

2021 ANNUAL REPORT OF THE SOUTH PACIFIC REGIONAL FISHERIES MANAGEMENT ORGANISATION

(March 2020 – March 2021)

SPRFMO Secretariat

Paragraph 1 of Article 29 of the **Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean** provides that “*The Commission shall publish an annual report, which shall include details of decisions taken by the Commission to achieve the objective of this Convention. The report shall also provide information on actions taken by the Commission in response to any recommendations from the General Assembly of the United Nations or the FAO.*”

1. Membership

As at March 2021, the SPRFMO Commission had fifteen Members: Australia, Republic of Chile, People's Republic of China, Cook Islands, Republic of Cuba, Republic of Ecuador, European Union, Kingdom of Denmark in respect of the Faroe Islands, Republic of Korea, New Zealand, Republic of Peru, Russian Federation, Chinese Taipei, United States of America, and the Republic of Vanuatu.

In addition, three countries held the status of Cooperating Non-Contracting Parties (CNCs): Curaçao, Republic of Liberia, and the Republic of Panama.

2. Outcomes from the 2021 Commission Meeting

The 9th Meeting of the Commission (COMM9) of the South Pacific Regional Fisheries Management Organisation was held remotely from 26 January to 05 February 2021.

Over 260 participants (from 15 SPRFMO Members, 3 CNCs, 2 Observer States, 4 IGOs, 5 NGOs along with invited experts) attended the meeting. The Commission reviewed and made recommendations concerning the preceding meetings of the subsidiary bodies, including the 8th Scientific Committee (SC8, held in October 2020), the 8th Compliance and Technical Committee and the 8th Finance and Administration Committee. In addition, 17 Conservation and Management Measure (CMM) proposals were put forward and as a result 9 CMMs were amended and 2 new CMMs were adopted. Of the CMMs adopted, 1 was adopted by vote and 10 were adopted by consensus. Additionally, a new Executive Secretary was appointed.

2.1. Subsidiary Bodies

The report of the 8th Scientific Committee¹ was presented, and the SC Chairperson presented a review of progress against the 2020 SC multi-annual workplan, summarised the various SC recommendations for the Commission, and introduced a proposed 2021 SC multi-annual workplan. The Commission accepted and endorsed the SC8 Report and Members appreciated the substantial progress made by SC8, notably considering the virtual format of the meeting. The Commission noted the Scientific Committee had accepted a joint bottom fishing impact assessment prepared by Australia and New Zealand as the best available science and accepted the Scientific Committee's advice and agreed that bottom fishing could be authorised consistent with the assessment.

The Chairperson of the 8th Finance and Administration Committee presented the FAC8 report² and explained that the Organisation is in a reasonably healthy financial position. The FAC Chairperson also recommended

¹ <https://www.sprfmo.int/assets/2020-SC8/Report/SPRFMO-SC8-Report-2020.pdf>

² <https://www.sprfmo.int/assets/0-2021-Annual-Meeting/Reports/FAC8-Report.pdf>



that the Commission take a cautious approach to ensure the Organisation remains financially sustainable. The 2021/22 budget of NZ\$ 1,297,349 was adopted by consensus along with the associated Member contributions and contributions were capped to ensure that no Member paid more than a 15% increase on the last year's Member contributions and that no contribution decreased by more than 5%. The Commission agreed that the predicted shortfall would be made up using expected CNCP voluntary contributions. The Commission also agreed on the interpretation with respect to annual contributions in arrears and instructed the Secretariat to circulate relevant information concerning Members who are in arrears of more than two years.

The report³ of the 8th Compliance and Technical Committee was presented by the CTC Chairperson, highlighting the CTC discussions on proposals to amend existing CMMs, both the Draft and Final IUU Vessel List, the accreditation of the observer programmes, and the applications received to renew the CNCP status, as well as the Draft Compliance Report. Three Observer Programmes from Australia, Chile, and New Zealand were accredited. The CTC also recommended that all three applications for CNCP status be accepted. A 2021 IUU Vessel List was adopted (containing no vessels) and the CTC was pleased to see the progress with respect to Members and CNCP follow up on the action items from previous years.

The Secretariat was requested to provide more information in the Vessel Monitoring System (VMS) implementation report and develop a VMS workplan in consultation with the Chairperson of the CTC.

2.2. Decisions taken by the Commission to achieve the objective of the SPRFMO Convention

COMM9 amended 10 Conservation and Management Measures including:

- CMM 01-2021: *Trachurus murphyi*, where catches of *Trachurus murphyi* in 2021 throughout the range of the stock should not exceed 782,000 tonnes as per advice of the SPRFMO Scientific Committee.
- CMM 02-2020: Data Standards, where updates were introduced to include two new data collection templates for the squid fishery.
- CMM 03-2020: Bottom Fishing in the SPRFMO Convention Area, with updates relating to protection of VMEs and assessing the effectiveness of the CMM. Members agreed to specific tasking of the SC to support the review of CMM03 in 2022.
- CMM 03a-2021: Deepwater Species in the SPRFMO Convention Area, where the orange roughy catch limits were revised based on recommendations from the Scientific Committee and to enable improved implementation, reporting, and management of these catch limits.
- CMM 05-2021: Establishment of the Commission Record of Vessels Authorised to Fish in the SPRFMO Convention Area, where time limited amendments were introduced to remove the mandatory requirement for an IMO number and INMARSAT vessel communication numbers for artisanal fishing vessels from coastal developing States smaller than 15 metres in length fishing for jumbo flying squid.
- CMM 07-2021: Minimum standards of inspection in Port, where the Port Call Request template was amended to include further details of the catch limits of individual vessels.
- CMM 13-2021: Management of New and Exploratory Fisheries in the SPRFMO Convention Area, with amendments to manage circumstances where there is more than one Fisheries Operation Plan proposed for the same Exploratory Fishery.
- CMM 14b-2021: Exploratory Potting Fishery in the SPRFMO Convention Area, where amendments were introduced consistent with CMM 03 and with the advice of the SC8. An amended Fisheries Operation Plan for the fishery was also adopted.
- CMM 16-2021: Establishing the SPRFMO Observer Programme, where provisions were introduced to address the challenges facing small artisanal vessels in the implementation of some of the requirements of the CMM. Further provisions were introduced ensure that the Observer Programme accreditation process was fair and equitable, with appropriate timeframes outlined to address difficulties encountered in the first accreditation process. The role of the CTC in the accreditation process was also clarified.

³ <https://www.sprfmo.int/assets/0-2021-Annual-Meeting/Reports/CTC8-Report.pdf>



In addition, COMM9 adopted 2 new CMMs being:

- CMM 14e-2021: Exploratory Fishing for Toothfish by European Union-Flagged Vessels in the SPRFMO Convention Area.
- CMM 19-2021: Vessel Markings and Identification.

Given the extraordinary circumstances of this meeting, including the meeting being held by virtual means and the number of issues to traverse in the time available, the Commission adopted a Record of Decisions taken for the purposes of Article 17(1) of the Convention prior to the close of its meeting. The Commission adopted its COMM9 meeting report intersessionally, following the conclusion of the 9th Annual Meeting.

2.3. International Cooperation

During SC8 the FAO presented an update on the second phase of the Areas Beyond National Jurisdiction Deep Sea Fisheries Project (DSF) intended to support implementation of an ecosystem approach to fisheries management, with a focus on data-poor stocks, significant adverse impacts on Vulnerable Marine Ecosystems (VMEs), and deepwater sharks. The SC requested that the Secretariat assist and coordinate activities relevant to supporting the work of the SC during the planning phase of the DSF Project. This would include aspects relating to data-poor stocks, significant adverse impacts on VMEs, and deepwater sharks, and coordination with relevant experts from Members to ensure that the best guidance is provided to the DSF Project.

The Commission discussed two other FAO initiatives and invited FAO to consider proposing projects on the use of AIS technology to improve monitoring of high seas fisheries, and/or methodologies for estimating IUU fishing, during a future meeting.

2.4. Office Holders

The Commission selected Mr Luis Molledo, European Union, as new Chairperson of the Commission, and Mr Michael Brakke, United States of America, as Vice Chairperson.

The Contracting Parties selected Mr Craig Loveridge as the new Executive Secretary and this was endorsed by the Commission.

Mr Andrew Wright, New Zealand, continues to serve as the CTC Chairperson; the CTC Vice Chairpersonship remains vacant.

The Commission confirmed the FAC's election of Mr Jimmy Villavicencio, Ecuador, as the new FAC Chairperson and elected Ms. Karin Mundnich, Chile, as the new Vice-Chairperson.

The Commission confirmed that SC Chairperson (Dr Jim Ianelli, United States of America), and SC Vice Chairperson (Dr Niels Hintzen, European Union) will continue in their positions.

The full report⁴ of the Commission and all related documents are available on the SPRFMO website at www.sprfmo.int.

3. Information specific to UNGA Resolution 75/239 entitled "Oceans and the law of the sea"

3.1. II Capacity-building:

⁴ <https://www.sprfmo.int/meetings/meeting-reports/>



“10. Recognizes the importance of assisting developing States, in particular the least developed countries, landlocked developing countries and small island developing States, as well as coastal African States, in implementing the Convention, urges States, international financial institutions, donor agencies, intergovernmental organizations, non-governmental organizations and natural and juridical persons to make voluntary financial or other contributions to the trust funds, as referred to in resolutions 55/7, 57/141, and 64/71 of 4 December 2009, established for this purpose, and expresses its appreciation to those that have contributed;”

The Commission has an established fund to facilitate the effective participation of developing State Contracting Parties in the region, in particular the least developed among them and small island developing States, and, as appropriate, territories and possessions in the region, in the work of the Commission and its subsidiary bodies. Due to the COVID-19 pandemic and the resulting change to virtual meetings this fund was not utilised in 2020; however, the Commission did highlight the importance of supporting the work of Developing States and encouraged Developing States to apply for funds for purposes other than travelling and accommodation, within the context of SPRFMO work, noting there is an annual budget line for this and that access to these funds continues to be under review given some challenges have been identified.

3.2. VIII Maritime safety and security and Flag State implementation

“114. Encourages States to ratify or accede to international agreements addressing the safety and security of navigation, as well as maritime labour, and to adopt the necessary measures consistent with the Convention and other relevant international instruments aimed at implementing and enforcing the rules contained in those agreements, and emphasizes the need for capacity-building for and assistance to developing States;”

Noting that Article 19(2)(b) of the Convention stresses the need to avoid adverse impacts on, and ensure access to fisheries by, subsistence, small-scale and artisanal fishers and women fish workers when establishing CMMs for fishery resources covered by the Convention, the Commission adopted time limited amendments to CMM 05 (Record of Vessels) that consider the capacity of artisanal vessels and enabling their participation in high seas fisheries.

“191. Recognizes that maritime safety can also be improved through effective port State control, the strengthening of regional arrangements and increased coordination and cooperation among them and increased transparency and information-sharing, making ample use of information systems, such as the International Maritime Organization Global Integrated Shipping Information System,⁸⁷ including among safety and security sectors;”

The Commission adopted improvements to CMM07 (Port inspections) to increase the amount and type of catch limit information available to a port State when considering a port call request. The Commission also agreed to an intersessional working group on Port Inspections to be chaired by the European Union that will report to the CTC at its next meeting in 2022.

3.3. IX Marine environment and marine resources

“196. Reiterates, in this regard, the call made in the declaration entitled “Our ocean, our future: call for action” for action to be taken on an urgent basis to conserve and sustainably use the oceans, seas and marine resources for sustainable development;”

In 2020, the Commission adopted CMM 18-2020 (Squid) to improve data collection in the Jumbo flying squid fishery in the SPRFMO Convention Area, this CMM came into force on 1 January 2021.

Regarding the ecosystem approach to fishing, Article 19(2)(b) of the Convention stresses the need to avoid adverse impacts on, and ensure access to fisheries by, subsistence, small-scale and artisanal fishers and women fish workers when establishing CMMs for fishery resources covered by the Convention. CMM 05 (Record of Vessels) and CMM 16 (Observer programme) were amended this year to enable small artisanal fishing vessels from coastal developing States to fish for jumbo flying squid without being required to have IMO numbers or to carry observers, to facilitate access to subsistence and artisanal fishing activity for the fishermen and women who work in the sector. A coastal developing State will employ an alternative scientific



monitoring approach that will collect data equivalent to that specified in Observer Programme and in CMM 18-2020, in a manner that ensures comparable coverage.

“201. Encourages States, directly or through competent international organizations, to consider the further development and application, as appropriate and consistent with international law, including the Convention, of environmental impact assessment processes covering planned activities under their jurisdiction or control that may cause substantial pollution of or significant and harmful changes to the marine environment, and also encourages the communication of the reports of the results of such assessments to the competent international organizations in accordance with the Convention;[...]”

The Commission accepted two Fisheries Operational Plans for new exploratory fisheries that contain detailed information on, *inter alia*:

- details of non-target and associated or dependent species and the marine ecosystem in which the fishery occurs, the extent to which these would be likely to be affected by the proposed fishing activity and any measures that will be taken to mitigate these effects;
- the anticipated cumulative impact of all fishing activity in the area of the exploratory fishery;
- the assessment of the impact of their flagged vessels' bottom fishing activities.

Currently there are three exploratory fisheries under operation with a robust process for approval and ongoing monitoring.

The Commission also noted that the Scientific Committee had accepted the joint bottom fishing impact assessment prepared by Australia and New Zealand as the best available science and agreed that bottom fishing could be authorised consistent with the assessment.

3.4. X Marine biodiversity

“262. Reaffirms the need for States, individually or through competent international organizations, to urgently consider ways to integrate and improve, based on the best available scientific information and the precautionary approach and in accordance with the Convention and related agreements and instruments, the management of risks to the marine biodiversity of seamounts, cold water corals, hydrothermal vents and certain other underwater features;”

CMM 03 (Bottom Fishing) was amended to strengthen protection of VMEs and provide additional guidance to the SC when formulating its advice on the effectiveness of the management measure.

3.5. XI Marine science

“287. Calls upon States, individually or in collaboration with each other or with competent international organizations and bodies, to continue to strive to improve understanding and knowledge of the oceans and the deep sea, including, in particular, the extent and vulnerability of deep sea biodiversity and ecosystems, by increasing their marine scientific research activities in accordance with the Convention;”

The SPRFMO Scientific Committee took place from 3-8 October 2020 in a virtual environment. Over 140 participants (scientists from 14 SPRFMO Members, representatives from 6 NGOs, 2 IGOs, one invited expert and the Secretariat), reviewed and assessed over 70 working papers and provided recommendations on a wide diversity of issues including stock assessments, VME protection, squid management, and habitat monitoring.

3.6. XV Coordination and Cooperation

“353. Encourages States to work closely with and through international organizations, funds and programmes, as well as the specialized agencies of the United Nations system and relevant international conventions, to identify emerging areas of focus for improved coordination and cooperation and how best to address these issues;”



The SPRFMO is actively pursuing opportunities to collaborate with other organisations, especially neighbouring or overlapping RFMOs. Currently SPRFMO has MoUs or Arrangements with the Western and Central Pacific Fisheries Commission (WCPFC), the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), Permanent Commission of the South Pacific (CPPS), Agreement on the Conservation of Albatrosses and Petrels (ACAP), and the Network of Latin American Countries against IUU Fishing (REDPESCA INDNR).

SPRFMO also collaborates with several other international initiatives/projects including the Regional Fishery Body Secretariats Network, Pan-Pacific Fisheries Compliance Network, FAO-FIRMS and the GEF supported Common Oceans partnership for sustainability in the ABNJ.

4. Impact of COVID-19 on SPRFMO issues

The 9th Meeting of the SPRFMO Commission took place from 26 January to 05 February 2021, in a virtual environment. The virtual nature of the meeting allowed for a larger participation of delegates from Members (198), and Observers (44) albeit with fewer CNCPs (10) than in in-person meetings. Technical limitations and the inherent challenges of virtual meetings did mean that many discussions were compressed, and there was little opportunity for consensus building efforts. Several decisions were still able to be taken, with final report adoption to be undertaken via correspondence after the meeting had concluded, and through an intersessional decision of the Commission.

The upcoming 9th Scientific Committee meeting (SC9) is scheduled to be held in a virtual environment, from 3 to 8 October 2021. The Scientific Committee has already started holding coordination meetings and progressing its work through the different Working Groups.

Several SPRFMO workshops are planned to be held virtually during 2021, covering subjects such as habit monitoring, Management strategy evaluation, benchmark assessment, and port inspections.

Some fisheries (particularly the Jack mackerel fishery in the Eastern South Pacific) have experienced reduced high seas fishing activity during the past 2 years. Difficulties in observer deployment had been encountered in various fisheries but these were not expected to impact agreed minimum coverage levels.

A decision on the format for the 10th SPRFMO Annual Meeting (COMM10) will be taken later in 2021, factoring in the COVID-19 travel restrictions at the time.