N/A	Compliant	No
CUBA	0 (0)	0	N/A	N/A	N/A	N/A	Compliant	No
CURAÇAO	0 (0)	0	N/A	N/A	N/A	N/A	Compliant	No
ECUADOR	0 (0)	0	N/A	N/A	N/A	N/A	Compliant	No
EUROPEAN UNION	0 (0)	N/A	N/A	N/A	N/A	N/A	Compliant	No
FAROE ISLANDS	0 (0)	N/A	N/A	N/A	N/A	N/A	Compliant	No
KOREA	2 (100%)	0	2 (2)	0	N/A	N/A	Not assessed	No
LIBERIA	0 (0)	0	N/A	N/A	N/A	N/A	Compliant	No
NEW ZEALAND	0 (0)	0	N/A	N/A	N/A	N/A	Compliant	No
PANAMA	0 (0)	0	N/A	N/A	N/A	N/A	Compliant	No
PERU	13 (100%)	0	13 (13)	No	N/A	N/A	Non- Compliant	No
RUSSIAN FEDERATION	0 (0)	0	N/A	N/A	N/A	N/A	Compliant	No
CHINESE TAIPEI	0 (0)	0	N/A	N/A	N/A	N/A	Compliant	No
UNITED STATES OF AMERICA	0 (0)	0	N/A	N/A	N/A	N/A	Compliant	No
VANUATU	0 (0)	0	N/A	N/A	N/A	N/A	Compliant	No



Secretariat Assessment of potential compliance issues

- No potential compliance issues.

Member Comments on Potential Compliance Issues

Member	Comment



9. CMM 08-2019 Gillnets in the SPRFMO Area

Paragraph 1

Members and CNCPs shall prohibit vessels flying their flag from using of large-scale pelagic driftnets and all deepwater gillnets in the Convention Area.

Paragraph 2

Members and CNCPs whose flagged vessels seek to transit the Convention Area with gillnets onboard shall:

- Give at least 36 hours advanced notice to the Secretariat prior to entering the Convention Area. In particular, Members shall report the expected entry and exit dates and length of gillnet carried onboard;
- Ensure their vessels operate a vessel monitoring system polling once every two hours while in the Convention Area;
- Submit VMS position reports to the Secretariat within 30 days of the vessel leaving the Convention Area; and
- If gillnets are accidentally lost or fall overboard from the vessel, report the date, time, position (using WGS84) and length (metres) of gillnets lost to the Executive Secretary as soon as possible and within 48 hours of the gear being lost.

Assessed CMM 08-2019 Paras 1 & 2 requirement (s)				
Member/ CNCP	Vessels Transiting SPRFMO Area with gillnets onboard?	Para 2 requirements met?	2018/19 Compliance Status	2019/20 Possible compliance issues?
AUSTRALIA	No	N/A	Compliant	No
CHILE	No	N/A	Compliant	No
CHINA	No	N/A	Compliant	No
COOK ISLANDS	No	N/A	Compliant	No
CUBA	No	N/A	Compliant	No
CURAÇAO	No	N/A	Compliant	No
ECUADOR	No	N/A	Compliant	No
EUROPEAN UNION	No	N/A	Compliant	No
FAROE ISLANDS	No	N/A	Compliant	No
KOREA	No	N/A	Compliant	No
LIBERIA	No	N/A	Compliant	No
NEW ZEALAND	No	N/A	Compliant	No
PANAMA	No	N/A	Compliant	No
PERU	No	N/A	Compliant	No
RUSSIAN FEDERATION	No	N/A	Compliant	No
CHINESE TAIPEI	No	N/A	Compliant	No
UNITED STATES OF AMERICA	No	N/A	Compliant	No
VANUATU	No	N/A	Compliant	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues

Member Comments on Potential Compliance Issues

Member	Comment



10.CMM 09-2017 Minimising bycatch of Seabirds

Paragraph 1

Members and Cooperating non-Contracting Parties (CNCs) shall require vessels flying their flag and using demersal longlines, to implement seabird mitigation measures, as described in Annex 1.

Paragraph 2

Subject to paragraph 3, Members and CNCs shall require vessels flying their flag and using trawl gear to implement seabird mitigation measures, as described in Annex 2.

Paragraph 3

Vessels using trawl gear that discharge no biological material shall be exempt from applying the seabird mitigation measures described in Annex 2. This provision shall be subject to periodic review or review when new information is available.

Assessed CMM 09-2017 Paras 1, 2 & 3 requirement (s)					
Member/ CNC	Demersal LL Seabird mitigation implemented?	Trawl Seabird mitigation implemented?	Trawlers exempt from using mitigation?	2017/18 Compliance Status	2018/19 Possible compliance issues?
AUSTRALIA	Yes	Yes	No	Compliant	No
CHILE	N/A	N/A	N/A	Compliant	No
CHINA	N/A	Yes	No	Compliant	No
ECUADOR	N/A	N/A	N/A	Compliant	No
EUROPEAN UNION	Yes	Yes	No	Compliant	No
KOREA	N/A	Yes	No	Compliant	No
NEW ZEALAND	Yes	Yes	No	Compliant	No
PERU	N/A	Yes	No	Compliant	No
RUSSIAN FEDERATION	N/A	Yes	No	Compliant	No
CHINESE TAIPEI	N/A	N/A	N/A	Compliant	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues

Member Comments on Potential Compliance Issues

Member	Comment



Assessed CMM 09-2017 Annex 1 Para 1 & Annex 2 Paras 1 & 2 requirement (s)							
Member/ CNC	Gear	Biological discharge?	Additional Seabird mitigation implemented?	Observer coverage?	Seabird interactions (mortality rate)	2018/19 Compliance Status	2019/20 Possible compliance issues?
AUSTRALIA	Longline	Prohibited	No	11.08%	0 (0)	Compliant	No
	Trawl	Prohibited (with gear in water)	Yes	100%	0 (0)	Compliant	No
CHILE	Purse seine	N/A	N/A	N/A	0 (0)	Compliant	No
CHINA	Trawl	N/A	N/A	N/A	0 (0)	Compliant	No
EUROPEAN UNION	Longline	Prohibited	Yes	46.9%	0 (0)	Compliant	No
	Trawl	None	N/A	N/A	0 (0)	Compliant	No
KOREA	Trawl	Prohibited	No	100%	0 (0)	Compliant	No
NEW ZEALAND	Longline	Prohibited	No	26%	0 (0)	Compliant	No
	Trawl	Prohibited (with gear in Water)	Yes	100%	0 (0)	Compliant	No
PERU	Trawl	N/A	N/A	N/A	0 (0)	Compliant	No
RUSSIAN FEDERATION	Trawl	Prohibited (with gear in Water)	No	10%	30 (0)	Compliant	No
CHINESE TAIPEI	Jigging	N/A	N/A	N/A	0 (0)	Compliant	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues

Member Comments on Potential Compliance Issues

Member	Comment

Paragraph 7

Members and CNCs shall record data, in accordance with CMM 02-2020 (Data Standards) and through existing observer programmes, on all interactions with seabirds. In addition, Members and CNCs are encouraged to record data on seabird observations.



Paragraph 8

Members and CNCPs shall report the information collected in paragraph 7 above annually to the Secretariat in accordance with both subparagraph 1(e) and its associated Annexes, and subparagraph 2(c) and Annex 7(G) of CMM 02-2020 (Data Standards). Members and CNCPs are also encouraged to report these data in their National Reports to the Scientific Committee.

Paragraph 9

In their annual national science reports to the Scientific Committee, Members and CNCPs shall report annually, on the seabird mitigation measures used by each vessel flying their flag and fishing in the Convention Area, as well as any observed seabird interaction data and the level of observer coverage focussed on recording seabird bycatch.

Assessed CMM 09-2017 Paras 7- 9 requirement (s)					
Member/ CNCP	Seabird interaction data recorded?	Seabird interaction data reported?	Seabird section in annual national report to SC?	2018/19 Compliance Status	2019/20 Possible compliance issues?
AUSTRALIA	Yes	Yes	Yes	Compliant	No
CHILE	Yes	Yes	Yes	Compliant	No
CHINA	Yes	Yes	Yes	Compliant	No
EUROPEAN UNION	Yes	Yes	Yes	Compliant	No
KOREA	Yes	Yes	Yes	Compliant	No
NEW ZEALAND	Yes	Yes	Yes	Compliant	No
PERU	Yes	Yes	Yes	Compliant	No
RUSSIAN FEDERATION	Yes	Yes	Partial	Non-compliant	Yes
CHINESE TAIPEI	N/A	N/A	N/A	Compliant	No

Secretariat Assessment of potential compliance issues

RUSSIAN FEDERATION	The Russian Federation annual report to the Scientific Committee (SC8-Doc16) contains 1 sentence that refers to seabirds “70 bird observations were performed”. As per paragraph 9 of CMM 09-2017 “In their annual national science reports to the Scientific Committee, Members and CNCPs shall report annually, on the seabird mitigation measures used by each vessel flying their flag and fishing in the Convention Area, as well as any observed seabird interaction data and the level of observer coverage focussed on recording seabird bycatch”. Last year’s final compliance report noted the same issue, and the full 2018/19 status was “Non-compliant, noting commitment to improve”.
	The Secretariat notes that there is a possible compliance issue associated with paragraph 9 as the Annual National Report is lacking information on mitigation measures (1) and observed seabird interaction data (2). <i>Secretariat Note: On 19 Dec 2020, the Russian Federation sent an email confirming that their vessels do implement seabird mitigation measures, specifically in this case a bird baffle (image provided). However, information regarding observed seabird interaction data for the 2019/2020 period has not been reported.</i>



Member Comments on Potential Compliance Issues

Member	Comment
RUSSIAN FEDERATION	1.The Russian Federation shall require vessels flying their flag, to implement seabird mitigation measures. FV “ADMIRAL SHABALIN” uses a bird baffler as seabird mitigation measure. This is in accordance with Cl. 1 ii of Annex 2 of CMM 09-2017. The Bird baffler is constructed in accordance with requirements outlined in same CMM. Photo of the baffler taken when vessel is laid up in port 2. CMM 10-2020 is to provide a mechanism to monitor and improve implementation of and compliance with obligations arising under the Convention and CMMs by Members and CNCPs. It is designed to assess compliance by Members and CNCPs with their obligations under the Convention and CMMs. In your comments on the 2020 Draft Russian Compliance Report, you are operating on advice from the Scientific Committee, which clearly does not coincide with the subject matter of Conservation Measure 10-2020. It appears that the advice of the Scientific Committee is not identical with the provisions of the Convention and conservation measures. Therefore, the first case of possible non-compliance identified by the Secretariat should be deleted from the text of the draft compliance report for consideration by the CTC. The Russian Federation annual report to the Scientific Committee (SC8-Doc16) contains 1 sentence that refers to seabirds “70 bird observations were performed”. As far as we understand, this sentence is taken out of the context of fishing activities in 2017, which is far beyond the timeline for consideration of the compliance report in 2020. As far as I remember, during the previous meeting of the Commission, they commented in detail that the scientific report was only about visual observation of birds. As a consequence, for similar reasons the second case of possible non-compliance identified by the Secretariat should be deleted from the text of the draft compliance report for consideration by the CTC.



11.CMM 10-2020 Compliance and Monitoring Scheme

11.1. Purpose

Paragraph 1

The purpose of the SPRFMO CMS is to provide a mechanism to monitor and improve implementation of and compliance with obligations arising under the Convention and CMMs by Members and Cooperating non-Contracting Parties (CNCs). The CMS is designed to:

- Assess compliance by Members and CNCs with their obligations under the Convention and CMMs;
- Identify areas in which technical assistance or capacity building may be needed to assist Members and CNCs to achieve compliance;
- Identify aspects of CMMs which may require improvement or amendment to facilitate or advance their implementation. These findings and subsequent actions shall not necessarily replace any review procedure established in accordance with Article 30 of the Convention;
- Take action against non-compliance through preventive and remedial options that should include a range of possible responses that take into account the reasons for and degree of non-compliance, as assigned in accordance with paragraph 16(a).

Member Comments in relation to Paragraph 1b

Member/ CNC	Areas in which technical assistance or capacity building may be needed to assist Members and CNCs to achieve compliance
PERU	<i>"Training for strengthening inspection in Port according to the CMM 07-2019"</i>
RUSSIAN FEDERATION	<i>"30°S-50°S; 20°W-30°W" (Note: Coordinates provided are in the SW Atlantic Ocean)</i>
LIBERIA	<i>"Technical assistance is not needed at this time; in the event Liberia requires such assistance, the Secretariat will be notified."</i>
PANAMA	<i>"Mutual assistance related to data exchange of Panamanian vessels and the Secretariat"</i> <i>"Training in the exchange of communication between the parties"</i>

Member Comments in relation to Paragraph 1c

Member/ CNC	Aspects of CMMs which may require improvement or amendment to facilitate or advance their implementation.
AUSTRALIA	<i>"continual review of the CMS reporting form to see if we can streamline it to make it easier to complete. There are many questions in this that, for most Members, will have similar answers to previous years and once they are implemented, they would not fall out of compliance unless there was a significant domestic change (e.g., implementation of a national record of vessels authorised to fish in SPRFMO, applying the HSBI procedures). Some questions may only need to be answered once and could be pre- filled for the Member to confirm in the following year. This may make the compliance report easier to complete and result in more compliance reports being submitted in a timely manner, and fewer instances of possible non-compliance to discuss at CTC."</i>
LIBERIA	<i>"Liberia identifies no aspects of CMMs that need improvement."</i>

11.2. Implementation Reports

Paragraph 5

- At least 90 days before the start of the CTC meeting Members and CNCs should provide the Secretariat with their Implementation reports as required by Article 24 (2) of the Convention and any other relevant CMMs on the basis of the template at Annex 2.



- b) Until the template referred to above is adopted, the provisional template in Annex 2 will be used. The Secretariat shall amend the template in Annex 2 as soon as practicable after the Commission meeting to incorporate obligations from new or amended CMMs adopted by the Commission.

Assessed CMM 10-2020 Para 5 requirement (s)				
Member/ CNC	2019/20 Implementation report provided?	Report provided 90 days prior to CTC?	2018/19 Compliance Status	2019/20 Possible compliance issues?
AUSTRALIA	Yes	Yes	Compliant	No
CHILE	Yes	Yes	Compliant	No
CHINA	Yes	Yes	Compliant	No
COOK ISLANDS	Yes	No	Non-Compliant	Non-Compliant, no further action
CUBA	Yes	No	Non-Compliant	Non-Compliant, no further action
CURAÇAO	Yes	Yes	Compliant	No
ECUADOR	Yes	No	Non-Compliant	Non-Compliant, no further action
EUROPEAN UNION	Yes	Yes	Compliant	No
FAROE ISLANDS	Yes	Yes	Non-Compliant	No
KOREA	Yes	Yes	Compliant	No
LIBERIA	Yes	No	Compliant	Non-Compliant, no further action
NEW ZEALAND	Yes	Yes	Compliant	No
PANAMA	Yes	No	Compliant	Non-Compliant, no further action
PERU	Yes	Yes	Compliant	No
RUSSIAN FEDERATION	Yes	No	Compliant	Non-Compliant, no further action
CHINESE TAIPEI	Yes	Yes	Compliant	No
UNITED STATES OF AMERICA	Yes	Yes	Compliant	No
VANUATU	Yes	No	Compliant	Non-Compliant, no further action



Secretariat Assessment of potential compliance issues

Member's Implementation Reports were due October 23, 2020. There were several incidents of Implementation reports being received by the secretariat after the due date creating a possible compliance issue under paragraph 5.

COOK ISLANDS	11 days late - The Email Date Stamp of report submission from the Cook Islands was 3/11/2020 8:55 am.
CUBA	21 days late - The Email Date Stamp of report submission from Cuba was 13/11/2020 8:55 am.
ECUADOR	6 days late - The Email Date Stamp of report submission from Ecuador was 29/10/2020 11:05 am.
LIBERIA	12 days late - The Email Date Stamp of report submission from Liberia was 4/11/2020 12:47 am.
PANAMA	5 days late - The Email Date Stamp of report submission from Panama was 28/10/2020 8:10 am.
RUSSIAN FEDERATION	6 days late - The Email Date Stamp of report submission from the Russian Federation was 29/10/2020 9:21 pm.
VANUATU	4 days late - The Email Date Stamp of report submission from Vanuatu was 27/10/2020 10:17 am

Member Comments on Potential Compliance Issues

Member	Comment
COOK ISLANDS	The Cook Islands will endeavour to submit the report on time in future
CUBA	No comments received.
ECUADOR	Due to COVID-19 and the measures taken to reduce the contagious, we have some issues to gather the information on time. We have taken the relevant decisions not to have the same problems again.
LIBERIA	Liberia requests that the Commission re-considers its late submission of the Implementation Report as a matter of internal staffing issues due to the current pandemic. Liberia vows to submit upcoming reports in a timely fashion. Liberia appreciates the Commission's understanding and consideration.
PANAMA	We are working under a new Action Plan before RFMOs established under our Internal Compliance and Technical Committee, which includes the SPRFMO, in order to comply with the Panama's obligations in accordance to each Conservation Measure. We express our commitment to send the required information before the deadline.
RUSSIAN FEDERATION	Due to restrictive measures due to the coronavirus pandemic, some of the structural units responsible for the formation of the compliance report were closed. Immediately after they started functioning, the document was submitted to the Secretariat at the earliest opportunity.
VANUATU	No comments received



12.CMM 11-2015 Boarding and Inspection Procedures

Paragraph 1

The Commission's procedures on at sea inspection in the SPRFMO Convention Area shall be those contained in Articles 21 and 22 of the 1995 Agreement. (*Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks*).

Assessed CMM 11-2015 Para 1 requirement (s)				
Member/ CNC	Informed SPRFMO about Article 21.4 authorities?	Ensure vessel masters comply with Article 22.3?	2018/19 Compliance Status	2019/20 Possible compliance issues?
AUSTRALIA	Yes	Yes	Compliant	No
CHILE	Yes	Yes	Compliant	No
CHINA	No	Yes	Compliant	No
COOK ISLANDS	Yes	Yes	Non-Compliant	No
CUBA	No	N/A	Compliant	No
CURAÇAO	N/A	N/A	Compliant	No
ECUADOR	No	N/A	Non-Compliant	No
EUROPEAN UNION	Yes	Yes	Compliant	No
FAROE ISLANDS	N/A	N/A	Compliant	No
KOREA	Yes	Yes	Compliant	No
LIBERIA	Yes	Yes	Compliant	No
NEW ZEALAND	Yes	Yes	Compliant	No
PANAMA	N/A	Yes	Compliant	No
PERU	N/A	N/A	Compliant	No
RUSSIAN FEDERATION	Yes	Yes	Compliant	No
CHINESE TAIPEI	N/A	Yes	Compliant	No

Secretariat Assessment of potential compliance issues

- No compliance issues identified

Member Comments on Potential Compliance Issues

Member	Comment

Paragraph 2

Consistent with the commitments given by CNCs, Contracting Parties may conduct at sea inspections following the procedures contained in Articles 21 and 22 of the 1995 Agreement in respect of a vessel flying the flag of a Cooperating non-Contracting Party.



Assessed CMM 11-2015 Para 2 requirement (s)					
Member/ CNC	Nº of Vessels inspected by others?	Nº of Vessels inspected?	Any related issues?	2018/19 Compliance Status	2019/20 Possible compliance issues?
AUSTRALIA	0	0	No	Compliant	No
CHILE	0	0	No	Compliant	No
CHINA	0	0	No	Compliant	No
COOK ISLANDS	0	0	No	Compliant	No
CUBA	0	0	No	Compliant	No
ECUADOR	0	0	No	Compliant	No
EUROPEAN UNION	0	0	No	Compliant	No
FAROE ISLANDS	0	0	No	Compliant	No
KOREA	0	0	No	Compliant	No
LIBERIA	0	0	No	Compliant	No
NEW ZEALAND	0	0	No	Compliant	No
PANAMA	0	0	No	Compliant	No
PERU	0	0	No	Compliant	No
RUSSIAN FEDERATION	0	0	No	Compliant	No
CHINESE TAIPEI	0	0	No	Compliant	No
UNITED STATES OF AMERICA	0	0	No	Compliant	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues

Member Comments on Potential Compliance Issues

Member	Comment



13.CMM 12-2020 Regulation of Transshipment and Other Transfer Activities

13.1. General Provisions for All Vessels Engaged in Fishing in the Convention Area

Paragraph 2

Transshipments at sea and in port shall only be undertaken between vessels included in the Commission Record of Vessels.

Paragraph 3

At sea transfer of fuel, crew, gear or any other supplies between two vessels in the Convention Area shall only be undertaken between vessels included in the Commission Record of Vessels.

Assessed CMM 12-2020 Paras 2 & 3 requirement (s)				
Member/ CNC	Vessels conducted transshipment activities?	All vessels on the SPRFMO Record?	2017/18 Compliance Status	2018/19 Possible compliance issues?
AUSTRALIA	No	N/A	Compliant	No
CHILE	No	N/A	Compliant	No
CHINA	Yes	Yes	Compliant	No
COOK ISLANDS	No	N/A	Compliant	No
CUBA	No	N/A	Compliant	No
CURAÇAO	Yes	Yes	Compliant	No
ECUADOR	No	N/A	Compliant	No
EUROPEAN UNION	No	N/A	Compliant	No
FAROE ISLANDS	No	N/A	Compliant	No
KOREA	Yes	Yes	Compliant	No
LIBERIA	Yes	Yes	Compliant	No
NEW ZEALAND	No	N/A	Compliant	No
PANAMA	Yes	Yes	Compliant	No
PERU	No	N/A	Compliant	No
RUSSIAN FEDERATION	No	N/A	Compliant	No
CHINESE TAIPEI	Yes	Yes	Compliant	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues

Member Comments on Potential Compliance Issues

Member	Comment



13.2. Transshipments of *Trachurus murphyi* and Demersal Species caught in the Convention Area

Paragraph 4

The competent authorities of the receiving fishing vessel (carrier vessel) shall notify the Secretariat, at least 7 days in advance, of a 14-day period during which transshipments of *Trachurus murphyi* or demersal species caught in the Convention Area, regardless of where the transshipment takes place, are scheduled to occur. The receiving vessel notification shall include the relevant information available regarding the transshipment operation, including the estimated date and time, anticipated location, fishery, and information about the vessels intending to tranship, in accordance with Annex 1 as much as practicable. The competent authorities of both the unloading and receiving vessels shall notify the Secretariat of an intention to tranship at least 12 hours before the estimated time of such activity. The notification shall include the estimated date and time, anticipated location, fishery, and information about the vessels intending to tranship, in accordance with Annex 1. The competent authorities may authorise the vessel operator to provide notification directly to the Secretariat. The Secretariat shall make this information available on the Members' section of the Commission website as soon as possible.

Paragraph 6

An observer monitoring transshipment under paragraph 5 shall complete a transshipment logsheet, as set out in Annex 2, to verify the quantity and species of the fishery resources being transhipped, and shall provide a copy of the logsheet to the competent authorities of the observed vessel. The competent authorities of the observed vessel shall submit the observer data of the transshipment logsheet to the Secretariat, no later than 15 days from debarkation of the observer, or in the case of the Jumbo flying squid fishery no later than 30 days. (If due to exceptional circumstances, it is not possible to submit the Jumbo flying squid transshipment logsheet within the stipulated deadline, the competent authorities shall notify the Executive Secretary of the reasons and submit the logsheet as soon as it becomes available.)

Paragraph 8

The competent authorities of the unloading fishing vessel and the receiving fishing vessel shall notify all the operational details to the Secretariat, as specified in Annex 3, no later than 7 days after the transshipment is carried out. For vessels engaged in the jumbo flying squid fishery, the competent authorities shall notify the operational details within 20 days of the end of each quarter using the simplified template to be developed by the Secretariat and submitted to the CTC and the Commission for consideration at the annual meeting in 2021.

Assessed CMM 12-2020 Paras 4, 6 & 8 requirement (s)					
Member/ CNC	Transshipments notifications provided?	Observed Transshipments?	Transshipment details provided?	2018/19 Compliance Status	2019/20 Possible compliance issues?
AUSTRALIA	N/A	N/A	N/A	Compliant	No
CHILE	N/A	N/A	N/A	Compliant	No
CHINA	N/A	N/A	N/A	Non-Compliant	No
COOK ISLANDS	N/A	N/A	N/A	Compliant	No
CUBA	N/A	N/A	N/A	Compliant	No
CURAÇAO	N/A	N/A	N/A	Compliant	No
ECUADOR	N/A	N/A	N/A	Compliant	No
EUROPEAN UNION	N/A	N/A	N/A	Compliant	No
FAROE ISLANDS	N/A	N/A	N/A	Compliant	No
KOREA	N/A	N/A	N/A	Compliant	No
LIBERIA	N/A	N/A	N/A	Compliant	No
NEW ZEALAND	N/A	N/A	N/A	Compliant	No
PANAMA	N/A	N/A	N/A	Non-Compliant	No
PERU	N/A	N/A	N/A	Compliant	No
RUSSIAN FEDERATION	N/A	N/A	N/A	Compliant	No
CHINESE TAIPEI	N/A	N/A	N/A	Compliant	No



Secretariat Assessment of potential compliance issues

- No potential compliance issues

Member Comments on Potential Compliance Issues

Member	Comment



14.CMM 13-2020 Exploratory Fisheries

14.1. Requirements for Exploratory Fisheries

Paragraph 5

Any Member or CNCP seeking to permit a vessel that flies its flag to fish in an exploratory fishery, or to fish in an exploratory fishery with a gear type that has not been used in that fishery for the previous ten years; shall, not less than 60 days in advance of the next annual meeting of the Scientific Committee:

- submit an application to the Commission to permit a vessel or vessels that fly its flag to fish in that exploratory fishery. This application shall include information that satisfies paragraphs 2 and 3 of Annex 1 of CMM 05-2019 (Record of Vessels);
- prepare and submit a Fisheries Operation Plan to the Scientific Committee. The Fisheries Operation Plan shall include the following information, to the extent it is available:
9 types of information listed from i to ix.
- provide a commitment in its proposal to implement the Data Collection Plan for the exploratory fishery developed in accordance with paragraph 9, should the Commission approve fishing in accordance with the Fisheries Operation Plan

Assessed CMM 13-2020 Para 5 requirement (s)							
Member/ CNCP	Application submitted?	60 days in advance?	Operation plan submitted?	60 days in advance?	Commitment provided?	2018/19 Compliance Status	2019/20 Possible compliance issues?
CHILE	Yes	Yes	Yes	Yes	Yes	Compliant	No
COOK ISLANDS	Yes	Yes	Yes	Yes	Yes	Compliant	No
EUROPEAN UNION	Yes	Yes	Yes	Yes	Yes	Compliant	No
NEW ZEALAND	No	N/A	N/A	N/A	N/A	Compliant	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues

Member Comments on Potential Compliance Issues

Member	Comment

14.2. Fishing Activity

Paragraphs 15 - 21

These paragraphs are assessed under the specific CMM relating to the exploratory fishery.



15.CMM 14a-2019 Exploratory Toothfish fishing (New Zealand)

15.1. Details and Specification of Exploratory Fishing Activities

Paragraph 5

Fishing for toothfish, using the bottom longline method, may be conducted in the exploratory fishing strata identified in Table 1 below (*Table 1 shows 4 areas that are identified by corner lat/long positions*).

Paragraph 6

The first exploratory trip each year may occur any time in 2019, 2020, and 2021, with a maximum of four trips each year, with some of the trips between August and October each year to characterise postspawning dynamics. The remainder of the trips between March and October will provide additional information on spawning dynamics, distribution, and movement patterns.

15.2. Total Allowable Catch

Paragraph 8

The annual toothfish total allowable catch shall not exceed 140 tonnes (greenweight) in each of 2019, 2020, and 2021 unless the Scientific Committee at its 2019 or 2020 meetings advises for a lower TAC. Fish that are tagged and returned alive to the sea shall not be counted against this limit. The annual catch limit of 140 tonnes will allow the collection of a significant amount of scientific information, will also allow for an adequate number of tagged fish to be returned to the sea and was calculated based on the same methodology used in nearby CCAMLR exploratory fisheries. This is a precautionary approach, and supports the need to understand other risks such as interactions with seabirds and marine mammals.

Paragraph 9

The catch limit was determined based on a design approach with the following considerations:

- A minimum of three strata should be surveyed with a maximum catch limit of 40 t per stratum to ensure geographic spread if catch rates are high in one or more strata;
- At least 10 sets, in at least 3 clusters, in each stratum fished, ice and operating conditions permitting;
- Clusters of no more than 5 sets will be separated by at least 10 nm (calculated as the minimum distance between any part of any set in any two clusters);
- Clusters of sets will not be within 10 nm of a cluster already set within a voyage or fishing season (pre- and post-spawning);
- Some sets will be toward the deeper end of the expected depth range for toothfish (deeper than 2200 m), contingent on ice and other operating conditions and the risk of the backbone line snagging the bottom;
- A maximum combined catch limit of 140 tonnes live weight;
- No more than 70 t of toothfish catch to be taken by one vessel;
- To the extent practical, similar locations to be fished pre- and post-spawning to facilitate separation of spatial and seasonal trends;
- No more than 50% of a vessel's allocated catch over the three years of this CMM shall be taken outside the post-spawning period August to October.

Assessed CMM 14a-2019 Paras 5, 6, 9(a), 9(c) & 9(i) requirement (s)										
Member/ CNC	Fishing within identified strata?	Number of trips	TAC (t)	Catch (t)	3 Strata surveyed?	Strata limit exceeded?	Clustering as specified?	Catch % outside post- spawn?	2018/19 Compliance Status	2019/20 Possible compliance issues?
NEW ZEALAND	Yes	1	140	41	Yes	No	Yes	0	Compliant	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues



Member Comments on Potential Compliance Issues

Member	Comment

15.3. Authorised Vessels

Paragraph 14

The vessels *San Aspiring*, and *Janas* shall be authorised to undertake fishing pursuant to this measure. In the event that *San Aspiring* or *Janas* are unavailable, an alternate vessel of similar capability and capacity shall be authorised to undertake fishing pursuant to this measure only after the vessel has been notified by New Zealand to the Executive Secretary.

15.4. Management measures

Paragraph 17

Because of the likelihood of shared stocks of toothfish, fishing pursuant to this measure shall, as far as possible, be conducted consistent with relevant measures in force in the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) Area, including the following:

- a) CCAMLR's protocol for research longline fishing on small, isolated features (see CM 41-10, 2014). For consistency with CCAMLR surveys in adjacent areas, the following rules shall apply:
 - i. clusters of IWL lines are allowed with no rules for minimum separation between lines;
 - ii. no more than 6,900 hooks shall be set in a line;
 - iii. no more than 17,250 hooks shall be set in a cluster;
 - iv. clusters of lines shall be no closer together than 10 nautical miles (measured from the proximate lines of each individual cluster).
- b) A minimum tagging rate of three fish of each *Dissostichus* species per greenweight (live weight) tonne shall be implemented. The rules applied by CCAMLR in the immediately adjacent 88.1 A&B North region, where tagged fish were released starting in early 2015, shall be applied (CM 41-01 Annex C). These rules require a minimum overlap statistic (a comparison between the observed length frequency from vessel biological information and the size composition of fish returned alive with tags, see CCAMLR's calculator) of at least 60% once 30 or more *Dissostichus* of a species have been successfully released with tags.

Paragraph 19

If 250 kg or more of deepwater sharks (all species in class Chondrichthyes combined on all lines within the cluster) are caught in a cluster of lines, then no further clusters will be set within 10 nm of the location of that cluster until the information from that voyage has been reviewed by the Scientific Committee.

Assessed CMM 14a-2019 Paras 14, 17 (a) ii, 17 (a) iii, 17 (b) & 19 requirement (s)							
Member/ CNC	Vessels used?	Line hook limit exceeded?	Cluster hook limit exceeded?	Tag overlap statistic	250kg of Deepwater sharks?	2018/19 Compliance Status	2019/20 Possible compliance issues?
NEW ZEALAND	<i>San Aspiring</i>	No	No	70%	No	Compliant	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues

Member Comments on Potential Compliance Issues

Member	Comment



15.5. Marine Mammals, Seabirds, Turtles, and other Species of Concern

Paragraph 22

A vessel fishing pursuant to this measure shall use the following mitigation methods:

- the vessel shall use integrated weight line as described in the CCAMLR gear library with a weighting of 50 g of lead per metre of backbone line;
- there shall be no dumping of offal while lines are being set or while lines being hauled;
- any offal or discards shall be macerated by machine prior to discarding;
- discarding shall take place only at the end of a haul or while steaming; and no biological material shall be discarded for at least 30 minutes before the start of any set or during any set;
- discarding may only take place from the opposite side of the vessel from the hauling position;
- a bird exclusion device (BED) shall be used to prevent birds entering the hauling area, to the extent allowed by prevailing weather;
- other methods such as water spray, movement, et cetera, shall be used as appropriate to deter aggressive feeders from approaching the line.

Paragraph 23

The following information shall be collected for marine mammals, seabirds, turtles, and other species of concern:

- At least one standardised seabird and marine mammal abundance count shall be made at the rear of the vessel during the setting of each line and again during the hauling of each line;
- Other opportunistic observations, photography and identification of marine mammals shall be undertaken in collaboration with crew;
- the observer shall have a target of observing 10% of hooks hauled for marine mammal, seabird and turtle captures, and for comparison with a sample of recorded video observations;
- at least 50% of hooks hauled shall be viewed on recorded video after the voyage;
- all marine mammals, seabirds, turtles, and other species of concern captured shall be identified, and photographs taken of all live birds released and any birds colliding with the ship that can be recovered;
- all dead birds shall be retained for formal identification and necropsy.

15.6. Monitoring

Paragraph 25

A vessel undertaking fishing pursuant to this measure shall carry a New Zealand Government observer, as well as a dedicated assistant experienced in at-sea scientific data collection to assist the observer with biological measurement and data collection. Observer data shall be collected in accordance with the SPRFMO Observer data standard and shall include gear deployment and retrieval data, catch and effort information, biological data collection, and information on marine mammals, seabirds, reptiles and other species of concern.

Paragraph 26

In addition to carrying an observer, a vessel undertaking fishing pursuant to this measure shall be equipped with a video monitoring and recording system to be located over the hauling position to ensure that all hauled lines and hooks are observed or recorded on video. All recorded footage must be provided to the New Zealand Ministry for Primary Industries at the end of the voyage for analysis and storage.

Assessed CMM 14a-2019 Paras 22, 23, 25 & 26 requirement (s)								
Member/ CNC	Mitigation methods employed?	Marin mammal and seabird (etc) Information collected?	Observed hooks	Captures	Trips observed?	Video footage provided to NZ officials	2018/19 Compliance Status	2019/20 Possible compliance issues?
NEW ZEALAND	Yes	Yes	34%	0	Yes	Yes	Compliant	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues

Member Comments on Potential Compliance Issues



16.CMM 14b-2020 Exploratory Potting Fishery (Cook Islands)

16.1. Details and Specification of Exploratory Fishing Activities

Paragraph 5

Fishing for lobster and crab, using the bottom potting method, may be conducted on no more than 15 seamounts or other features within the exploratory fishing boxed area identified in Table 1 below. *(Latitude and longitude positions defining the rectangle in which fishing is allowed)*

Paragraph 6

The exploratory fishing year is defined as July 1 to June 30:

- a) Fishing year 2 commenced on July 1st 2019 and shall end on June 30th 2020;
- b) Fishing year 3 shall start on July 1st 2020 and end on June 30th 2021.

Paragraph 10

Fishing shall be closed to the vessel during spawning season from July through to September each year.

Paragraph 11

The maximum lobster and crab (combined) total allowable catch (TAC) taken pursuant to this CMM shall not exceed 300 tonnes per fishing year for fishing years 2 and 3.

Paragraph 14

Catch and effort shall be monitored on a trap-by-trap basis and fishing operations shall cease in that year once either the effort or catch limit, whichever occurs first, specified in paragraphs 6, 7 and 11 has been reached.

- a. Because the stock and stock status are not known, if at any time during the exploratory fishing the stock indicators show sustainability concerns the Cook Islands shall issue a directive to the authorised fishing vessel for exploratory fishing to cease and advise the Commission promptly thereafter.

Assessed CMM 14b-2020 Paras 5, 6, 10, 11 & 14 requirement (s)							
Member/ CNC	Fishing conducted inside area	Fishing conducted as per para 6c?	Fishing inside spawning season?	Estimated Year 2 catch (t)	Sustainability concerns?	2018/19 Compliance Status	2019/20 Possible compliance issues?
COOK ISLANDS	Yes	Yes	No	49	No	Compliant	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues.

Member Comments on Potential Compliance Issues

Member	Comment

16.2. Authorised Vessels

Paragraph 17

The fishing vessel ALTAR 6 shall be authorised to undertake fishing pursuant to this measure. In the event that ALTAR 6 becomes unavailable, an alternate fishing vessel of similar capability and capacity shall be authorised to undertake fishing pursuant to this measure only after the replacement fishing vessel has been notified by Cook Islands to the Executive Secretary who will notify all Members and CNCPs.



16.3. Marine Mammals, seabirds, turtles, and other species of concern

Paragraph 23

A vessel fishing pursuant to this measure shall use the following mitigation methods:

- a) there shall be no dumping of offal while lines are being set or while lines are being hauled;
- b) any offal or discards shall be macerated by machine prior to discarding;
- c) discarding shall take place only at the end of a haul or while steaming; and no biological material shall be discarded for at least 30 minutes before the start of any set or during any set;
- d) discarding may only take place from the opposite side of the vessel from the hauling position.

Paragraph 24

The following information shall be collected for marine mammals, seabirds, turtles, and other species of concern:

- a) standardised seabird and marine mammal abundance counts shall be made at the rear of the vessel at the start, middle, end of each event (from set to haul);
- b) the observer shall have a target of observing 10% of pots hauled for marine mammal, seabird and turtle captures, and for comparison with a sample of recorded video observations;
- c) all marine mammals, seabirds, turtles, and other species of concern captured shall be identified, and photographs will be taken of as many seabird interactions as possible and all birds released alive;
- d) all dead birds must be retained for formal identification and necropsy;
- e) opportunistic observations, photography and identification of marine mammals may be undertaken in collaboration with the crew.

16.4. Monitoring & Data Collection

Paragraph 26

A vessel undertaking fishing pursuant to this measure shall carry a Cook Island Government observer, as well as a dedicated assistant experienced in at-sea scientific data collection to assist the observer with biological measurement and data collection. Observer data shall be collected in accordance with the SPRFMO Observer data standard and shall include gear deployment and retrieval data, catch and effort information, biological data collection, and information on marine mammals, seabirds, reptiles and other species of concern.

Paragraph 27

In addition to carrying an observer, a vessel undertaking fishing pursuant to this measure shall be equipped with a video monitoring and recording system to be located over the hauling position to ensure that all hauled pots are observed or recorded on video. All recorded footage must be provided to the Cook Island Government (Ministry of Marine Resources) at the end of the voyage for analysis and storage.

Paragraph 29

At the 8th meeting of the Scientific Committee the Cook Islands will present a full and comprehensive amended exploratory fishing proposal which conforms, in full, with SPRFMO CMMs and the Convention, in particular CMM 13-2020 (Exploratory fisheries) and CMM 03-2020 (Bottom fishing), and take into account the SC advice as described in the SC7 report. The proposal will include the following:

- a) A detailed and specific proposal and Fisheries Operation Plan that includes formal sampling designs and data collection plans for all phases of the proposed exploratory fishery that conform with CMM 13-2020 (Exploratory fisheries);
- b) A description of how the proposed fishing meets the requirements of the Convention and relevant CMMs, including a bottom fishing impact assessment;
- c) Propose measures to ensure the long-term viability of the target species, including reproduction;
- d) A description of any fishing conducted to date, including effort, catch, and information on measures taken to protect VMEs.



Assessed CMM 14b-2020 Paras 17, 23, 24, 26, 27 & 29 requirement (s)								
Member/ CNC	Vessel authorised?	Mitigation used?	Marine mammal, Seabird counts?	Observer onboard?	Video footage provided to MMR?	Proposal presented to SC8 as per para 29	2018/19 Compliance Status	2019/20 Possible compliance issues?
COOK ISLANDS	Yes	Yes	Yes	Yes	Yes	Yes	Compliant	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues.

Member Comments on Potential Compliance Issues

Member	Comment



17.CMM 14c-2019 Exploratory fishing for Toothfish (European Union)

17.1. Details and specification of exploratory fishing activities

Paragraph 5

Fishing for toothfish, using the bottom longline method, may be conducted in the exploratory research blocks identified in Table 1 (*Table 1 shows 5 blocks labelled A-E that are identified by corner lat/long positions*).

17.2. Duration, catch and effort limits

Paragraph 6

The exploratory fishing shall comprise one exploratory trip of a maximum duration of 21 consecutive days which may occur any time between 1 October and 30 November 2019.

Paragraph 7

The annual toothfish total allowable catch shall not exceed 45 tonnes (greenweight), unless the Commission revises the TAC at its annual meeting based on advice of the Scientific Committee. This was considered a precautionary limit by the SPRFMO SC and supports the need to understand other risks such as interactions with seabirds, marine mammals or other organisms. Fish that are tagged and returned alive to the sea shall not be counted against this limit. The catch limit of 45 tonnes will allow the collection of a significant amount of scientific information in accordance with the objectives of paragraph 1.

Paragraph 8

Fishing operations shall further be limited to a maximum of 5,000 hooks per set, and with a maximum of 20 sets per research block. Lines shall be set at least 4 nm apart from each other, and not set at previous long-line locations. Fishing operations shall cease when either the TAC is reached, or if 100 sets have been set and hauled during the 21 consecutive days, whichever is sooner.

Paragraph 10

Fishing operations shall be limited to depths between 750 m and 2,000 m to avoid any impact on benthic ecosystems in shallower waters.

Member/ CNC	Assessed CMM requirement(s)	Fishing within identified blocks?	Number & length of trips	TAC (t)	Catch (t)	Fishing operations as per para 8?	Lines set between 750 and 2,000m?	2018/19 Compliance Status	2019/20 Possible compliance issues?
EUROPEAN UNION	CMM 14c-2019 Paras 5, 6, 7, 8, 10	Yes	1 (4 days)	45	0	Yes	yes	Not assessed	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues

Member Comments on Potential Compliance Issues

Member	Comment
EUROPEAN UNION	



17.3. Management Measures

Paragraph 12

All hooks used will be uniquely marked indicating the vessel and fishing campaign.

17.4. Authorised Vessels

Paragraph 13

The European Union shall designate the vessel authorised to undertake fishing pursuant to this measure. In the event that vessel is unavailable, an alternative vessel of similar capability and capacity shall be authorised by the European Union to undertake fishing pursuant to this measure only after the replacement vessel has been formally notified to the Executive Secretary who will forward that information to all Members and CNCPs.

17.5. Data collection

Paragraph 17

A minimum overlap statistic of at least 60% shall apply for tag release, once 30 or more toothfish have been caught.

17.6. Marine Mammals, Seabirds, Turtles, and other Species of Concern

Paragraph 19

A vessel fishing pursuant to this measure shall use the following mitigation methods:

Seabird mitigation measures, in addition to those set out CMM 09-2017 (Seabirds):

- 7 additional bullet points a-g

Turtle mitigation measures, in addition to those set out CMM 09-2017 (Seabirds):

- 2 additional bullet points h-i

Additional shark, skate, and macrourid bycatch mitigation measures:

- 4 additional bullet points j-m

Member/ CNCP	Assessed CMM requirement(s)	Hooks marked?	Vessels used?	Tag overlap statistic	Sea bird mitigation as per para 9?	Turtle/ Cetacean mitigation per para 9?	Skark/ macrourid mitigation per para 9?	2018/19 Compliance Status	2019/20 Possible compliance issues?
EUROPEAN UNION	CMM 14c-2019 Paras 12, 13, 17, 19	Yes	TRONIO	n/a	Yes	Yes	Yes	Not Assessed	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues

Member Comments on Potential Compliance Issues

Member	Comment
EUROPEAN UNION	



17.7. Data collections for marine mammals, seabirds, turtles, and other species of concern

Paragraph 20

The following information shall be collected for marine mammals, seabirds, turtles, and other species of concern:

- a) seabird and marine mammal abundance counts shall be made at the rear of the vessel at the start, middle, and end of each event (from set to haul) according to the CCAMLR Scheme of International Scientific Observation standard;
- b) the observer shall have a target of observing 25% of hooks hauled for marine mammal, seabird and turtle interactions. Where observations take place they will be recorded and stored for analyses and/or reference;
- c) all marine mammals, seabirds, turtles, sharks, skates and rays and other species of concern accidentally captured dead or moribund shall be identified, and photographs will be taken. Information about birds colliding with the vessel will be recorded and all birds released alive;
- d) all dead birds must be retained for formal identification and necropsy;
- e) opportunistic observations, photography and identification of marine mammals may be undertaken in collaboration with the crew

17.8. VME

Paragraph 22

Until the Scientific Committee has developed advice on SPRFMO threshold limits for VME encounters on long-lines, the provisions of CCAMLR CM 22-07 (2013) shall be used for the purpose of this CMM. Where evidence of a VME is encountered in the course of fishing activities this shall be reported for review to the Scientific Committee.

17.9. Monitoring

Paragraph 23

A vessel undertaking fishing pursuant to this measure shall carry a scientific observer on-board, as well as a dedicated assistant experienced in at-sea scientific data collection to assist the observer with biological measurement and data collection. Observer data shall be collected in accordance with the SPRFMO Observer data standard and shall include gear deployment and retrieval data, catch and effort information, biological data collection, and information on marine mammals, seabirds, reptiles and other species of concern

Member/ CNC	Assessed CMM requirement(s)	Marine mammal and seabird (etc) Information collected?	Observed hooks	Captures	Evidence of a VME encounter?	Observer plus assistant?	2018/19 Compliance Status	2019/20 Possible compliance issues?
EUROPEAN UNION	CMM 14c-2019 Para 20, 22, 23	Partial	47%	0	No	Yes	Not assessed	Yes

Secretariat Assessment of potential compliance issues

- The EU implementation report states that there were '0' Seabird/Marine mammal abundance counts taken during start of an event and report [SC8-DW08](#) acknowledges that "Reduced personnel had a minor impact on setting observations, where not all line setting was observed". This report further shows that lines 3 and 4 were not observed during setting. Under Paragraph 20a) "seabird and marine mammal abundance counts shall be made at the rear of the vessel at the start, middle, and end of each event (from set to haul) according to the CCAMLR Scheme of International Scientific Observation standard". There is a possible compliance issue associated with paragraph 20a) because abundance counts were not conducted on lines 3 and 4.



Member Comments on Potential Compliance Issues

Member	Comment
EUROPEAN UNION	After having assessed the issues you noted in your communication we consider that there is no infringement and that, instead, the provisions of paragraph 20, of CM 14c-2019 should be clarified to facilitate its implementation: 20. The following information shall be collected for encountered marine mammals, seabirds, turtles, and other species of concern: a) seabird and marine mammal abundance counts shall be made at the rear of the vessel at the start, middle, and end of each event (from set to haul) according to the CCAMLR Scheme of International Scientific Observation standards; Comment: the CMM does not indicate the number or percentage of hooks to be observed. It simply states that it should be done at the beginning, middle and end of each event with no references to the frequency. It is not clear to us what 'event' is exactly supposed to mean. In this specific case, there were two sets that were not observed at the start, but observation was done instead at the end as per paragraph b). In addition to that, the reference to the CCAMLR SISO's standards should be probably removed, not only because it is a different organisation, but also because if in the future there was an issue regarding the interpretation of the provisions related to compliance, SPRFMO would not have the mandate or background to provide a definitive assessment on the matter. b) the observer shall have a target of observing 25% of hooks hauled for marine mammal, seabird and turtle interactions. Where observations take place they will be recorded and stored for analyses and/or reference; Comment: the two sets that were not observed at the start, were observed at the haul. In these two sets, 50% hooks were observed instead of the 25% of the CMM.

18. CMM 14d-2020 Exploratory fishing for Toothfish (Chile)

During this reporting period Chile did not conduct any activities under this CMM



19. CMM 15-2016 Stateless Vessels

Paragraph 1

Vessels determined under international law to be without nationality that are fishing in the SPRFMO Convention Area undermine the Convention and the Conservation and Management Measures adopted by the Commission and are engaged in IUU fishing;

Paragraph 3

Members, CNCPs and non-parties are encouraged to take action, in accordance with international law, against vessels referred to in paragraph 1 of this measure, including to prohibit the landing and transshipment of fish and fish products and access to port services by such vessels, except where such access is essential to the safety or health of the crew or the safety of the vessel.

Assessed CMM 15-2016 Para 3 requirement (s)			
Member/ CNCP	Actions taken under para 3?	2018/19 Compliance Status	2019/20 - Possible compliance issues?
AUSTRALIA	No	Compliant	No
CHILE	No	Compliant	No
CHINA	No	Compliant	No
COOK ISLANDS	No	Compliant	No
CUBA	No	Compliant	No
CURAÇAO	No	Compliant	No
ECUADOR	No	Compliant	No
EUROPEAN UNION	No	Compliant	No
FAROE ISLANDS	No	Compliant	No
KOREA	No	Compliant	No
LIBERIA	No	Compliant	No
NEW ZEALAND	No	Compliant	No
PANAMA	No	Compliant	No
PERU	No	Compliant	No
RUSSIAN FEDERATION	No	Compliant	No
CHINESE TAIPEI	No	Compliant	No
UNITED STATES OF AMERICA	No	Compliant	No
VANUATU	No	Compliant	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues



20. CMM 16-2019 SPRFMO Observer Programme

20.1. General Rules

Paragraph 2

The purpose of the SPRFMO OP is to facilitate the collection of verified scientific data and additional information related to fishing activities in the Convention Area and its impacts on the ecosystem, and also to support the functions of the Commission and its subsidiary bodies, including the CTC.

Paragraph 5

Observers shall have the rights and duties set out in Annex 1 of this CMM. Members and CNCPs shall ensure that observers from their national observer programmes perform their duties.

Paragraph 6

Members and CNCPs shall also ensure that owners and fishing operators, vessel captains, officers and crew of vessels flying their flag:

- Respect the rights of observers set out in Annex 1 of this CMM, and
- comply with the standards and duties set out in Annex 2 of this CMM.

Assessed CMM 16-2019 Paras 2, 5 & 6 requirement (s)						
Member/ CNCP	Deployed observers in the SPRFMO Area	Ensured observers perform?	Protected observer rights?	Ensured Annex 2 standards and duties?	2018/19 Compliance Status	2019/20 - Possible compliance issues?
AUSTRALIA	Yes	Yes	Yes	Yes	Compliant	No
CHILE	Yes	Yes	Yes	Yes	Compliant	No
CHINA	Yes	Yes	Yes	Yes	Compliant	No
COOK ISLANDS	Yes	Yes	Yes	Yes	Compliant	No
CUBA	No	N/A	N/A	N/A	Compliant	No
CURAÇAO	No	N/A	N/A	N/A	Compliant	No
ECUADOR	No	N/A	N/A	N/A	Compliant	No
EUROPEAN UNION	Yes	Yes	Yes	Yes	Compliant	No
FAROE ISLANDS	No	N/A	N/A	N/A	Compliant	No
KOREA	Yes	Yes	Yes	Yes	Compliant	No
LIBERIA	No	N/A	N/A	N/A	Compliant	No
NEW ZEALAND	Yes	Yes	Yes	Yes	Compliant	No
PANAMA	No	N/A	N/A	N/A	Compliant	No
PERU	No	N/A	N/A	N/A	Compliant	No
RUSSIAN FEDERATION	Yes	Yes	Yes	Yes	Compliant	No
CHINESE TAIPEI	No	N/A	N/A	N/A	Compliant	No
UNITED STATES OF AMERICA	No	N/A	N/A	N/A	Compliant	No
VANUATU	No	N/A	N/A	N/A	Compliant	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues



Member Comments on Potential Compliance Issues

Member	Comment

20.2. Deployment of Observer

Paragraph 9

To fulfil their obligations under the Convention and the relevant CMMs adopted by the Commission, Members and CNCPs shall only deploy observers sourced from a national observer programme or service provider accredited according to the provisions of this CMM.

Paragraph 10

Observers from an accredited national observer programme of a Member or CNCP shall only be deployed on board vessels flagged to another Member or CNCP with the consent of both Members or CNCPs.

Paragraph 11

Individual observers have the right to refuse a deployment on board a fishing vessel for justified reasons, including when safety issues have been identified on the vessel to be deployed or due to serious illness of the observer before boarding. The national observer programme or service provider shall ensure that the reasons for such refusal are documented and that a copy of such documentation is provided to the SPRFMO Secretariat, which will forward it to the relevant Member or CNCP.

20.3. Levels of Coverage

Paragraph 12

Members and CNCPs shall ensure that all fishing vessels flying their flag carry observers from a national observer programme or service provider accredited under the SPRFMO OP to meet the minimum levels of observer coverage required by the relevant applicable SPRFMO CMM(s) while operating in the Convention Area.

Paragraph 15

In relation to paragraph 14 of this CMM, Members and CNCPs shall document and provide information on the methods used to allocate observers on fishing vessels flying their flag to meet the observer coverage requirements, and shall also provide this information in their National Annual Report to the SC. The SC shall review the method used by each Member or CNCP and provide recommendations for improvement, when necessary.

20.4. Reporting

Paragraph 44

Members and CNCPs shall include a brief overview of the national observer programmes or service providers covering its fishing activity as a component of the Annual National Reports submitted by Members and CNCPs to the SC and developed in accordance with the “Guidelines for Annual National Reports to the SPRFMO Scientific Committee”.



Assessed CMM 16-2019 Paras 9-11, 15 & 44 requirement (s)						
Member/ CNC	SPRFMO accredited programme used?	Deployment on other flags?	Deployment refusals?	Overview of programme provided in Annual report?	2018/19 Compliance Status	2019/20 - Possible compliance issues?
AUSTRALIA	No	No	No	Yes	Compliant	No
CHILE	No	No	No	Yes	Compliant	No
CHINA	No	No	No	Yes	Compliant	No
COOK ISLANDS	No	No	No	Yes	Compliant	No
CUBA	N/A	N/A	N/A	N/A	Compliant	No
CURAÇAO	N/A	N/A	N/A	N/A	Complaint	No
ECUADOR	N/A	N/A	N/A	N/A	Compliant	No
EUROPEAN UNION	No	No	No	Yes	Compliant	No
FAROE ISLANDS	No	N/A	N/A	N/A	Compliant	No
KOREA	No	No	No	Yes	Compliant	No
LIBERIA	N/A	N/A	N/A	N/A	Compliant	No
NEW ZEALAND	No	No	No	Yes	Compliant	No
PANAMA	N/A	N/A	N/A	N/A	Compliant	No
PERU	N/A	N/A	N/A	N/A	Compliant	No
RUSSIAN FEDERATION	No	No	No	Yes	Compliant	No
CHINESE TAIPEI	N/A	N/A	N/A	N/A	Compliant	No
UNITED STATES OF AMERICA	N/A	N/A	N/A	N/A	Compliant	No
VANUATU	N/A	N/A	N/A	N/A	Compliant	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues

Member Comments on Potential Compliance Issues

Member	Comment



21. CMM 17-2019 Fishing Gear and Marine Plastic Pollution

21.1. Retrieval of abandoned, lost or otherwise discarded fishing gear

Paragraph 1

Each Member and CNCP shall ensure that:

- a) vessels flying its flag operating with any fishing gear on board shall make all reasonable efforts to combat, minimise and eliminate abandoned, lost or otherwise discarded fishing gear (ALDFG linked to those vessels);
- b) no vessels flying its flag deliberately discard or abandon fishing gear linked to those vessels, except for safety reasons, notably vessels in distress and/or life in danger;
- c) vessels flying its flag that have lost fishing gear shall not abandon it without making every reasonable attempt to retrieve it as soon as possible;
- d) any vessels flying its flag operating with any gear on board have equipment, where possible, on board to retrieve ALDFG linked to those vessels.
- e) where a vessel flying its flag cannot retrieve ALDFG linked to that vessel, the vessel notifies its competent authority within 48 hours of the following information:
 - i) the name, IMO number and call sign of the vessel;
 - ii) the type/material of lost gear;
 - iii) the quantity of gear lost or abandoned;
 - iv) the time when the gear was lost or abandoned;
 - v) the position (longitude/latitude) where the gear was lost or abandoned;
 - vi) measures taken by the vessel to retrieve lost or abandoned gear, and
 - vii) report, if known, the circumstances that led to the gear being lost, or abandoned for safety reasons.
- f) where a vessel flying its flag retrieves ALDFG not linked to that vessel, the vessel notifies its competent authority within 48 hours of the following:
 - i) the name, IMO number and call sign of the vessel that has retrieved the gear;
 - ii) the name, IMO number and call sign of the vessel that lost or abandoned the gear (if known);
 - iii) the type of gear retrieved;
 - iv) the quantity of gear retrieved;
 - v) the time when the gear was retrieved;
 - vi) the position (longitude/latitude) where the gear was retrieved and,
 - vii) if possible, photographs of the gear retrieved.

Paragraph 3

The authorities of the flag state of the vessels referred to in subparagraphs 1e) and f) shall promptly transmit the information received to the Executive Secretary for its notification to all Members and CNCPs. The Executive Secretary shall develop the template for the notifications referred to in subparagraphs 1e) and f).

21.2. Marine plastic pollution

Paragraph 4

Each Member and CNCP shall prohibit vessels flying its flag from discharging into the sea all plastics, including but not limited to synthetic ropes, synthetic fishing nets, plastic garbage bags and incinerator ashes from plastic products. All plastics on board shall be stored on board the vessel until they can be discharged at adequate port reception facilities



Assessed CMM 17-2019 Paras 1, 3 & 4 requirement (s)					
Member/ CNC	Ensured Para 1 is implemented	Transmitted ALDFG notifications to Secretariat	Prohibited at seas discharge of plastics	2018/19 Compliance Status	2019/20 - Possible compliance issues?
AUSTRALIA	Yes	No	Yes	Non-Compliant	No
CHILE	Yes	No	Yes	Compliant	No
CHINA	Yes	No	Yes	Compliant	No
COOK ISLANDS	Yes	Yes (16)	Yes	Non-Compliant	No
CUBA	N/A	N/A	N/A	Compliant	No
CURAÇAO	N/A	N/A	Yes	Compliant	No
ECUADOR	N/A	N/A	N/A	Compliant	No
EUROPEAN UNION	Yes	No	Yes	Compliant	No
FAROE ISLANDS	N/A	N/A	N/A	Compliant	No
KOREA	Yes	No	Yes	Compliant	No
LIBERIA	N/A	N/A	N/A	Compliant	No
NEW ZEALAND	Yes	Yes	Yes	Compliant	No
PANAMA	Yes	No	Yes	Compliant	No
PERU	N/A	N/A	N/A	Compliant	No
RUSSIAN FEDERATION	Yes	No	Yes	Compliant	No
CHINESE TAIPEI	Yes	No	Yes	Compliant	No
VANUATU	N/A	N/A	N/A	Compliant	No

Secretariat Assessment of potential compliance issues

- No potential compliance issues identified.

Member Comments on Potential Compliance Issues

Member	Comment



22. CMM 18-2020 Management of the Jumbo Flying Squid Fishery

NOTE: *This CMM was NOT assessed due to its entry into force date of 1 January 2021.*