

## South Pacific Regional Fisheries Management Organisation Performance Review Questionnaire

### Section 1: Conservation and Management.

#### 1.1 Ecosystem approach.

- i. Do SPRFMO decisions fully incorporate the ecosystem approach to fisheries management in accordance with Article 3(2) of the SPRFMO Convention?

|     |    |          |
|-----|----|----------|
| Yes | No | Partly X |
|-----|----|----------|

Please explain further:

Otras medidas pueden ser adoptadas como por ejemplo tallas mínimas, área de no pesca entre otras.

- ii. Are there gaps or changes which would improve implementation of the ecosystem approach?

|       |    |        |
|-------|----|--------|
| Yes X | No | Partly |
|-------|----|--------|

Please explain further:

Tener en cuenta de manera más amplia el enfoque ecosistémico incorporando medidas de ordenación para otras especies y para el ambiente.

#### 1.2 Data collection

- i. How effective are the SPRFMO data collection formats, specifications and timeframes?

|                 |           |        |            |            |
|-----------------|-----------|--------|------------|------------|
| Formats:        | Excellent | Good X | Acceptable | Inadequate |
| Specifications: | Excellent | Good X | Acceptable | Inadequate |
| Timeframes      | Excellent | Good X | Acceptable | Inadequate |

Please explain further:

No conocemos que existan dificultades

- ii. How accurate, timely and complete is the collection of data by Members and CNCPs individually or through SPRFMO?

|          |        |            |        |
|----------|--------|------------|--------|
| Members: | Very X | Not at all | Partly |
|----------|--------|------------|--------|

|         |        |            |        |
|---------|--------|------------|--------|
| CNCs:   | Very X | Not at all | Partly |
| SPRFMO: | Very X | Not at all | Partly |

Please explain further:

No conocemos que existan dificultades, se ha trabajado adecuadamente con los datos de que se dispone.

iii. Are there any gaps in data collection necessary for effective stock assessment?

|     |      |      |
|-----|------|------|
| Yes | No X | Some |
|-----|------|------|

Please explain further:

No hemos conocido por el Grupo científico dificultades con la información

iv. Are there any gaps in data collection necessary for ensuring best scientific advice is available?

|     |      |      |
|-----|------|------|
| Yes | No X | Some |
|-----|------|------|

Please explain further:

La Organización cuenta con el asesoramiento científico necesario

v. How effective are SPRFMO's efforts in addressing any gaps in data collection?

|        |            |        |
|--------|------------|--------|
| Very X | Not at all | Partly |
|--------|------------|--------|

Please explain further: --

vi. Are there any gaps in CMM 16-2018 (Observer Programme) which need to be filled to fully reflect the requirements of Article 28 (1) of the SPRFMO Convention?

|     |      |      |
|-----|------|------|
| Yes | No X | Some |
|-----|------|------|

Please explain further:--

### 1.3 *Quality and provision of scientific advice.*

i. How effective are SPRFMO's efforts to receive and act on best scientific advice relevant to the fishery resources it covers?

|        |            |        |
|--------|------------|--------|
| Very X | Not at all | Partly |
|--------|------------|--------|

Please explain further:--

ii.

- iii. How effective are SPRFMO's efforts to receive and act on best scientific advice relevant to the effects of harvesting, research, conservation and associated activities on the marine ecosystem?

|      |   |            |        |
|------|---|------------|--------|
| Very | X | Not at all | Partly |
|------|---|------------|--------|

Please explain further: --

1.4 *Adoption of conservation and management measures.*

- i. Has SPRFMO has adopted an effective range of Conservation and Management Measures (CMMs) for fishery resource management that ensure the long-term conservation and sustainable use of those resources and are based on the best scientific evidence available?.

|     |   |    |        |
|-----|---|----|--------|
| Yes | X | No | Partly |
|-----|---|----|--------|

Please explain further, noting any gaps or suggested improvements:

Ampliar las medidas de ordenación a otras especies y manejo del ambiente.

- ii. Has SPRFMO sufficiently applied a precautionary approach in line with the requirements of Article 3 (2) of the SPRFMO Convention and the Code of Conduct for Responsible Fisheries?

|     |   |    |        |
|-----|---|----|--------|
| Yes | X | No | Partly |
|-----|---|----|--------|

Please explain further, noting any gaps or suggested improvements:

Consideramos que a pesar de no contar con toda la información científica se aplican medidas para la preservación de la biodiversidad en el área de la Convención.

- iii. Has SPRFMO sufficiently applied precautionary reference points as called for in Article 20 (2) of the Convention?

|     |   |    |        |
|-----|---|----|--------|
| Yes | X | No | Partly |
|-----|---|----|--------|

Please explain further:--

- iv. Has SPRFMO sufficiently incorporated the criteria established under Article 21 (1) of the SPRFMO Convention, in the adoption of measures relating to the allocation of the total allowable catch or total allowable fishing effort?

|     |   |    |        |
|-----|---|----|--------|
| Yes | X | No | Partly |
|-----|---|----|--------|

Please explain further, noting any gaps or suggested improvements:--

- v. How effective are the SPRFMO CMMs adopted to cover previously unregulated fisheries, including new and exploratory fisheries?

|      |              |        |
|------|--------------|--------|
| Very | Not at all X | Partly |
|------|--------------|--------|

Please explain further, noting any gaps or suggested improvements:

Se ratifican las medidas establecidas por otras organizaciones para especies de tiburones y manta-rayas, pudieran aplicarse similares medidas a otras especies.

- vi. Has SPRFMO adopted CMMs which specifically address the conservation of marine biological diversity?

|     |    |          |
|-----|----|----------|
| Yes | No | Partly X |
|-----|----|----------|

If Yes, or Partly: are these effective?

Sí, consideramos efectivas las que se han aplicado

Please explain further, noting any gaps or suggested improvements:

- vii. Has SPRFMO adopted CMMs which specifically aim to minimise adverse impacts of harvesting, research, conservation and associated activities on fishery resources and its marine ecosystems?

|       |    |        |
|-------|----|--------|
| Yes x | No | Partly |
|-------|----|--------|

If Yes, or Partly: are these effective?

La Organización ha aplicado medidas encaminadas a minimizar el efecto adverso de la captura, como son los límites de esfuerzo pesquero y cuotas de captura establecidos que tributan a la sostenibilidad de las pesquerías.

Please explain further, noting any gaps or suggested improvements:

- viii. Has SPRFMO adopted CMMs which specifically aim to minimise pollution, waste, discards, catch by lost or abandoned gear, catch of non-target fishery resources, and impacts on associated or dependent species?.

|     |    |          |
|-----|----|----------|
| Yes | No | Partly X |
|-----|----|----------|

If Yes, or Partly: are these effective?

Hay referencias en las medidas de conservación de la Convención, a las especies no principales asociadas o dependientes, pesca excesiva, efectos negativos sobre los ecosistemas, sin embargo no están direccionadas para alcanzar la efectividad necesaria en la reducción de los referidos impactos.

Please explain further, noting any gaps or suggested improvements:

### 1.5 Capacity management

- i. Are SPRFMO fishing capacity levels appropriate to support long-term conservation and sustainable use of its fisheries resources?

|       |    |        |
|-------|----|--------|
| Yes X | No | Partly |
|-------|----|--------|

Please explain further:

La capacidad de pesca se respalda con los criterios del Comité Científico sobre el estado del recurso.

- ii. How effective have been actions taken by SPRFMO to prevent or eliminate excess fishing capacity and effort?.

|        |            |        |
|--------|------------|--------|
| Very X | Not at all | Partly |
|--------|------------|--------|

Please explain further:

Las medidas están dirigidas a eliminar la pesca excesiva y la sobrecapacidad pesquera y compatibilizar los esfuerzos de pesca con el uso sostenible de los recursos.

- iii. How effective are efforts made by SPRFMO to monitor levels of fishing effort?

|      |            |          |
|------|------------|----------|
| Very | Not at all | Partly X |
|------|------------|----------|

Please explain further:

Se implementan sistemas de control satelital, reportes de capturas y observadores, sin embargo no se alcanza todo el universo que abarca la Organización.

## Section 2: Compliance and Enforcement.

### 2.1 Flag State duties.

i. Do Members and CNCPs have a clear understanding of their flag state duties?

|       |    |
|-------|----|
| Yes X | No |
|-------|----|

Please explain further:

Quedan claramente expresados en el texto de la Convención

ii. Have there been any situations where a Member or CNCP has not fulfilled its flag state duties?

|       |    |
|-------|----|
| Yes X | No |
|-------|----|

If yes, please explain further:

La Organización exige que los estados apliquen medidas en los casos que se incurra en actividades de pesca ilegal, o se violen las premisas de la Convención y se han detectado y reportado a sus respectivos estados de pabellón los barcos que han incurrido en este tipo de violación.

iii. If a Member or CNCP has not fulfilled its flag state duties, what do you think the reason for this is? (e.g., lack of capacity, lack of knowledge of its duty, lack of political will, etc.)

Please explain:

Falta de capacidad para controlar las actividades de cada barco.

iv. Are there ways that Members and CNCPs could better fulfil their flag state duties?

|       |    |
|-------|----|
| Yes X | No |
|-------|----|

If Yes, please explain further:

Ejerciendo un mayor control sobre los barcos pesqueros autorizados a faenar en el área de la Organización. Sería útil también que en algunos casos, previa evaluación recibieran apoyo financiero o logístico por la Organización si lo requieren.

## 2.2 *Port State measures*

i. Have Members implemented the SPRFMO port state measure fully?

|     |    |
|-----|----|
| Yes | No |
|-----|----|

No tenemos información

If No, please explain further why they have not been fully implemented (e.g., lack of capacity, lack of knowledge of its duty, lack of political will, measure not clear, too complicated or too onerous, etc.): ----

ii. Is the port state measure adopted by SPRFMO effective?

|       |    |
|-------|----|
| Yes X | No |
|-------|----|

If No, please explain further why not:

Podrían resultar más efectivas en el enfrentamiento a la pesca ilegal si se incorporara lo establecido en el Acuerdo de las Medidas del Estado Rector del Puerto de la FAO de 2009.

iii. Are there additional port state measures that are needed?

|       |    |
|-------|----|
| Yes X | No |
|-------|----|

If Yes, please explain further:

Podría incorporarse una medida que implique impedir el acceso a puerto de los barcos que incurran en violaciones.

### 2.3 *Monitoring, control and surveillance.*

i. Are SPRFMO's MCS measures well-tailored to enable monitoring of and ensure compliance with SPRFMO's conservation and management measures?

|       |    |
|-------|----|
| Yes X | No |
|-------|----|

Please explain further:--

ii. Are there additional MCS measures that are needed to enable monitoring of and ensure compliance with SPRFMO's conservation and management measures?

|     |      |
|-----|------|
| Yes | No X |
|-----|------|

Please explain further:

Se requiere, en primer término, la implementación total de lo establecido en la Convención

iii. Are there improvements that should be made to the existing MCS measures?

|     |      |
|-----|------|
| Yes | No X |
|-----|------|

Please explain further:

Se requiere la implementación total de lo establecido en la Convención

iv. Are the SPRFMO MCS measures effective and integrated?

|     |    |
|-----|----|
| Yes | No |
|-----|----|

Please explain further:--

v. Have Members and CNCs implemented the SPRFMO MCS measures fully?

|     |      |
|-----|------|
| Yes | No X |
|-----|------|

If No, please explain further why they have not been fully implemented (e.g., lack of capacity, lack of understanding, lack of political will, measure not clear, too complicated or too onerous, etc.):

Consideramos que la causa esencial es la falta de capacidad.

#### 2.4 Follow-up on infringements.

i. Do Members and CNCs follow up on alleged infringements of conservation and management measures?

|     |    |
|-----|----|
| Yes | No |
|-----|----|

Please explain further:

Se conocen las infracciones de las medidas de conservación y ordenación por los reportes que realiza la Organización sin que necesariamente ello implique un seguimiento particular por parte de todos los miembros.

ii. If Members and CNCs do not follow up on alleged infringements, please explain what is the reason or reasons (e.g., lack of capacity, lack of understanding, lack of political will, etc.):

En general consideramos que las principales causas están asociadas a la falta de capacidad y comprensión.

- iii. Is there something that could be done to improve efforts to follow up on alleged infringements? Please explain:  
Trabajar fundamentalmente en el fortalecimiento de las comunicaciones entre los miembros en tiempo real.

*2.5 Cooperative mechanisms to detect and deter non-compliance.*

Has SPRFMO established cooperative mechanisms to monitor compliance, detect and deter non-compliance and remedy compliance issues?

|       |    |
|-------|----|
| Yes X | No |
|-------|----|

If Yes, please describe those cooperative mechanisms:

Los mecanismos están previstos en la Convención.

If No, please described what cooperative mechanisms are needed:

- i. If there are cooperative mechanisms, are they effective in monitoring compliance, detecting and deterring non-compliance and remedying compliance issues?

|       |    |
|-------|----|
| Yes X | No |
|-------|----|

If No, please explain:

- ii. Are the cooperative mechanisms being used effectively?

|       |    |
|-------|----|
| Yes X | No |
|-------|----|

If No, please explain what could be done to improve their effective use and what you think the reason is for their lack of effectiveness:

- iii. Are there additional cooperative mechanisms needed?

|     |      |
|-----|------|
| Yes | No X |
|-----|------|

If Yes, please explain:

*2.6 Market-related measures.*

- i. Are there market-related measures that SPRFMO should adopt?

|       |    |
|-------|----|
| Yes X | No |
|-------|----|

If Yes, please describe the measures:

Sin llegar a constituir medidas mercantiles discriminatorias de conformidad con el derecho internacional y de acuerdo a lo establecido por la OMC, podrían adoptarse medidas encaminadas a desalentar la pesca ilegal en cuanto a restricción para el trasbordo, desembarque y comercialización de las capturas obtenidas por esa vía.

- ii. Please explain why SPRFMO has not adopted market-related measures (e.g., not necessary, lack of capacity, lack of political will, measure not clear, too complicated or too onerous, etc)

### Section 3: Decision-making and Dispute Settlement

#### 3.1 Decision-making

- i. How do you assess SPRFMO decision-making process and practices?

Good

Poor

|   |     |   |   |   |           |
|---|-----|---|---|---|-----------|
| 1 | 2 X | 3 | 4 | 5 | No answer |
|---|-----|---|---|---|-----------|

Please explain further:

Es nuestro criterio que se debe establecer un límite a la consideración "de que se han agotado los esfuerzos" para llegar a una decisión por consenso, pues de lo contrario los debates se prolongan demasiado.

- ii. Are the processes and practices inclusive and transparent?

|       |    |        |
|-------|----|--------|
| Yes X | No | Partly |
|-------|----|--------|

Please explain further:

- iii. Could they be improved?

|     |    |        |
|-----|----|--------|
| Yes | No | Partly |
|-----|----|--------|

Please explain further:

- iv. Would SPRFMO benefit from the greater use of informal mechanisms of cooperation in its decision-making?

|       |    |        |
|-------|----|--------|
| Yes X | No | Partly |
|-------|----|--------|

If Yes, what form might such an informal mechanism take? Please explain further:

Entre los posibles mecanismos informales se pueden realizar conciliaciones previas con los miembros de mayor incidencia y experiencia en temas específicos que se someten a aprobación de manera que sea más concreto y eficiente el análisis.

### 3.2 *Dispute Resolution.*

- i. Has the dispute resolution process used by SPRFMO been effective in resolving disputes?

|       |    |        |
|-------|----|--------|
| Yes X | No | Partly |
|-------|----|--------|

Please explain further:

Se ha utilizado sin dificultad.

- ii. Has the SPRFMO dispute resolution process been expeditious?

|       |    |        |
|-------|----|--------|
| Yes X | No | Partly |
|-------|----|--------|

Please explain further:

- iii. Do you have any concerns with the SPRFMO dispute resolution process, such as procedures or cost?

|     |      |        |
|-----|------|--------|
| Yes | No X | Partly |
|-----|------|--------|

Please explain further:

If Yes, what suggested improvements could be made?

Aunque estamos de acuerdo con el procedimiento establecido, consideramos que podrían también utilizarse vías alternativas para la solución de controversias como la mediación.

## **Section 4: International Cooperation**

### 4.1 *Transparency*

- i. Are relevant intergovernmental organisations and interested environmental organisations and fishing industry organisations able to effectively participate in all SPRFMO meetings?

|     |      |        |
|-----|------|--------|
| Yes | No X | Partly |
|-----|------|--------|

Please explain further:

Pueden participar como observadores pero no como miembros efectivos.

- ii. Does SPRFMO facilitate consultations with non-governmental organisations, representatives of the fishing industry, and other interested bodies on SPRFMO conservation and management measures?

|       |    |        |
|-------|----|--------|
| Yes X | No | Partly |
|-------|----|--------|

Please explain further:

- iii. Are all SPRFMO reports, conservation measures and scientific advice and other relevant non-commercial sensitive information made publicly available in a timely manner?

|       |    |        |
|-------|----|--------|
| Yes X | No | Partly |
|-------|----|--------|

Please explain further:

- iv. How effective is the SPRFMO website making relevant information publicly available and easily accessible?

|       |    |        |
|-------|----|--------|
| Yes X | No | Partly |
|-------|----|--------|

Please explain further:

#### 4.2 Relationship with Cooperating Non-Contracting Parties (CNCP).

- i. Have there been efforts by SPRFMO to encourage CNCPs, either individually or collectively, to become SPRFMO Members?

|       |    |
|-------|----|
| Yes X | No |
|-------|----|

Please explain further:

En las reuniones de trabajo se alienta a los cooperantes y partes no contratantes a incorporarse como miembros efectivos de la Organización

- ii. Do CNCPs voluntarily implement SPRFMO measures?

|     |    |        |
|-----|----|--------|
| Yes | No | Partly |
|-----|----|--------|

Please explain further:

No contamos con la información

*4.3 Relationship with non-Members or non-CNCPs undermining the objectives of the Convention.*

- i. Does SPRFMO take effective measures to deter the activities of non-Members and non-CNCPs that undermine SPRFMO conservation and management measures?

|       |    |        |
|-------|----|--------|
| Yes X | No | Partly |
|-------|----|--------|

Please explain further:

- ii. Does SPRFMO encourage non-Members and non-CNCPs to become Members or CNCPs of SPRFMO?

|       |    |        |
|-------|----|--------|
| Yes X | No | Partly |
|-------|----|--------|

Please explain further:

*4.4 Cooperation with international organisations.*

- i. Does SPRFMO have appropriate cooperation links with other international and regional fisheries management organisations?

|       |    |        |
|-------|----|--------|
| Yes X | No | Partly |
|-------|----|--------|

Please explain further:

- ii. How effective is the cooperation with other regional fisheries management organisations which have competency over stocks located in the Convention Area?

|        |            |        |
|--------|------------|--------|
| Very X | Not at all | Partly |
|--------|------------|--------|

If Not at all or partly, how can this be improved?

- iii. Does SPRFMO cooperate with relevant fisheries organisations specifically on the reduction and elimination of IUU fishing?

|       |    |        |
|-------|----|--------|
| Yes X | No | Partly |
|-------|----|--------|

Please explain further:

#### 4.5 *Special requirements of developing States.*

- i. Does SPRFMO have appropriate mechanisms for recognising the special needs of developing States?

|       |    |        |
|-------|----|--------|
| Yes X | No | Partly |
|-------|----|--------|

Please explain further:

La Organización presta asistencia en diferentes modalidades para apoyar a los países en desarrollo.

- ii. How appropriate and sufficient is the assistance that is provided to developing States by Members or CNCs either individually or through SPRFMO?

|      |            |        |
|------|------------|--------|
| Very | Not at all | Partly |
|------|------------|--------|

Please explain further:

No tenemos toda la información

### **Section 5: Financial and Administrative Issues**

#### *1.1 Availability of resources for activities.*

- i. Is the level of funding available to the Secretariat sufficient to achieve the aims of SPRFMO and implement its decisions?

|       |    |        |
|-------|----|--------|
| Yes X | No | Partly |
|-------|----|--------|

Please explain further:

En los reportes de las reuniones se informa la situación financiera de la Organización.

- ii. Does the Secretariat have the requisite number of personnel to achieve the aims of SPRFMO and implement its decisions?

|       |    |        |
|-------|----|--------|
| Yes X | No | Partly |
|-------|----|--------|

Please explain further:

No se ha informado que se requiera más personal.

iii. Does the SPRFMO budget process lead to the necessary financial resources being available to the SPRFMO Secretariat? If not, why not?

|       |    |        |
|-------|----|--------|
| Yes X | No | Partly |
|-------|----|--------|

Please explain further:

No se ha informado lo contrario en las reuniones

### 5.2 *Efficiency and cost-effectiveness.*

i. Does SPRFMO efficiently and effectively manage the resources available to it?

|       |    |        |
|-------|----|--------|
| Yes X | No | Partly |
|-------|----|--------|

Please explain further:

No contamos con información que fundamente lo contrario

ii. Does SPRFMO have the right organisational structure and working groups to efficiently undertake its work?

|       |    |
|-------|----|
| Yes X | No |
|-------|----|

If No, how could this be improved?

iii. Is the SPRFMO schedule of meetings appropriate?

|       |    |
|-------|----|
| Yes X | No |
|-------|----|

If No, how could it be improved?

iv. Is the organisation of SPRFMO meetings effective in achieving SPRFMO's objectives?

|       |    |
|-------|----|
| Yes X | No |
|-------|----|

If No, are there any suggestions you have for improvement?