

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:

In general, all parties have management measures that protect the ecosystem by reducing bycatch and mitigating the impact over the marine environment with best fishing practices.

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

Yes	X	No	Partly
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Please explain further:

The behaviour and complex aspects about the biology of threatened or vulnerable species that may interact with Jack Mackerel.

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:

- 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	X
CNCPs:	Very	Not at all	Partly	X
SPRFMO:	Very	X	Not at all	Partly

Please explain further:

There is always been a permissible delay with the information update.

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

Yes	No	Some	X
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Please explain further:

At the moment CNCP does not have any vessel fishing Jack Mackerel.

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:

At the moment CNCP does not have any vessel fishing Jack Mackerel.

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:

All CNCPs must commit to send all the necessary information to fill any gaps in this matter.

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	X
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Please explain further:

The CNCP could not vouch for an observer about his impartiality, also the conditions on board not always comply according to the comfortability of the observer.

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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Please explain further:

All the relevant scientific information is on the convention website

- 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:

That is why the Observer program exists, without it, it would be difficult to ensure a proper scientific research.

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:

It can be included other fishing resources related to Jack Mackerel, perhaps other small pelagic fishes or other austral species. That could fill any remaining gaps in this large ecosystem.

- 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:

It is a scientific tenet that any unreliable or uncertain data which may present an error, should be eliminated.

- 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:

When a fishery is started, every single one of the items in this article are taken into account.

- 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:

All the criteria should be incorporated but the small islands criteria (Art. 21, 1;e) which does not apply to Ecuador.

- 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:

If something new comes out, it should be reported by the CNCP.

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

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

Please explain further, noting any gaps or suggested improvements:

The SPRFMO should be aware of the National Plans of Action that contributes to the conservation of fishing resources and the community that could be harm with these fishing activities.

- 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?

Everything should be taken into account as it indicates in the Convention text.

- 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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If Yes, or Partly: are these effective?

CNCP has its own management and conservative measures for this particular matter

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:

Article 3 indicates that overfishing shall be prevented or eliminated.

- 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:

According to the data published in the SPRFMO website, all CNCPs comply with the capacity limit.

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

Very	X	Not at all	Partly
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Please explain further:

Article 24 gives a hint about the effectiveness of this efforts.

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:

All duties to comply are in Article 25.

- 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:

There is no relevant information to answer this question.

- 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:

Lack of knowledge of its duty, lack of political will. The knowledge is manageable, this can be fixed by reading the Convention texts and the CMMs, but Political will is something than a CNCP needs to follow until it is been solved.

- 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:

CNCP always needs to be aware of the Convention text. Nevertheless, all countries should be supporting each other to fulfil their own state duties.

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.):

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

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

Even though this measure is effective, it could get into conflict with the Article 26 (4).

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

Yes	No	X
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If Yes, please explain further:

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:

- 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:

Currently CNCP does not need any additional measures.

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

Yes	No	X
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Please explain further:

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

	No	X
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Please explain further:

Our lack of resources not always allow us to make at sea inspections (ART. 27;3).

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

Yes	No	X
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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.):

Our lack of resources not always allow us to make at sea inspections (ART. 27;3).

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:

- 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	X	No
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If Yes, please describe those cooperative mechanisms:

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	No
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If No, please explain:

- 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:

- 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	X	No
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If Yes, please describe the measures:

The convention must be sure that this measure is accomplished to the letter for every party in a fair way.

- 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:

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

Yes	No	Partly X
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Please explain further:

The fishing capacity is not equitable for all parties.

- iii. Could they be improved?

Yes X	No	Partly
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Please explain further:

A better communication among parties.

- 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	No	Partly	X
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Please explain further:

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

Yes	No	Partly	X
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Please explain further:

In the case of Ecuador, these disputes have been partially solved, the awareness of Ecuador rights to participate in Jack-Mackerel fishing, three possible solutions were delivered and after some months after the creation of the review panel, not one of the solutions have been accepted.

- 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:

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:

- i. 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:

- i. 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:

- 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:

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	No
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Please explain further:

There is no relevant information to answer this question.

- i Do CNCPs voluntarily implement SPRFMO measures?

Yes	No	Partly	X
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Please explain further:

In the case of [...], it currently does not have small pelagic vessels in the SPRFMO area.

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:

There is a IUU vessel list in the SPRFMO website.

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

Yes	No	Partly
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Please explain further:

There is no relevant information to answer this question.

4.4 *Cooperation with international organisations*

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

Yes	No	Partly
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Please explain further:

There is no relevant information to answer this question. However, [...] has always been in often communication with other regional fisheries management organisations.

- i 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
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There is no relevant information to answer this question.

- i 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:

The measures over this topic seem to be adequate comparing with other fisheries organisations management measures and resolutions.

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:

- i. 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	X
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Please explain further:

There is no sufficient information to properly answer this question.

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
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Please explain further:

There is no relevant information to answer this question.

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

Yes	No	Partly
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Please explain further:

There is no relevant information to answer this question.

- 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
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Please explain further:

There is no relevant information to answer this question.

5.2 Efficiency and cost-effectiveness

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

Yes	No	Partly
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Please explain further:

There is no relevant information to answer this question.

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	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?

Notwithstanding, this is a new Fisheries Organisation, all parties need to watch closely the work of this Convention for better achieve the objectives and also, parties should suggest improvements to fulfil the objectives in benefit of us all, the resources and the ecosystem.