
12TH MEETING OF THE COMPLIANCE AND TECHNICAL COMMITTEE (CTC)

Santiago, Chile, 11-14 February 2024

CTC 12 – Doc 11

Follow-up Actions Taken in Relation to the 2024 Final Compliance Report (and other Member commitments)

Secretariat

1. Background

At CTC11 the overall compliance for reporting period 2023/24 was assessed. In terms of numbers, most of the specific non-compliance issues raised pertained to short disruptions and reporting issues pertaining to the Commission VMS (CMM 06). Outside of the VMS issues, most of the other issues were administrative / reporting type in nature which were already resolved, largely resulting in an assessment of “Non-Compliant, No Further Action”.

Notwithstanding, CTC noted that “Further Action/Follow Up” was required for some Members/CNCPs in relation to provision of the missing information/report and/or improving their performance and overall compliance with the requirements of particular CMMs.

2. Follow-up Actions

Table 1 summarizes the specific further/follow-up actions required in relation to the 2024 Final Compliance Report ([Annex 6a of the COMM12-Report](#)) with the status in respect to the commitment of follow up action noted.

Table 2 summarizes the follow-up actions required in relation to other commitments made by Members and CNCPs with respect to the CMMs and compliance issues.

Member investigations and/or follow-up reporting to the Commission for the reporting period was in relation to the following CMMs:

- CMM 02-2022 (Data Standards)
- CMM 05-2022 (Record of Vessels)
- CMM 06-2023 (VMS)
- CMM 12-2023 (Transshipment)

CTC12 is requested to:

- **Note** the current status of commitments made last year and make any comments or recommendations it deems appropriate.



Table 1: Status of Follow Up Actions identified in the 2024 Final Compliance Report.

Member/ CNCP	Compliance Action plan for:	Compliance Issue	2022/23 Compliance Status	Current Status
Liberia	CMM 02-2022 (Data Standards)	Liberia did not submit an annual report (or nil report) to the Scientific Committee at least one month in advance of the annual 2023 SC meeting as required.	Non-Compliant, Further Action (Provision of a NIL SC Report)	<u>Commitment fulfilled:</u> Liberia emailed the Secretariat 26 January 2024 advising that Liberia had not conducted fishing, research, or management activities over the previous year in the SPRFMO Convention Area; therefore, Liberia had a Nil Report for SC.
Liberia	CMM 06-2023 (VMS)	<p>There were 5 possible compliance issues pertaining to VMS reporting requirements during the 2022/23 Reporting period. Four of which related to the VMS positional reports not being forwarded hourly to Commission VMS and the fifth related to an ALC issue.</p> <p>CTC expressed concern with the ongoing compliance issues and noted there were also issues last year. CTC want to see a comprehensive plan of action to resolve issues and monitor and respond to future disruptions in a timely manner. Liberia agreed to submit a written plan of action within four (4) months to the Secretariat.</p>	Priority Non-Compliant, Further Action: Develop a Plan of Action	<p><u>Commitment fulfilled:</u> On 31 July 2024 Liberia submitted its Plan of Action. The plan of action was circulated as correspondence G85-2024 to Members and CNCPs on 02 August 2024 (attached as Annex 1 below).</p> <p><i>(Note: Receipt was approximately a month later than anticipated but Liberia indicated that the delay was due to the extensive consultations required to understand the root causes of the issues before determining the action steps in drafting the action plan.)</i></p>
Liberia	CMM 12-2023 (Transshipment)	There were compliance issues identified with respect to paragraph 5 in that during Q1 transshipment activities, transshipment notifications were not provided at least 12 hours in advance of the activity as required for 2 LBR carrier vessels. (The LBR 1st quarter report identified transshipments had taken place for the WHITNEY BAY (26) and	Priority Non-Compliant, Further Action: Develop a Plan of Action.	<p><u>Commitment fulfilled:</u> On 31 July 2024 Liberia submitted its Plan of Action. The plan of action was circulated as correspondence G85-2024 to Members and CNCPs on 02 August 2024 (attached as Annex 1 below).</p> <p><i>(Note: Receipt was approximately a month later than anticipated but Liberia indicated that the delay was due to the extensive consultations</i></p>



Member/ CNC	Compliance Action plan for:	Compliance Issue	2022/23 Compliance Status	Current Status
		<p>the ACONCAGUA BAY (65)).</p> <p>CTC expressed concern with the nature of the non-compliance and that reporting is core to the transshipment CMM. It was noted that issues were identified last year as well. Liberia agreed to submit a written plan of action within four (4) months to the Secretariat.</p>		<i>required to understand the root causes of the issues before determining the action steps in drafting the action plan.)</i>

Table 2: Status of Follow Up Actions pertaining to other CMM compliance related commitments.

Member/ CNC	Compliance issue in relation to:	Compliance Issue	Commitment or Follow-up	Current Status
Various Members/ CNCs/ Secretariat	CMM 05-2022 (Record of Vessels)	<p>During CTC 09 there were potential compliance issues identified for several Members pertaining to IMO numbers not being provided as required for Authorized vessels with respect to the mandatory Vessel Details Data specified in Annex 1 of CMM 05-2022.</p> <p>Further discussion around this issue resulted in a decision to “not assess” the Annex 1 compliance at CTC 09 rather review the overall situation with respect to all the mandatory provisions of Annex 1 and provide feedback to Members and CNCs on specific deficiencies for follow up action.</p>	The CTC tasked the Secretariat to review all the Authorized vessels on the Record of Vessels for completeness of the mandatory vessel details data. The Secretariat would inform each Member/CNC of the specific deficiencies and Members/CNCs were initially given until 31 December 2022 to update the details for their listed vessels or remove the vessel’s authorization.	<p><u>Commitment fulfilled:</u> The Secretariat completed the initial review and contacted the relevant Members/CNCs during April 2022 with follow up again in November 2022 and into 2023.</p> <p>Since then, the Secretariat has continued to work with Members and CNCs to clarify data (including photos) that Members/CNCs have provided and update the Record of Vessels as required.</p> <p>The Secretariat has incorporated into the Record of Vessels Implementation Report an annual update regarding the status of the mandatory data provisions.</p>



ANNEX 1: Liberia's Action Plan to Address Compliance Issues with SPRFMO

<i>General Information</i>	
Issuing Authority	National Fisheries and Aquaculture Authority (NaFAA)
Status	Marine Notice/ Circular
Implementation Date	August 1, 2024

Key Information:

Description of the problem: The non-transmission of vessel monitoring system (VMS) positional data; pre-operation and post-operation Transshipment Notification to SPRFMO Secretariat; and failure to submit annual report to the Scientific Committee of SPRFMO
Root Causes of the problems: Non-Transmission of VMS data Investigation conducted and consultation with the concerned vessel operators and the LBR VMS Service Provider revealed that the main cause for the non-transmission of VMS data was technical problem with the VMS Service Provider. Specifically, in some instances, there were errors in the NAF message strings of the concerned vessels that resulted into the non-transmission of VMS positional data.
Failure to Transmit Pre and Post Transshipment Operation Notifications Investigation conducted and consultations done with the concerned vessel operators revealed that the main cause of the non-transmission of transshipment notifications was the failure of the responsible personnel onboard the vessels to send the notifications.
Failure to send Annual Report to Scientific Committee It was revealed that because Liberia's annual report to the Scientific Committee is always a nil report, the personnel responsible inadvertently forgot to send the nil report mainly due to oversight.



ACTION STEPS:

1. All Liberians flagged vessels authorized to operate in the Southern Pacific Regional Fisheries Management Organization (SPRFMO) Convention Area shall be required to have a second automatic location communicator (ALC) or second beacon.
2. A staff at the Liberian Registry shall be designated to work with the VMS Service Provider to confirm that VMS positional data of vessels operating in the SPRFMO Convention Area are transmitted hourly to the SPRFMO Secretariat.
3. Marine Notice FTP-001 has been re-circulated to all vessels engaged in transshipment activities with the aim of reminding vessels to comply with the conservation and management measures of the SPRFMO and other RFMOs.
4. The FMC to remain vigilant in monitoring all vessels operating in the SPRFMO Area and other RFMOs' Areas.
5. Personnel has been designated to ensure that vessels in the SPRFMO Area transmit transshipment notification prior to and after transshipment operations. In cases of failure to transmit notification, vessels will be immediately notified and instructed to transmit notifications.
6. A dashboard to be developed highlighting the dates and deadline for the submission of all reports to SPRFMO and the dashboard to be shared with all members of the Liberia Maritime Authority-National Fisheries and Aquaculture Authority (LiMA-NaFAA) Technical Working Group.
7. Put in place an automatic alert system for vessels not transmitting positions.

Monitoring the Implementation of the Action Plan

A system for monitoring the implementation of the Action Plan has been developed, which includes a weekly review of the actions put in place.

A 3-month Implementation Report highlighting progress and challenges will be sent to SPRFMO in November 2024.