

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: Partly
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Please explain further:

The main three species considered as fisheries resources by the SPRFMO are Jack Mackerel, Jumbo Flying Squid and Orange roughy. The EA to fisheries management is considered to be fully applied to both Jack mackerel and Orange roughy, but is only partly considered for Jumbo Flying Squid. The Scientific Committee has not issued precautionary advice in line with article 3(2), where the limitations as described under article 3(2)(ii) were not taken into account.

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

Yes: Yes	No	Partly
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Please explain further:

Further exploration of the ecosystem role of the stocks being exploited should be investigated, together with quantitative seabird and/or megafauna interactions. This requires however substantial data collection and analyses.

1.2 Data collection

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

Formats:	Excellent	Good	Acceptable: Acceptable	Inadequate
Specifications:	Excellent	Good	Acceptable: Acceptable	Inadequate
Timeframes	Excellent	Good	Acceptable:	Inadequate

		Acceptable	
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Please explain further:

Data collection timeframes, formats and specifications are acceptable. If anything it would be advisable to move to a system of on-line upload where all data is collected, stored and accessible anytime for the relevant users.

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

Members:	Very	Not at all	Partly
CNCPs:	Very	Not at all	Partly
SPRFMO:	Very	Not at all	Partly

Please explain further:

This seems like a question for the Secretariat to reply.

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

Yes: Yes	No	Some
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Please explain further:

With respect to Jack Mackerel, there is limited information on stock structure which currently hampers appropriate stock assessment and management advice. Likely tagging studies could provide further insights although these studies are large in size and hence very expensive. Furthermore, there is no fisheries independent survey available that covers the entire distribution range of Jack mackerel. This could be generated through fisheries data with scientific sampling on-board, be made available for science.

With respect to Jumbo Flying Squid, the overall biological sampling throughout the season is limited and hence provides little information on stock structure and status. With respect to Orange roughy, biological sampling is limited for a number of stocks, which results in highly uncertain assessments on stock status.

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

Yes: Yes	No	Some
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Please explain further:

See answer under iii. Without effective stock assessments, best scientific advice cannot be delivered

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

Very	Not at all	Partly: Partly
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Please explain further:

Data collection is mostly organised and paid for through member states and these data collected may not reflect the needs for appropriate stock assessments. The Scientific Committee makes optimal use of the data available but is not asked to recommend on additional data to be gathered.

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	Some: some
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Please explain further:

CMM 16-2018 establishes a general legal framework for the development of the minimum standards for the accreditation of national observer programs which is yet to be completed.

In accordance with Article 28 of the SPRFMO Convention, arrangements for the placing of observers on vessels others than those flying their national flag, safety requirements, full access and accommodation provisions are also to be provided for.

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: Very	Not at all	Partly
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Please explain further:

This question can only be considered for Jack mackerel and Orange roughy. Jack mackerel has, since the establishment of SPRFMO been increasing and is slowly recovering to a healthy state again. The dynamics of Orange roughy are much more

slowly to be able to show any effectiveness of SPRFMO efforts but precautionary advice on the fish stock and the benthic impact are well developed.

- ii. 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	Not at all	Partly: partly
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Please explain further:

Both harvesting and conservation are covered by SPRFMO efforts. Research and associated activities are limitedly covered through SPRFMO and depend predominantly on member states (own funded) activities being reported back to SPRFMO. Dedicated science funded and owned by SPRFMO would improve this but requires substantial planning including initial guidance from the SPRFMO commission.

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: Yes	No	Partly
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Please explain further, noting any gaps or suggested improvements:

- 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	No	Partly: Partly
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Please explain further, noting any gaps or suggested improvements:

See answer under 1.1

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

Yes	No	Partly: Partly
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Please explain further:

Where available, the reference points were used as prescribed in article 20(2). In cases where data is limited or stock structure unknown, estimation of reference points requires substantial scientific effort and dialogue which has not yet taken place for all fisheries resources currently targeted.

- 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	No	Partly: partly
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Please explain further, noting any gaps or suggested improvements:

At least one or more of the criteria provided by Article 21 (1) have been used for the establishment of the jack mackerel TAC.

The criteria of Article 21 (1) would also need to be considered when/if TACs are adopted for other species, including bottom fishing species.

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

Very: Very	Not at all	Partly
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Please explain further, noting any gaps or suggested improvements:

Detailed planning of exploratory fisheries are required, being reviewed by both the commission and the science committee, hereby addressing all the precautionary measures needed.

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

Yes: Yes	No	Partly
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If Yes, or Partly: are these effective?

This is applicable especially to bottom fishing. Effectiveness cannot be assessed yet given the short time-frame and limited data collection

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: Yes	No	Partly
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If Yes, or Partly: are these effective?

There are CMMs on minimising bycatch, exploratory fishing, gillnetting which are effective. There are no CMMs dealing with other impacts on the environment, such as bycatch of other marine species, including other fish and in some regions also benthic species.

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: No	Partly
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If Yes, or Partly: are these effective?

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: Yes	No	Partly
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Please explain further: at this stage of the fisheries there are no capacity issues that require the attention of the Commission that we are aware of in the jack mackerel fisheries. If in the future the capacity increases and leads to cases of over fishing or TAC over-shot the Commission should consider the adoption of the relevant measures.

As the squid fisheries is concerned, there is little information available on the squid fisheries at this stage as to provide an informed evaluation of the capacity levels in that fisheries. When the picture of the fisheries is completed the Commission and the SC would be in a better position to consider the adoption of capacity management measures.

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

Very	Not at all	Partly
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Please explain further:

Not aware of any actions. No current capacity issues.

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

Very: Very	Not at all	Partly
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Please explain further:

Fishing effort is registered at fine temporal and spatial scales for all fisheries activities in the SPRFMO area.

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: yes	No
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Please explain further:

Article 25 of the Convention is very comprehensive in this regard. The CTC has been also quite thorough in the performance of its duties on this aspect.

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

Yes	No: No
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If yes, please explain further:

So far we are not aware of any major crisis on this matter. If anything, it is advisable that CPCs with vessels on the IUU list consistently and regularly inform the Commission of any relevant development on those vessels.

- 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:

N/A

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

Yes	No: no
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If Yes, please explain further:

Flag state duties implementation has been satisfactory so far.

2.2 Port State measures

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

Yes: yes	No
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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.):

SPRFMO port CPCs with active landings/transshipments in their ports are undertaking their duties under the Convention and CMMs in a satisfactory manner. It is not currently the case to the best of our knowledge, but in a cooperative framework such as SPRFMO paragraph 30 of CMM 07-2017 should not be construed as to cover the adoption of requirements or procedures beyond what is necessary to ensure the fulfilment of the provisions of the Convention or the relevant CCMs and that may prevent the landing or transshipments of species covered by the Convention in their ports as a final result.

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

Yes: yes	No
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If No, please explain further why not:

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

Yes: yes	No
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If Yes, please explain further:

Port state measures currently only apply to foreign flagged vessels. It would be advisable to develop provisions for the mandatory inspection of national vessels, including a minimum percentage.

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: yes	No
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Please explain further:

In general yes. However, shorter VMS reports for all fisheries will imply a better control of the fisheries. The provisions of transshipments need to be strengthened or clarified as some CPCs are contesting its application outside the Convention area. Although it is not a MCS measure, increase observer coverage, and the extension of a minimum percentage of observer coverage to all fisheries (i.e. squid) would result in better scientific collection of data and increased compliance.

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

Yes: yes	No
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Please explain further:

The establishment of a CDS could be considered in the future if necessary, also a minimum percentage of inspection of national vessels in port as well as a system of HSBI.

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

Yes: yes	No
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Please explain further:

See above.

iv. Are the SPRFMO MCS measures effective and integrated?

Yes: yes	No
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Please explain further:

To the best of our knowledge they are working satisfactorily.

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

Yes: yes	No
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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.):

No major infringements raised at the CTC.

2.4 *Follow-up on infringements*

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

Yes: yes	No
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Please explain further:

The reply of Members and CNCP concerning possible infringements in the framework of the CMS discussions is positive.

ii. If Members and CNCPs 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.):

iii. Is there something that could be done to improve efforts to follow up on alleged infringements? Please explain:

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

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

Yes: yes	No: no
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If Yes, please describe those cooperative mechanisms:

The CMS is a cooperative instrument that has as its aim to improve compliance through the common assessment of possible infringements. The focus is not on punishment but rather on providing a mechanism to support the compliance efforts and clarify the applicable provisions if necessary.

If No, please described what cooperative mechanisms are needed:

Probably more could be done on sharing IUU information, more cooperation with neighbouring RFMOs and promoting the development of a HSBI system that provides for the deployment of joint operations.

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

Yes: yes	No
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If No, please explain:

- iii. Are the cooperative mechanisms being used effectively?

Yes: yes	No
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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:

- iv. Are there additional cooperative mechanisms needed?

Yes: yes	No
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If Yes, please explain:

See above

2.6 Market-related measures

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

Yes	No: no
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If Yes, please describe the measures:

At this stage they are not necessary but in the future a CDS could be contemplated if considered appropriate.

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.):

Not necessary.

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: 1	2	3	4	5	No answer

Please explain further:

It provides for a good balance of consensus and voting. The Commission has been rather restraint and fair in the use of the voting.

ii. Are the processes and practices inclusive and transparent?

Yes: yes	No	Partly
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Please explain further:

Decisions are taken generally at the Commission level with the participation of all Members and CNCP. Debates are transparent and only on rare occasions a decision is deferred to HoDs.

iii. Could they be improved?

Yes	No: no	Partly
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Please explain further:

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

Yes	No	Partly
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If Yes, what form might such an informal mechanism take? Please explain further:

This question needs to be refined/further explained. It is not clear to us what the meaning of 'informal mechanisms' is when applied to decision making.

3.2 *Dispute Resolution*

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

Yes: yes	No	Partly
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Please explain further:

There have been two cases. After the first panel a fair solution was found for the objecting Member. For the second case it is unclear whether the objecting Member will pursue its claim at the Commission level at this stage. The adequate steps may need to be taken by both the claimant and the Commission to find a suitable compromise.

ii. Has the SPRFMO dispute resolution process been expeditious?

Yes: yes	No	Partly
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Please explain further:

Very efficient use of time and full respect of the deadlines.

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

Yes	No: no	Partly
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Please explain further:

If Yes, what suggested improvements could be made?

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: yes	No	Partly
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Please explain further:

SPRFMO is rather open to external participation.

- 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: yes	No	Partly
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Please explain further:

See above.

- 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: yes	No	Partly
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Please explain further:

SPRFMO has transparent and efficient systems for disclosing non-confidential information.

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

Yes	No	Partly: partly
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Please explain further:

The level of information available on the webpage is satisfactory. The way it is presented can be improved. One has the impression that instead of having consolidated text that summarises previous events, the old information has not been removed and instead layer after layer of new information has been added. The label 'about SPRFMO' on the SPRFMO website, for example, is particularly outdated and does not provide an accurate picture of what SPRFMO actually does. Jack mackerel is only mentioned once and some of the sections are extremely theoretical.

Probably the use of social media by the Secretariat is an option to explore to promote the awareness of SPRFMO.

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: yes	No
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Please explain further:

All existing CNCPs with fishing interests/coastal states had become Members. Only countries that flagged reefer vessels remain as CNCP. Their participation as Members may not be necessary in terms of their national objectives and activities in the fisheries.

- ii. Do CNCPs voluntarily implement SPRFMO measures?

Yes: yes	No	Partly
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Please explain further:

This is an odd question. CNCPs are obliged to comply with SPRFMO measures.

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	No: no	Partly
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Please explain further:

So far we are not aware of any non-Member or non-CNCP that undermines SPRFMO's CMMs.

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

Yes	No: no	Partly
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Please explain further:

See above.

4.4 *Cooperation with international organisations*

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

Yes	No: no	Partly
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Please explain further:

Links with IATTC and CCAMLR are to be strengthened

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

Very	Not at all: not at all	Partly
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If Not at all or Partly, how can this be improved?

Further cooperation with IATTC is to be established.

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

Yes	No	Partly
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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: yes	No	Partly
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Please explain further:

Funding mechanisms for their participation in meetings.

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

Very: very	Not at all	Partly
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Please explain further:

To our knowledge it is appropriate and sufficient.

Section 5: Financial and Administrative Issues

5.1 *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: yes	No	Partly
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Please explain further:

Funding provided to the secretariat is largely within the amount requested by the Secretariat. It is not to be excluded that the new ES would proceed to a re-evaluation of financial needs.

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

Yes: yes	No	Partly
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Please explain further:

It is not be excluded that the new ES will reassess the assignation of tasks to the current activities and objectives. This includes assessing if more staff is necessary for the management of the monitoring and control activities including VMS. Also to be assessed the pertinence of the administrative level staff.

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

Yes: yes	No	Partly
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Please explain further:

See above.

5.2 Efficiency and cost-effectiveness

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

Yes	No	Partly: partly
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Please explain further:

International travels by the ES need to be consulted with the Chair.

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

Yes: yes	No
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If No, how could this be improved?

The distribution of tasks amongst the Commission, SC and CTC is satisfactory.

- iii. Is the SPRFMO schedule of meetings appropriate?

Yes : yes	No
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If No, how could it be improved?

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

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