

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
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Please explain further: **The existing conservation and management measures take into consideration impacts to the ecosystem as a whole. However, sufficient data regarding all bycatch species and the impacts from fishing on those species has not yet been obtained, which makes a full ecosystem approach to managing the fisheries difficult.**

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

Yes	No	Partly X
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Please explain further: **Yes, as explained in the comment above, additional data is needed regarding all bycatch species to develop a more comprehensive understanding of impacts from fishing on the ecosystem. Increased observer coverage, as well as implementation of the SPRFMO observer programme would help to obtain this data.**

1.2 Data collection

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

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

Please explain further: **We believe the data collection formats, specifications, and timeframes are good to excellent, based on the Secretariat’s reports on the information. However, as [...] States has no active fisheries under SPRFMO’s jurisdiction, it is difficult to provide a definitive answer.**

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: **See response above.**

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

Yes	No	Some X
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Please explain further: : **Yes, as explained in the comment above, additional data is needed regarding all bycatch species to develop a more comprehensive understanding of impacts from fishing on the ecosystem. Increased observer coverage, as well as implementation of the SPRFMO observer programme would help to obtain this data.**

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

Yes	No	Some X
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Please explain further: **Yes, as explained in the comment above, additional data is needed regarding all bycatch species to develop a more comprehensive understanding of impacts from fishing on the ecosystem. Increased observer coverage, as well as implementation of the SPRFMO observer programme would help to obtain this data.**

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

Very	Not at all	Partly X
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Please explain further: **The Commission continues to modify the existing data standards measure to address gaps in data collection. The Commission has also progressed on development of the SPRFMO observer programme, which will assist in improved data collection.**

- 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	X	No	Some
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Please explain further: **Yes, in particular, the specified levels of observer coverage are tied to existing measures. Thus, there is no specified minimum level of observer coverage for fisheries for which there is no existing measure, such as squid.**

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 (jack mackerel)	Not at all	Partly X (squid)
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Please explain further: **The Commission has done an outstanding job to adopt effective decisions to manage the jack mackerel fishery. Although there has been some movement to obtain scientific information and data on the squid fishery, there is not yet a management measure for squid.**

- 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 X
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Please explain further: **The Commission has adopted a comprehensive measure for bottom fishing. However, updates need to be made on this measure to**

take into consideration new information. Also, as stated above, comprehensive information on all bycatch species is not yet available.

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
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Please explain further, noting any gaps or suggested improvements: **The Commission has adopted measures best on the best scientific advice available. The jack mackerel measure has been particularly effective. The bottom fishing measure needs to be updated to take into consideration new information. A squid management measure also needs to be developed, once additional scientific information is obtained.**

- 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	X
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Please explain further, noting any gaps or suggested improvements: **As stated above, the Commission has adopted measures best on the best scientific advice available. The jack mackerel measure has been particularly effective. The bottom fishing measure needs to be updated to take into consideration new information. A squid management measure also needs to be developed, once additional scientific information is obtained.**

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

Yes	No	Partly	X
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Please explain further: **As stated above, the Commission has adopted measures best on the best scientific advice available. The jack mackerel measure has been particularly effective. The bottom fishing measure needs to be updated to take into consideration new information. A squid management measure also needs to be developed, once additional scientific information is obtained.**

- 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
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Please explain further, noting any gaps or suggested improvements: **Yes, for the jack mackerel fishery and the bottomfish fishery.**

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

Very X	Not at all	Partly
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Please explain further, noting any gaps or suggested improvements: **SPRFMO has adopted a comprehensive measures for new and exploratory fisheries. The Cook Islands pot fishery will be a test case for how effective this measure is.**

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

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

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
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If Yes, or Partly: are these effective? **The primary measure in this category is the bottom fishing measure, which needs to be updated to take into consideration new information.**

Please explain further, noting any gaps or suggested improvements:

Please see comment above.

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
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If Yes, or Partly: are these effective? **The Commission has adopted a measure on seabird bycatch mitigation. Based on the existing data, it is unclear how effective this measure has been.**

Please explain further, noting any gaps or suggested improvements: **As stated above, comprehensive data on all bycatch species in all fisheries is not yet available.**

1.5 Capacity management

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

Yes	No	Partly X
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Please explain further: **For certain fisheries, such as jack mackerel and bottomfish fisheries, it appears that existing capacity levels are appropriate. However, sufficient data is not yet available on the squid fishery.**

- 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 applicable.**

- iii. How effective are efforts made by SPRFMO to monitor levels of fishing effort?
Not applicable.

Very	Not at all	Partly
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Please explain further:

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
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Please explain further:

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

Yes	No X
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If yes, please explain further:

- 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:

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

Yes X	No
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If Yes, please explain further: **Based on CTC discussion, some members could probably improve the quality and timeliness of their fisheries data submissions.**

2.2 Port State measures

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

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.): **We think the port state measure has been fully implemented, but do not have sufficient information on this matter.**

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

Yes	No
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If No, please explain further why not: **We do not have sufficient information on this matter.**

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

Yes	No
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If Yes, please explain further: **We do not have sufficient information on this matter.**

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	No X
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Please explain further: **The Commission has not yet adopted a specific Commission high seas boarding and inspection measure that can be implemented and enforced.**

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

Yes X	No
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Please explain further: **The Commission has not yet adopted a specific Commission high seas boarding and inspection measure that can be implemented and enforced.**

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

Yes X	No
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Please explain further: **Yes, a specific high seas boarding and inspection measure needs to be adopted. In addition, the observer programme needs to be implemented and specific levels of human observer coverage need to be set for all fisheries.**

- iv. Are the SPRFMO MCS measures effective and integrated?

Yes	No X
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Please explain further: **Not yet, but should become integrated over time.**

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

Yes X	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.):

2.4 *Follow-up on infringements*

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

Yes X	No
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Please explain further:

Yes, based on CTC discussion, all infringements of conservation and management measures are taken seriously by Members and CNCPs and follow-up action are taken to what appears to be the best of the abilities of the affected Members and CNCPs.

- 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: **Clear penalties or guidance on what happens if a Member or CNCP does not follow up on an alleged infringement.**

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	No X
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If Yes, please describe those cooperative mechanisms:

If No, please described what cooperative mechanisms are needed: **More data and information sharing between Members and CNCPs so issues of non-compliance can be detected handled more efficiently. The VMS program is becoming operational, so progress is being made on this issue.**

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

Yes	No
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If No, please explain:

- iii. Are the cooperative mechanisms being used effectively?

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	No
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If Yes, please explain:

2.6 *Market-related measures*

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

Yes	No X
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If Yes, please describe the measures:

- 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.): **We don't believe such measures are necessary at this time.**

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 X	2	3	4	5	No answer

Please explain further: **Decisions are generally made by consensus. SPRFMO has used the voting procedure when consensus could not be reached and a decision was necessary, and such voting was done efficiently and effectively.**

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

Yes X	No	Partly
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Please explain further: **See response above.**

- iii. Could they be improved?

Yes	No X	Partly
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Please explain further: **See response above.**

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

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

3.2 *Dispute Resolution*

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

Yes X	No	Partly
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Please explain further: **The dispute resolution has been used to resolve objections made in two separate occasions.**

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

Yes X	No	Partly
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Please explain further: **We were not involved in the process, but it appeared to be expeditious.**

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

Yes	No X	Partly
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Please explain further: **No basis to judge.**

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 X	No	Partly
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Please explain further: **Yes, observers can attend meetings in accordance with the rules of procedure.**

- 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
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Please explain further: **Yes, observers can attend meetings in accordance with the rules of procedure.**

- 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
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Please explain further: **All documents are posted to the Commission website in a timely manner.**

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

Yes X	No	Partly
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Please explain further: **All documents are posted to the Commission website in a timely manner.**

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
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Please explain further: **We were a CNCP for several years becoming a member and were encouraged to participate as a CNCP until we could become a member. The same has been true for other CNCPs.**

- ii. Do CNCPs voluntarily implement SPRFMO measures?

Yes X	No	Partly
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Please explain further: **The CNCPs with active fisheries implement the necessary 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 X	No	Partly
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Please explain further: **Yes, vessels are placed on the IUU fishing list if they do not comply with appropriate measures.**

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

Yes X	No	Partly
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Please explain further: **Yes, the Secretariat has requested non-members who have indicated some interest in operating in the SPRFMO area to apply to become a CNCP.**

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
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Please explain further: **Yes, SPRFMO develops MOUs with other organisations, such as ACAP and CCAMLR.**

- 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	Partly X
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If Not at all or Partly, how can this be improved? **Framework is in place through the MOUs; unclear how much direct cooperation has been carried out.**

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

Yes X	No	Partly
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Please explain further: **Yes, the SPRFMO measure for listing vessels as IUU fishing includes cross-listing procedures.**

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
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Please explain further: **Please see Article 19 of the Convention.**

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

Very	Not at all	Partly
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Please explain further: **Unclear of the details.**

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 X	No	Partly
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Please explain further: **Budget is sufficient at this time, but may not be sufficient if programs and needs expand.**

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

Yes	No	Partly X
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Please explain further: **If the Commission decides to have the Secretariat take on more responsibilities, such as for the observer programme, additional resources may be needed.**

- 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
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Please explain further:

5.2 Efficiency and cost-effectiveness

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

Yes X	No	Partly
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Please explain further:

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

Yes	No
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If No, how could this be improved? **As new measures come into effect (observer programme, squid fishery management), further consideration of this topic will be needed.**

- iii. Is the SPRFMO schedule of meetings appropriate?

Yes	X	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	X	No
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If No, are there any suggestions you have for improvement? **Some consideration may be given to having a virtual CTC meeting through a web based format, similar to what the SC does, to have some initial discussion of CTC matters before the regular meeting.**