

South Pacific Regional Fisheries Management Organisation

**1st Meeting of the Compliance and Technical Committee,
Manta, Ecuador: 27 - 31 January 2014**

CTC-01-02

Assessment of Compliance of Members and CNCPs

Secretariat

INTRODUCTION

This paper reports on Member and Cooperating Non-Contracting Party (CNCP) compliance with Conservation and Management Measures (CMMs) adopted by the South Pacific Regional Fisheries Management Organisation (SPRFMO).

The presented information is based upon data/reports which have been submitted to the Secretariat or presented at meetings of the Commission or its Subsidy bodies (such as the Scientific Committee).

The Conservation and Management Measures which have been assessed include:

- CMM 1.01 Conservation and Management Measure for *Trachurus murphyi* (from 1 Feb 2013);
- CMM 1.02 Conservation and Management Measure for gillnets in the SPRFMO Convention Area (from 1 Feb 2013);
- CMM 1.03 Standards for the Collection, Reporting, Verification and Exchange of Data (from 1 Feb 2013);

In general throughout this paper, a "Nil" is used when a Member or CNCP did not conduct fishing in the Area during that period. A blank cell indicates that the Member or CNCP did conduct fishing, but no information relevant to that measure has been provided to the Secretariat.

Note all 2013 figures are preliminary, and assessments of compliance are made using the best information available at this time.

CMM 1.01 *Trachurus murphyi*

Effort management

Paragraph 5:

Members and CNCPs shall limit the total gross tonnage (GT) of vessels flying their flag and participating in the *Trachurus murphyi* fisheries in the Convention Area to the total tonnage of their flagged vessels that were actively fishing in 2007 or 2008 or 2009 in the Convention Area and as set out in Table 1. 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 Table 1.

Table 1: Gross Tonnage limits as referred to in Paragraph 5 (CMM 1.01) compared with vessels actively fishing for *Trachurus murphyi* in the Convention Area during 2013.

Member/CNCP	Gross Tonnage limit	2013 Active fishing Vessels
Belize	9,814	Nil
Chile	96,867 + 3,756 (GRT)	9,597
China	74,516	15,518
Cook Islands	12,613 (GRT)	Nil
European Union	78,600	9,499
Faroe Islands	23,415	Nil
Korea	15,222	3,012
Peru	75,416	6,231
Russian Federation	74,470 ³	Nil
Vanuatu	31,220 (GRT)	15,610 (GRT)

Note: Tonnage is GT unless otherwise stated.

³ This total includes the vessel *Lafayette*. Operational fishing data, in accordance with the consolidated data standards, has not been supplied to the Secretariat in respect of this vessel and information supplied by some delegations indicates that the vessel probably was not capable of fishing in either 2009 or 2010. Some delegations requested the GT for this vessel (49,173 GT) should be held in abeyance pending receipt of operational fishing information. The Russian delegation stated that vessel *Lafayette* has duly obtained all certificates from the Russian Maritime Register of Shipping to be qualified for the fishing class; the vessel has undergone initial physical inspections and subsequent annual surveys to confirm its ability to be engaged in direct fishing operations.

All Members and CNCPs that participated in the *Trachurus murphyi* fishery during 2013 complied fully with CMM 1.01 paragraph 5.

Catch Management

Paragraph 8:

...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 12:

A Member may transfer to another Member all or part of its entitlement to catch up to the limit set out in Table 3, subject to the approval of the receiving Member. Before the transferred fishing takes place, the transferring Member shall notify the transfer to the Executive Secretary for circulation to Members and CNCPs without delay.

Findings and Recommendations of the Review Panel dated 5 July 2013:

100 c. Recommends the following alternative measures as equivalent in effect to the Decision to which objection has been presented: Russia will authorise vessels registered in the Russian Federation to catch *Trachurus murphyi* in the Convention Area in 2013:

- (i) only after Russia concludes from data reported by the Organisation, and in accordance with Article 3, paragraph 1(a)(v) of the Convention, that it is likely that the total catch in 2013 will not reach the total allowable catch of 360,000 tonnes referred to in paragraph 6 of CMM 1.01, and
- (ii) only until the Organisation reports that this total allowable catch has been reached;

Table 2: Established Catch Limits, Transfers and Preliminary 2013 Catch Totals for *T. murphyi* (t)

Member/CNCP	2013 Catch limit (Table 3 CMM 1.01)	Effect of Catch Transfers	Effect of Review panel decision	Preliminary 2013 Catch Total*
Belize	1,031	0	0	Nil
Chile	249,796	250,827	250,827	219,579
China	29,256	29,256	29,256	7,760
European Union	31,046	31,046	31,046	9,296
Faroe Islands	5,355	5,355	5,355	Nil
Korea	3,764	5,864	5,864	5,056
Peru	18,636	18,636	18,636	2,670
Russian Federation	0	0	19,944	Nil
Vanuatu	21,116	19,016	19,016	14,206
Total	360,000	360,000	360,000	258,567

*Data only available up to and including October 2013

Belize made arrangements to transfer all of its entitlement to Chile, whilst Vanuatu made arrangements to transfer a total of 2,100 t of its entitlement to Korea. Both of these arrangements were approved by the receiving Members.

It does not appear likely that the total allowable catch of 360,000 tonnes will be exceeded. Currently, none of the Members/CNCPs has exceeded their Catch Limit and none of the Members/CNCPs have closed their *Trachurus murphyi* fishery.

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 10 days of the end of the month, in accordance with the Data Standards and using templates prepared by the Secretariat and available on the SPRFMO website.

Table 3: Assessment of compliance for 2013 Monthly Catch returns

Member/CNCP	Number of reports	% received within 10 days
Chile	10	100
China	10	86
Cook islands	7*	n/a
European Union	10	50
Faroe Islands	8*	n/a
Korea	10	80
Peru	8	0
Vanuatu	10	100

*all submissions were for NIL catches.

When calculating % received; nil reports are ignored.

All Members and CNCPs reported monthly catches in electronic format and using the provided templates. The Secretariat also received some information for *Trachurus murphyi* catches from fisheries within Areas under National Jurisdiction.

Paragraph 14:

Except as described in paragraph 12 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 the Data Standards and the templates available on the SPRFMO website, including an annual catch report.

Please refer to the below section on CMM 1.03.

Paragraph 16:

Members and CNCPs participating in the *Trachurus murphyi* fisheries shall implement a vessel monitoring system (VMS) in accordance with the SPRFMO Data Standards. These VMS data shall be provided to the Executive Secretary within 10 days of each quarter in the format prescribed by the SPRFMO Data Standards and using the templates on the SPRFMO website.

Table 4: Assessment of compliance for 2013 VMS data

Member/CNCP	Number of reports	% received within 10 days	using templates	Provided in prescribed format
Chile	3	100	✓	✓
China	3	50	✓	✓
European Union	3	100	No	✓
Korea	3	50	✓	No
Peru	3	0	No	✓
Vanuatu	3	50	✓	No

When calculating %; nil reports are ignored.

Paragraph 17:

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(h) of the Convention*) they have authorized to fish in the fishery in accordance with Article 25 of the Convention and shall provide data in respect of those vessels in accordance with the SPRFMO Data Standards.

They shall also notify the Executive Secretary of the vessels that are actively fishing or engaged in transshipment in the Convention Area within 10 days of the end of each month....

For information on authorized vessel submissions, please refer to the Table 9. Monthly returns, which contain catch reports, also have information on active and transshipping vessels (refer Table 3).

Paragraph 19:

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 2013 Scientific Committee meeting. Members and CNCPs shall also provide observer data for the 2013 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 2013 Scientific Committee meeting in order to ensure that the Scientific Committee has an adequate opportunity to consider the reports in its deliberations.

Table 5: Assessment of compliance with CMM 1.01 Paragraph 19

Member/CNCP	2013 annual report provided	Received 1 month prior to SC01	2013 observer data provided to SC01*
Australia	✓	✓	n/a
Chile	✓	✓	No
China	✓	✓	No
Ecuador	✓	No	n/a
European Union	✓	✓	No
Korea	✓	✓	✓
New Zealand	✓	No	n/a
Peru	✓	✓	No
Chinese Taipei	✓	No	n/a
Vanuatu	✓	No	No

*Observer data as defined in CMM 1.03

Australia, Ecuador, New Zealand and Chinese Taipei are not currently participating in the *Trachurus murphyi* fishery (in the Area covered by CMM 1.01) and are only included in Table 5 as a matter of completeness.

Paragraph 20:

In accordance with Article 24(2), all Members and CNCPs participating in the *Trachurus murphyi* fishery shall provide, at least 10 days before the meeting of the Compliance and Technical Committee (CTC), a report describing their implementation of this CMM....

The Secretariat is not able to assess compliance with this paragraph yet.

Paragraph 23:

Until the Commission adopts an Observer Programme in accordance with Article 28 of the Convention, all Members and CNCPs 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 the SPRFMO Data Standards. In the case of the flagged vessels of a Member or CNCP 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.

The Secretariat is not able to assess compliance with this paragraph yet.

CMM 1.02 Gillnets in the SPRFMO Convention Area

Paragraph 1:

Members shall require that vessels flying their flag prohibit the use of large-scale pelagic driftnets and all deepwater gillnets² in the Convention Area.

The Secretariat has not received any information indicating that bottom gillnet fishing has been undertaken by Members/CNCPs in the SPRFMO Area since 1 February 2010.

Paragraph 2:

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

- a. Give at least 36 hours advanced notice to the Secretariat prior to entering the Convention Area.....

The Secretariat has not received any notifications from Members/CNCPs to indicate that any vessels transiting the Convention Area during 2013 were carrying gillnets.

CMM 1.03 Standards for Collection, Reporting, Verification and Exchange of Data

Data on fishing activities and the impacts of fishing

Paragraph 1 (a):

Ensure that for each calendar year, Members and CNCPs 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 14. Members and CNCPs 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;

Table 6: Assessment of compliance for Annual Catch totals

Member/CNCP	2012 annual catch provided	Received prior to 30 th Sept	Consistent with Annex 14
Australia	✓	✓	✓
Chile	✓	✓	✓
China*	Partial	✓	✓
Cook Islands	Nil	✓	n/a
European Union	Nil	✓	n/a
Faroe Islands	Nil	✓	n/a
Korea	✓	✓	✓
New Zealand*	✓	No	✓
Peru*	✓	✓	✓
Chinese Taipei	✓	✓	✓
Vanuatu*	✓	✓	✓

*Annual catch totals were extracted from SC Annual reports

China has not submitted 2012 annual catch totals for Chub mackerel nor Jumbo Giant Squid.

Paragraph 1 (e):

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). Such data are to be provided in sufficient detail to facilitate effective stock assessment. Members and CNCPs will provide by the 30th June, their previous (January to December) year's data on fishing activities and the impacts of fishing described in sections 1b) – 1d) above (*refer CMM 1.03*).

Table 7: Assessment of compliance for 2012 Fishing Activities (1b)

Member/CNCP	2012 fishing activity data provided	Includes non-target species (1c)	Received prior to 30 th June	Consistent with Annexes 1-6
Australia	✓	✓	✓	Partial
Chile	✓	✓	✓	✓
China			No	
Cook Islands	Nil	n/a	n/a	n/a
European Union	Nil	n/a	n/a	n/a
Faroe Islands	Nil	n/a	n/a	n/a
Korea	✓	✓	✓	Partial
New Zealand	✓	✓	✓	No
Peru			No	
Russian Federation	Nil	n/a	n/a	n/a
Chinese Taipei	✓	No	✓	No
Vanuatu	✓	No	✓	Partial

Neither China nor Peru have submitted 2012 fishing activity data, despite declaring catch from the Area. Most Fishing activity data files require manipulation by the Secretariat in order to make them fully consistent with Annex's 1-6. Chinese Taipei is only squid jigging in the Area, which may explain its lack of non-target species information. New Zealand and Chinese Taipei both grouped their fishing activity data to 5x5 degrees.

Table 8: Assessment of compliance for 2012 Landings and Transshipment data (1d)

Member/CNCP	Landings Data			Transshipment data		
	Information provided	Received before 30th June	Consistent with Annex 12	Information provided	Received before 30th June	Consistent with Annex 13
Australia	✓	✓	✓	Nil	n/a	n/a
Chile	✓	✓	✓	Nil	n/a	n/a
China		No	n/a	✓	No	No
European Union	Nil	n/a	n/a	Nil	n/a	n/a
Korea		No	n/a	✓	✓	✓
New Zealand	✓	✓	No	Nil	n/a	n/a
Peru		No	n/a	✓	✓	✓
Chinese Taipei	✓	✓	✓	✓	✓	✓
Vanuatu		No	n/a	✓	✓	✓

New Zealand provided a summary of 2012 Landings (month by species and amount). China has not submitted detailed 2012 Transshipment data, however the Secretariat is currently receiving 2013 transshipping data from

Vessel data

Paragraph 2:

Members and CNCPs are to:

(c) Compile vessel data and provide them in a timely manner to the Secretariat of the SPRFMO. Members and CNCPs are to provide data on vessels that they have authorized to fish in the following year, at least 3 months prior to the start of that year. Additionally, Members and CNCPs are to provide data on vessels that they newly authorize to fish during a year, or when authorizations to fish are revoked during a year, within 1 month of granting or revoking such an authorization.

Table 9: Assessment of compliance for 2014 Authorised vessel data

Member/CNCP	Vessel data provided annually	Received prior to 30 th Sept	New/revoked authorisations provided within 1 month
Chile	✓	✓	n/a
China			n/a
European Union	✓	✓	n/a
Korea	✓	✓	n/a
New Zealand ¹	✓	✓	✓
Peru			n/a
Chinese Taipei	✓	✓	n/a

¹ New Zealand vessels are authorised by permit year (May – Apr) rather than calendar year.

Neither China nor Peru have submitted data during 2013 regarding vessels they have authorized to fish in 2014. However, both China and Peru have granted vessels authorizations that extend into the 2014 year and beyond (based upon information submitted during 2012).

Observer data

Paragraph 3:

(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.

Table 10: Assessment of compliance for 2012 Observer data

Member/CNCP	Observer data provided	Received prior to 30 th Sept	Excel template	Standardised format
Australia	✓	✓	✓	No
Chile	✓	✓	✓	No
China	✓	✓	✓	No
Korea	✓	✓	✓	No
New Zealand	✓	✓	No	No
Peru	No			
Vanuatu	✓	✓	✓	No

Peru's annual report (SC-01-12) describes an onboard observer sampling programme; but Peru has not submitted

any observer data. New Zealand submitted summarized observer data only. None of the other submissions used the standardized format as described in CMM 1.03; this is an ongoing area of concern for the Secretariat.

Paragraph 3:

(d) Annual Reporting

All SPRFMO Members and CNCs should provide annual observer implementation reports, which should include sections covering: observer training, programme design and coverage, type of data collected, and any problems encountered during the year. These reports shall be adequate enough to allow the Compliance and Technical Committee, the Scientific Committee or the Commission to evaluate the implementation and effectiveness of observer programmes implemented under this standard.

There were no annual observer implementation reports submitted during 2013.