

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 X	No	Partly
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Please explain further:

Yes, they do, as much it is understood by [...].

Yes, as exemplified by jack mackerel stocks management in Chile and the establishment of biological reference points that take into account such information.

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

Yes	No X	Partly
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Please explain further:

No, there are no, as much it is understood by [...].

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:

These formats can potentially gather relevant data although they have not been employed by [...] as a cooperating non-contracting party, therefore, a thorough assessment of their effectiveness cannot be provided.

- 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:

From the records made public in the SPRFMO website, it can be inferred that information that is individually provided by each state is readily compiled and presented accurately. [...], as a CNCp, has not provided these data.

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

Yes	No	Some X
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Please explain further:

There may exist gaps in data collection given potential lack of resources for frequent and wide in scope surveys of stocks

- 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:

These gaps may exist given the lack of resources mentioned above.

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

Very X	Not at all	Partly
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Please explain further:

As a CNCP, we have no means to address the effectiveness of SPRFMO's efforts aiming at filling gaps in data collection. We, however, acknowledge the efforts towards the development of standards, rules and procedures for data collection related tasks, as highlighted in Article 23 of the SPRFMO's Convention.

- 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
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Please explain further:

As a CNCP, we do not know the exact details of the CMM 16-2018 Programme and are therefore, not in a position to point out potential gaps in it.

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
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- 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 X	Not at all	Partly
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Please explain further:

As exemplified by the case of the Chilean Jack Mackerel case, SPRFMO's efforts have been fully based on the best scientific advice relative to the mentioned fields.

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 SPRFMO has, as much it is understood by [...]. This is clearly evident in the case of the Yes as reflected by the Chilean Jack Mackerel.

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

Yes, this is part of the objective of the SPRMFO and the efforts of these organization closely align with the code for responsible fisheries proposed by FAO.

The SPRFMO has, as much it is understood by [...].

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

Yes X	No	Partly
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Please explain further:

As exemplified by the case of the Chilean Jack Mackerel case, methodologies for the establishment of biological precautionary reference points have been employed.

- 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:

Although these criteria have been used in the case of the Chilean Jack Mackerel, as of now, we are not aware of their use in other species or by other states.

- 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:

As exemplified with the case of the Chilean Jack Mackerel case, CMMs have been successfully used to manage previously unregulated fisheries.

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

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

Although we are not aware of this being explicitly addressed, we infer from the Chilean Jack Mackerel case that such CMMs have been employed.

- 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?

Please explain further, noting any gaps or suggested improvements:

We consider that SPRFMO's main goals aim precisely to minimize the mentioned adverse impacts.

- 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
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We have not enough information to determine whether these CMMs have taken place fully or not.

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
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Please explain further:

We do consider that SPRMO fishing capacity levels are appropriate but also believe that long-term conservation and sustainable use of fisheries is closely influenced by the effectiveness of management.

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

Very X	Not at all	Partly
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Please explain further:

We regard them effective as member states must comply with them.

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

Very	Not at all	Partly
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Please explain further:

We cannot assess the effectiveness of such efforts as we do not have all the information on fishing effort surveys made by SPRFMO.

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:

Yes, they do, as much as it is understood by [...].

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

Yes	No
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If yes, please explain further:

No, there haven't, as much as it has been known by [...].

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:

[...] does not know any specific situation and/or the reasons for it where flag state duties have not been fulfilled.

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:

Potentially this could be the case, nevertheless, [...] cannot reasonably provide advice as it does not have enough information.

2.2 Port State measures

i. Have Members implemented the SPRFMO port state measure 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 knowledge of its duty, lack of political will, measure not clear, too complicated or too onerous, etc.):

Yes, [...] as a CNCP has, as much as it has been possible and within its institutional duties.

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

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

Yes, it is, as much as it is understood by [...].

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

Yes	No X
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If Yes, please explain further:

No, there are no, as much as it is understood by [...].

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
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Please explain further:

Yes, they are, as much as it is understood by [...].

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
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Please explain further:

No, there are no, as much as it is understood by [...].

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

Yes X	No
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Please explain further:

Surely, nevertheless no advice is possible or reasonably possible to be given by [...], since we do not have enough information.

iv. Are the SPRFMO MCS measures effective and integrated?

Yes X	No
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Please explain further:

Yes, they are, as much as it is understood by [...].

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.):

Yes, they have, as much as it is understood by [...].

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, they do, as much as it is understood by [...].

- 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.):

[...] has not known any specific situation and/or the reasons for it where Members and CNCPs had not followed up on alleged infringements.

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

Surely, nevertheless no advice is reasonably possible to be given by [...], since [...] does not have enough information.

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 X	No
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If Yes, please describe those cooperative mechanisms:

Yes, the SPRFMO has, for instance the MoUs signed with other RFMOs and other organisations, as much as it is understood by [...].

If No, please described what cooperative mechanisms are needed:

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

Yes X	No
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If No, please explain:

Yes, they are, as much as it is understood by [...].

- iii. Are the cooperative mechanisms being used effectively?

Yes X	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:

Yes, they are, as much as it is understood by [...].

iv. Are there additional cooperative mechanisms needed?

Yes X	No
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If Yes, please explain:

By developing and supporting workshops jointly with other RFMOs to identify and carry out additional cooperative mechanisms between them.

2.6 Market-related measures

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

Yes X	No
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If Yes, please describe the measures:

Perhaps, the implementation of the CDS as it has been done by other RFMOs such as CCAMLR.

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.):

There are no knowledge or reasons known by [...] concerning the lack of market-related measures adoption by the SPRFMO.

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	3	4	5	No answer	

Please explain further:

As [...] has not been able to take part in any of the SPRFMO's meetings during the last few years, there is no information to properly answer this question. We express our willingness to partake in future appointments.

ii. Are the processes and practices inclusive and transparent?

Yes	No	Partly	No answer
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Please explain further:

As [...] has not been able to take part in any of the SPRFMO's meetings during the last few years, there is no information to properly answer this question. We express our willingness to partake in future appointments.

Please, see previous answer.

iii. Could they be improved?

Yes	No	Partly	No answer
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Please explain further:

As [...] has not been able to take part in any of the SPRFMO's meetings during the last few years, there is no information to answer this question. We express our willingness to partake in future appointments.

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

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

As [...] has not been able to take part in any of the SPRFMO's meetings during the last few years, there is no information to answer this question. We express our willingness to partake in future appointments.

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:

As much as it is the understanding of [...], this is an appropriate process.

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

Yes X	No	Partly
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Please explain further:

We regard this process expeditious although we cannot reassure our position considering that we have not used the mechanism.

- 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:

[...], as a SPRFMO's CNCP, does not have any concerns regarding dispute resolution process, such as procedures or cost.

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	No	Partly X
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Please explain further:

Participation from many other fishing industries and environmental organizations and so on are required.

- 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, it does, as much as it is understood by [...].

- 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:

Yes, as evidenced by the updated and complete news feed of the SPRFMO's website.

- 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:

It is effectively available and easily accessible with organised information presented in simple formats.

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:

Yes, as evidenced by approaches to the country by the SPRFMO.

- ii. Do CNCPs voluntarily implement SPRFMO measures?

Yes	No	Partly X
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Please explain further:

As [...] has not been able to take part in any of the SPRFMO's meetings, including the meetings of the scientific committee, during the last few years, many measures that are not clearly known by [...] might have not been implemented. A training program to recognize and articulate these measures could be useful.

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	Partly X
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Please explain further:

Effective implementation of mechanisms for tracking the marine resources under the SPRFMO Convention should be made, such as the Catch Documentation Scheme (CDS). At least, at [...] this tracking system has not been observed from SPRFMO.

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

Yes	No	Partly X
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Please explain further:

Yes, although we believe encouragement should be done by actively explaining the advantages of becoming a SPRFMO member.

4.4 Cooperation with international organisations

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

Yes	No	Partly X
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Please explain further:

Some more mechanisms through cooperation concerning how to make RFMOs' members comply with the regulations on sustainable use of the marine living resources they manage should be implemented.

- 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 No Answer
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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	No	Partly No Answer
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Please explain further:

As [...] has not been able to take part in any of the SPRFMO's meetings during the last few years, there is no information to properly answer this question.

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:

Yes, this is clearly stated in Article 19 of the SPRFMO's convention

- 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
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Please explain further:

According to the special requirements presented in Article 19 of the SPRFMO's convention, this assistance is potentially 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	No	Partly	No answer
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Please explain further:

No answer is provided since [...] does not have mechanisms to assess the level of funding provided to the Secretariat for achieving its SPRFMO's aims and implementing its decisions.

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

Yes	No X	Partly
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Please explain further:

Since more CMMs adopted and more MoUs have been signed by SPRFMO it is likely that more personnel is required to achieve SPRFMO's aims and implement its decisions.

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

Yes	No	Partly	No answer
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Please explain further:

No answer is provided since [...] does not have a mechanism to assess how appropriate are these financial resources in terms of fulfilling the SPRFMO duties.

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:

No answer is provided since [...] does not have a mechanism to assess how appropriate are these financial resources in terms of fulfilling the SPRFMO duties.

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

Yes X	No
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If No, how could this be improved?

- iii. Is the SPRFMO schedule of meetings appropriate?

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

No answer can be provided in this concern, since [...] has not been able to take part in any of the SPRFMO meetings during the last three (3) years. We express our willingness to partake in meetings for the effective accomplishment of SPRFMO's objectives.

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