

8TH MEETING OF THE SPRFMO COMMISSION

Port Vila, Vanuatu, 14 to 18 February 2020

COMM 8 – Doc 08

Implementation of COMM Performance Review Recommendations

Secretariat

1. Background

Paragraph 16 of [Decision 06-2018](#) (First SPRFMO Performance Review) provides that “*the SC, CTC and FAC shall consider the final report during their meetings and report to the Commission the results of their discussions including plans for addressing any of the recommendations made by the performance review and tracking progress in that regard*”.

At the 7th COMM meeting in 2019, the COMM considered¹ the 45 recommendations that the Performance Review panel addressed to the COMM.

Out of these 44 recommendations:

- No further action is needed in the following 24:

Section	Recommendations
Conservation and Management	51 (b), 68 (b), 166 (d), 166 (e), 166 (h), 166 (i), 166 (j), 166 (k) and 178 (b)
Compliance and Enforcement	202 (e), 252 (b), 278 (c) and 278 (d)
Decision-Making and Dispute Settlement	320 (h) and 320 (k)
International Cooperation	328 (c), 338 (c), 348 (a), 348 (b), 353 (a), 353 (b) and 360 (c)
Financial and Administrative issues	386 (c) and 396 (c)

- COMM 8 needs to reconsider the following 21:

Section	Recommendations
Conservation and Management	100 (b), 100 (c), 100 (d), 100 (f), 100 (g), 108 (a), 166 (g) and 178 (c)
Compliance and Enforcement	202 (h), 252 (d), 252 (f) and 386 (d)
Decision-Making and Dispute Settlement	304 (b), 304 (c), 304 (d) and 320 (g)
International Cooperation	328 (b), 353 (c), 360 (b) and 369 (b)
Financial and Administrative issues	396 (b)

The Secretariat provides the requested tracking in Section 2 “Implementation of COMM performance review recommendations”.

¹ COMM responses to the Performance Review Panel recommendations can be found in Annex 7 of the [COMM7 Report](#).



2. Implementation of COMM performance review recommendations

Recommendation of the Panel	
Conservation and Management	
<i>3.1 Status of Fisheries Resources</i>	
51 (b)	Recommends that the Commission maintain a precautionary approach to setting catch limits for the Jack mackerel stock.
COMM7 Response: <i>“Endorses the Recommendation, noting that the Commission has adopted a SC workplan that applies the precautionary approach”.</i>	
No further action needed from COMM	
<i>3.2 Ecosystem Approach</i>	
68 (b)	Recommends that the Commission apply a highly precautionary approach to fishery management decisions in the absence of sufficient information to permit the application of an ecosystem approach to management.
COMM7 Response: <i>“Endorses the Recommendation, noting its links with the fundamental objectives of the Convention (Article 2)”.</i>	
No further action needed from COMM	
<i>3.3 Data Collection and Sharing</i>	
100 (b)	Recommends the Commission and Scientific Committee regularly review data collection requirements to ensure they align with the needs of new or revised CMMs, while recognising the challenges to SPRFMO database management through the addition of new data collection, access and storage requirements and Notes the need for investment in building the capacity of the SPRFMO database to meet these challenges.
FAC6 Response: <i>“The FAC notes that in order to have a database serving its purpose, the Commission should invest accordingly on the needs of having an operational database.”</i>	
COMM7 Response: <i>“Instructs SC to provide advice to the Commission sufficient to enable its consideration of this recommendation. To be considered by SC in 2019.”</i>	
Secretariat action: SC7-Doc 08 Performance Review Recommendations concerning the Scientific Committee.	
SC7 Response: <i>“The SC acknowledges that a robust, accessible and comprehensive database supports the SC in fulfilling its mandate. Furthermore, considering the recent development of new CMMs and the added complexity in terms of data requirements on the revised CMMs, the SC agrees with this recommendation and supports the need for investing in building the capacity of the SPRFMO database”.</i> SC7 Report Paragraph 36 and Annex 10.	
COMM8 Response:	



3.3 Data Collection and Sharing	
100 (c) Recommends that the Commission strengthen the timelines for the submission and independent verification of catch and effort data for the Jumbo flying squid fishery and Urges such measures to be adopted together with a general management measure for that fishery.	
COMM7 Response: <i>“Instructs SC to provide advice to the Commission sufficient to enable its consideration of this recommendation. To be considered by SC in 2019”.</i>	
Secretariat action: SC7-Doc 08 Performance Review Recommendations concerning the Scientific Committee.	
SC7 Response: <i>“The SC acknowledges that robust catch and effort data is essential for supporting a general management measure for the Jumbo flying squid fishery. Therefore, the SC agreed to develop data templates (including catch and effort data) to support stock assessment and monitor the fishery of Jumbo flying squid. The SC noted that there are CMMs (CMM 02-2018, CMM 05- 2019, CMM 06-2018, CMM 12-2018, CMM 16-2019) that request Members/CNCPs participating squid jigging fishery in the Convention Area to submit data including catch and effort data and transshipment data. The SC urges the Commission to support the actions related to squid data in the multiannual SC workplan in order to deliver on the verification of catch and effort data.”</i> SC7 Report Annex 10.	
COMM8 Response:	

3.3 Data Collection and Sharing	
100 (d) Recommends that the Commission implement more effective and comprehensive bycatch data collection and reporting, particularly but not limited to dependent and associated species in each fishery and identified species of concern, the collection of sufficient biological data to support the development of reliable stock assessments for all fisheries, and the extension of data collection programmes to include environmental data and other data to assist in estimating potential impacts on non-target species.	
COMM7 Response: <i>“Instructs SC to provide advice to the Commission sufficient to enable its consideration of this recommendation. To be considered by SC in 2019”.</i>	
Secretariat action: SC7-Doc 08 Performance Review Recommendations concerning the Scientific Committee.	
SC7 Response: <i>“Data collection and reporting for dependent and associated species is relevant to the 1) management and scientific objectives/research needs; 2) the levels of observer coverage across the different fisheries; and 3) specific issues of concern. Current observer coverage in a number of fisheries is likely to be inadequate for collecting robust information on interactions with bycatch species, many of which (especially seabirds, marine mammals, and other species of concern) are relatively rare events. As a very broad guideline, observer coverage of <10% may be sufficient to identify more common bycatch issues and assist with stock assessments, but will not be sufficient to generate reliable estimates of bycatch for some fisheries. Previous SC reports have described the higher levels of coverage required to provide such estimates (e.g., SC6 advised the Commission that observer coverage of 20% or more may be required to robustly estimate the incidental mortality of Seabirds, Marine Mammals, and Other Species of Concern in some fisheries, and that design should address multiple influencing factors to obtain representative coverage, and sought guidance from the Commission on the nature and certainty of its information needs on the bycatch of Seabirds, Marine Mammals, and Other Species of Concern, so that SC can more precisely advise on observer deployment requirements in SPRFMO fisheries.). Advice may be required from the Commission if there are specific areas of concern for where bycatch data collection and reporting needs to be strengthened. At a general level (for key target stocks), biological data to allow for the development of reliable stock assessments is being collected and submitted in accordance with relevant CMMs. The Habitat Monitoring Working Group has been considering the collation and application of environmental data, which could eventually be used to evaluate impacts on non-target species.”</i> SC7 Report Annex 10.	
COMM8 Response:	



3.3 Data Collection and Sharing

100 (f) Recommends that the Commission review, as a matter of priority, dataset sharing processes and procedures, both for data exchange within SPRFMO and externally, and provide specific guidance to the Secretariat with a view to removing impediments to the exchange and sharing of data.

COMM7 Response: *“Recognises that this has been indicated as a high priority by the Panel and instructs SC to provide advice to the Commission sufficient to enable its consideration of this recommendation as a priority. To be considered by SC in 2019”.*

Secretariat action: SC7-Doc 08 Performance Review Recommendations concerning the Scientific Committee.

SC7 Response: *“SC discussed the beneficial aspects of better data sharing for SQ and JM. The SC agrees on the benefit of having access to VMS data to support specific scientific advice requested by the Commission. The SC requests the Secretariat to draft a template to access VMS data.”* SC7 Report Annex 10.

Secretariat action: G125-2019 Consultation on template for VMS requests (17/12/2019).

COMM8 Response:

3.3 Data Collection and Sharing

100 (g) Recommends that the Commission work towards a standardisation of scientific data collection processes and procedures for observers across the different fisheries, and consider mechanisms to harmonise coordination of data collection with other regional and/or sub-regional observer programmes.

COMM7 Response: *“Instructs SC to provide advice to the Commission sufficient to enable its consideration of this recommendation. To be considered by SC in 2019”.*

Secretariat action: SC7-Doc 08 Performance Review Recommendations concerning the Scientific Committee.

SC7 Response: *“The SC notes the progress on the OP accreditation provider as provided by the Secretariat. The SC encourages Members of the Commission to pursue accreditation under the SPRFMO Observer Programme well in advance 31 December 2023. The SC recommends the Commission to consider the mechanisms to harmonise coordination of data collection in observer programmes within the Memorandum of Understanding with those relevant regional and/or subregional bodies.”* SC7 Report Annex 10.

COMM8 Response:

3.4 Quality and provision of scientific advice

108 (a) Recommends that the Commission take urgent action to implement management measures for the Jumbo flying squid fishery, and for precautionary measures to be put in place until sufficient information is available to undertake a reliable stock assessment.

COMM7 Response: *“Recognises that this has been indicated as a high priority by the Panel and instructs SC to provide advice to the Commission sufficient to enable its consideration of this recommendation as a priority. To be considered by SC in 2019”.*

Secretariat action: SC7-Doc 08 Performance Review Recommendations concerning the Scientific Committee.

SC7 Response: *“The SC noted that steps forward have been made with respect to stock assessment for the jumbo flying squid. The SC also noted that the workshop participants supported a future CMM including data gathering and reporting for the jumbo flying squid fishery with several possible management approaches including catch limits, fishing efforts limits and temporal and spatial closures being discussed, however, there was no agreement on common elements for an appropriate CMM to be developed at this stage.”*



The SC recommends the Commission to consider the current situation on CMM discussion from the squid working group and allow adequate time to develop the elements of the CMM for the Jumbo flying squid fishery. Developments have taken place on separate area based stock assessments and genetic studies for jumbo flying squid but there is still work to do including understanding the phenotype dynamics, improving the quantity and quality of fishery data and biological sample collection, and development of a whole stock assessment methodology. The SC could not agree on any management measure, while it duly notes the uncertainty on stock status and exploitation rate.” SC7 Report Annex 10.

COMM8 Response:

3.5 Adoption of CMMs

166 (d) Recommends that the Commission take urgent action to update the management measures for bottom fisheries, adopt a precautionary approach to the conservation of all deepwater stocks, and implement a SPRFMO-wide approach to the management and protection of VMEs as a matter of priority.

COMM7 Response: *“Notes that the recommendation has been substantially addressed by the adoption of a revised bottom fishing measure at COMM7. Notes that the impact of any bottom fishing on VMEs outside the Evaluated Area in the revised bottom fishing measure will be assessed through the exploratory fisheries measure and notes that where there is no fishing there is no impact on VMEs from fishing”.*

No further action needed from COMM

166 (e) Commends the work undertaken thus far to minimise bycatch of seabirds and Recommends that the Commission extend the CMM relating to seabird bycatch to all fisheries in the SPRFMO Convention Area.

COMM7 Response: *“There was not consensus on this recommendation”.*

No further action needed from COMM

3.5 Adoption of CMMs

166 (g) Recommends that the Commission and its subsidiary bodies strictly apply the procedural and substantive requirements of CMM 13-2018 for all new and exploratory fishery proposals.

CTC6 Response: *“Endorses this recommendation”.*

COMM7 Response: *“Instructs SC to provide advice to the Commission sufficient to enable its consideration of this recommendation. To be considered by SC in 2019”.*

Secretariat action: SC7-Doc 08 Performance Review Recommendations concerning the Scientific Committee.

SC7 Response: *“To better assess exploratory fishing applications, the SC developed a Checklist for Exploratory Fisheries Proposals during SC6. This checklist was considered very useful and was provided in annex 12 of the SC6 report. SC7 has reviewed the Checklist and agreed to develop interpretative notes for the checklist categories (which came directly from CMM-13) to ensure consistency of review between applications and years as the SC noted that a number of ambiguities remain in the interpretation of aspects of CMM 13-2019. Commission may wish to consider reviewing the measure in collaboration with the SC given its operational experience with application of this measure. The two proposals received in 2019 were assessed rigorously against the checklist. Following some revisions during the meeting, SC7 was able to finalise reviews by the end of the meeting. This avoided the need for any intersessional processes.”*

COMM8 Response:



3.5 Adoption of CMMs
166 (h) Recommends that the Commission review current efforts to give effect to Article 3(1)(a)(ii) to ensure impacts on non-target and associated or dependent species are taken into account, and Article 3(1)(a)(vii) which requires marine ecosystems to be protected, in particular those ecosystems which have long recovery times following disturbance.
COMM7 Response: <i>"Endorses the recommendation and commits to keep under review the Commission's efforts to give effect to Articles 3(1)(a)(ii) and 3(1)(a)(vii)."</i>
No further action needed from COMM
166 (i) Recommends that the Commission develop conservation and management measures for species of concern, with particular priority to be given to measures to prevent adverse impacts of fishing activities on chondrichthyans.
COMM7 Response: <i>"Endorses the recommendation, noting its links with work on ecological risk assessments being lead by Australia".</i>
No further action needed from COMM
166 (j) Recognises the difficulty of reaching allocation decisions, including in the Jack mackerel fishery, Considers that the Article 21 allocation criteria provide a solid foundation for decision-making, and Encourages the continued consideration of these criteria in making future allocation decisions for both Jack mackerel and other stocks.
COMM7 Response: <i>"Endorses the recommendation".</i>
No further action needed from COMM
166 (k) Recommends that the Commission develop a timeline for the implementation of measures to give full effect to Article 3(1)(a)(x) on measures to prevent pollution and waste originating from fishing vessels, discards, catch by lost gear or abandoned gear and impacts on other species and marine ecosystems.
COMM7 Response: <i>"Notes that the recommendation is substantially addressed by the CMM adopted by COMM7 on Fishing Gear and Marine Plastic Pollution in the SPRFMO Convention Area".</i>
No further action needed from COMM
178 (b) Recommends that the Commission maintain and enhance monitoring of fishing capacity systematically in all fisheries, especially where there is a risk that catch limits may be exceeded in future.
COMM7 Response: <i>"The Commission will keep under review the need to maintain and enhance monitoring of fishing capacity in SPRFMO fisheries".</i>
No further action needed from COMM



3.5 Adoption of CMMs	
178 (c) Recommends that the Commission consider the implementation of fishing effort limits in the Jumbo flying squid fishery based on existing fishing capacity as a precautionary interim measure pending further scientific and management advice from the Scientific Committee.	
COMM7 Response: <i>"Instructs SC to provide advice to the Commission sufficient to enable its consideration of this recommendation".</i>	
Secretariat action: SC7-Doc 08 Performance Review Recommendations concerning the Scientific Committee.	
SC7 Response: <i>"The SC acknowledges that fishing efforts limits is an important management tools and more information and studies are needed to support development of more comprehensive management measures for jumbo flying squid."</i>	
COMM8 Response:	

Compliance and Enforcement	
4.1 Flag State Duties	
202 (e) Recommends the translation of those measures identified in d) above into the languages necessary to improve Members and CNCPs' understanding of their obligations.	
CTC6 Response: <i>"Notes that English is the official and working language of the Commission and its subsidiary bodies. Suggests that the translation of measures into languages other than English should be the responsibility of Members and CNCPs. Notes that there may be opportunities for Members to share translations of measures."</i>	
FAC6 Response: <i>"The FAC supports the CTC recommendation".</i>	
COMM7 Response: <i>"The Commission supports the CTC recommendation".</i>	
No further action needed from COMM	

4.1 Flag State Duties	
202 (h) Recommends that the Commission, in conjunction with the Secretariat, consolidate, and make publicly available, a list of capacity building needs and requests identified by Members and CNCPs in order to track progress, prioritise the needs and requests, and facilitate the ability of others to meet them.	
CTC6 Response: <i>"Recommends that the Commission requests Members and CNCPs to advise the Secretariat of their capacity building needs, noting the utility of having these needs consolidated in a single place for consideration by the Commission. Notes the need to avoid over-burdening the Secretariat. Notes that capacity building needs may be easier to identify if audit points are developed as per recommendation 202(f). Notes that New Zealand has agreed to lead intersessional work on this issue in 2019 Recommends that the Commission task the Scientific Committee with considering this recommendation."</i>	
Secretariat/NZ action: Letters G34-2019 (Working Group on Identification of Capacity Building Needs, 24/05/2019), G54-2019 (Way forward on the WG on Identification of Capacity Building Needs, 11/07/2019), G70-2019 (Request to communicate Capacity Building Needs, 09/08/2019). CTC7-Doc16.3 New Zealand Working Group on Identification of Capacity Building Needs.	



SC7 Response: *“The SC recognises the need for capacity building. The SC has received no input for assessing how the capacity building needs concerning the flag States duties may be relevant to the work of the SC”*. SC7 Report Annex 10.

SC7 Response: *“The SC held a discussion on capacity building needs and identified the following important aspects: • Scientific capacity development: external experts participating in workshops and assessments; • External review of SC activities; • Exchange of practice on identification of seabirds, mammals, sharks; • Advancement of geospatial analysis while taking into account that VMS data will not be shared without prior agreement”*. SC7 Report Paragraphs 361-363.

CTC7 Response:	
COMM8 Response:	

Compliance and Enforcement	
<i>4.3 Monitoring, Control and Surveillance</i>	
252 (b) Encourages the Commission to focus on implementation of these MCS measures, rather than the adoption of new tools at this time.	
CTC6 Response: <i>“Endorses this Recommendation”</i> .	
COMM7 Response: <i>“Endorses this Recommendation”</i> .	
No further action needed from COMM	

<i>4.3 Monitoring, Control and Surveillance</i>	
252 (d) Recommends that the Commission continues to work towards the adoption of its own high seas boarding and inspection regime tailored to the Convention, its Members and CNCPs, and its fisheries.	
CTC6 Response: <i>“Notes that this recommendation is related to a proposal being considered by CTC6 where divergent views remain. Notes that the USA has agreed to lead any further intersessional work on this issue as required”</i> .	
COMM7 Response: <i>“Notes that good progress has been made in resolving technical aspects of the proposed high seas boarding and inspection measure. Notes that the USA has agreed to lead any further intersessional work on this issue as required”</i> .	
USA action: COMM8-Prop 11 <i>“Proposal to Amend CMM 11 Boarding & Inspection”</i> .	
CTC7 Response:	
COMM8 Response:	



4.3 Monitoring, Control and Surveillance	
252 (f) Recommends that the Commission prioritise hiring a professional staff member with compliance expertise to lead the Secretariat’s efforts to implement the MCS measures already adopted and to analyse the data captured through these measures.	
386(d) Recommends that if the SPRFMO Observer Programme is to be properly implemented as part of the suite of MCS measures, the Commission should prioritise hiring a professional staff member with compliance expertise, as recommended above).	
CTC6 Response: <i>“CTC Recommends that the Commission give consideration to hiring a compliance expert including consideration of the timing of such a hire, recognizing the need for compliance expertise within the Secretariat staff and that the constrained budget environment will need to be considered”.</i>	
FAC6 Response: <i>“Chile offered for one year a professional with Compliance expertise in support of the Secretariat tasks. Members thanks Chile for its generous offer. FAC is grateful for the offer and recommends the Commission to accept this generous offer from Chile”.</i>	
COMM7 Response: <i>“The Commission accepted the offer and thanks Chile for making the offer”.</i>	
Secretariat action: Administrative matters (MFAT; SERNAPESCA; Selection process; DC 122/126-2019 (Selection process results 12/09/2019); DC 129-2019 (Notification of new SPRFMO Compliance Officer and request for official visa 23/09/2019); DC 135-2019 (Outcomes of the Selection process of a Chilean Compliance Manager to SPRFMO 27/09/2019); G114-2019 (New SPRFMO VMS and Compliance Manager 11/11/2019).	
FAC7 Response:	
COMM8 Response:	

Compliance and Enforcement	
4.4 Follow-up on Infringements	
278 (c) Recommends a modest investment of resources to facilitate increased engagement of the SPRFMO Secretariat with colleagues from other RFMO Secretariats, which will provide a benefit to the Commission beyond the expenditure of resources in expertise gained, shared lessons learned, use of best practices and avoid spending time and money developing tools, templates, processes and procedures that already exist.	
CTC6 Response: <i>“CTC acknowledges the benefits that may flow from the SPRFMO Secretariat engaging with the Secretariats of other RFMOs. Acknowledges that it is the role of the Commission and its subsidiary bodies to develop and adopt its own tools, templates, processes and procedures. Recognizes that such engagement can be accomplished within normal budget constraints”.</i>	
FAC6 Response: <i>“The FAC supports the CTC response”.</i>	
COMM7 Response: <i>“Supports the CTC’s response to this recommendation”.</i>	
No further action needed from COMM	
278 (d) Recommends additional engagement by the Commission with other international regional organisations that could serve as force multipliers on MCS issues (e.g., the Forum Fisheries Agency’s Regional Surveillance Centre).	
CTC6 Response: <i>“Acknowledges the benefits that may flow from the engagement by the Commission with other international or regional organisations on MCS issues without expressing a view on the merits of engagement with any particular organisation. Notes that the Commission will consider the Proposal for an MoU with the REDPESCAINDNR”.</i>	



<p>COMM7 action: The Commission extended the arrangement between CCAMLR and SPRFMO, adopted and signed the MoU with CPPS, adopted and signed the MoU with the Network against IUU fishing of LAC and decided to prioritise enhancing cooperation with the North Pacific Fisheries Commission (NPFC), the Western and Central Pacific Fisheries Commission (WCPFC) and the Inter-American Tropical Tuna Commission (IATTC) es per COMM7 Report paragraphs 170-177 and 184.</p>
<p>Secretariat action: COMM8-Prop 20 Proposed MoU between SPRFMO and IATTC, COMM8-Prop 21 Proposed MoU between SPRFMO and COMM8-Prop 22 WCPFC and Proposed MoU between SPRFMO and NPFC.</p>
<p>No further action needed from COMM</p>

<p>Decision-Making and Dispute Settlement</p>
<p><i>5.1 Decision-making</i></p>
<p>304 (b) Recommends that the Chair of the Commission continues to provide clear guidance on when attempts to achieve consensus have been exhausted.</p>
<p>COMM7 Response: <i>“Endorses this recommendation”</i>.</p>
<p>No further action needed from COMM</p>
<p>304 (c) Recommends the continued use of informal discussions in attempts to achieve consensus.</p>
<p>COMM7 Response: <i>“Endorses this recommendation”</i>.</p>
<p>No further action needed from COMM</p>
<p>304 (d) Notes the decision and observations on decision-making of the Article 17 review panel in 2018, and Urges their consideration by the Members.</p>
<p>COMM7 Response: <i>“Endorses this recommendation”</i>.</p>
<p>No further action needed from COMM</p>

<p><i>5.3 Dispute Settlement</i></p>
<p>320 (g) Recommends that Members consider making a special budgetary allocation at the first meeting following a use of the Article 17 review panel process to reimburse the SPRFMO budget in order to cover the costs associated with support to the most recent Article 17 review panel proceedings</p>
<p>FAC6 Response: <i>“Support this recommendation in principle and noted the importance of having funds available to resource the Commission’s contribution to any Review Panel established under Art 17”</i>.</p>
<p>COMM7 Response: <i>“The Commission supports FAC response also noting that no such provision has been made in next financial year budget”</i>.</p>
<p>Secretariat action: Secretariat Document FAC7-Doc 04.2 “SPRFMO Contingency Fund”, the FAC is invited to consider recommending the Commission approving the proposed budget amount of NZ\$ 20,000 for Budget Category 7,2 – Rebuilding the Contingency Fund for the Financial Year 2020-2021 as per FAC7-Doc 08 Draft Annual Budget.</p>
<p>FAC7 Response:</p>



COMM8 Response:

5.3 Dispute Settlement

320 (h) Recommends the Commission take steps to ensure the effective implementation of the findings of an Art. 17 review panel at the 1st meeting following the decision of the panel.

COMM7 Response: *"Endorses this recommendation"*.

No further action needed from COMM

320 (k) Notes the Commission in the wake of the 2013 use of the Article 17 review panel process indicated the process was intended as an unusual occurrence, and Urges Members to continue to view the Article 17 review panel process in that light.

COMM7 Response: *"Endorses this recommendation"*.

No further action needed from COMM

International Cooperation

6.1 Transparency

328 (b) Recommends that the Commission give consideration to developing a process for inviting observers to meetings where their participation would facilitate the meeting.

COMM7 Response: *"Endorses this recommendation and instructs the Secretariat to develop such a process"*.

Secretariat action: COMM8-Prop25 Rules of Procedure for the Commission (Sec), New Regulation 9.5.

COMM8 Response:

6.1 Transparency

328 (c) Recommends that the Executive Secretary notify observers of the establishment of a review panel under Art. 17 of the Convention and of the findings and recommendations of the review panel.

COMM7 Response: *"Endorses this recommendation and instructs the Executive Secretary to provide such notifications to observers"*.

Secretariat action: Considered as part of the Notifications distribution list when establishing a review panel under Article 17.

No further action needed from COMM



6.1 Transparency

338 (c) Recommends that the Secretariat develop a communications strategy in order to enhance communications with Members, CNCPs and observers, to cost-effectively increase the visibility and profile of SPRFMO in the wider international fisheries community, and to ensure that there is a targeted approach to communications which bring direct benefits to the organisation.

COMM7 Response: *"Endorses this recommendation noting that the FAC has endorsed a related paper presented by the Secretariat".*

Secretariat action: Secretariat presented FAC7-Doc11.

No further action needed from COMM

6.2 Relationship with CNCPs

348 (a) Recommends that further information is provided to CNCPs by the Commission on the benefits of becoming party to the SPRFMO Convention.

COMM7 Response: *"Endorses this recommendation and instructs the Secretariat to engage with CNCPs in this regard".*

Secretariat action: Letters DC131-2019 to DC134-2019 (27 July 2019) sent out to CNCPs on the benefits of becoming party to the SPRFMO Convention.

No further action needed from COMM

6.2 Relationship with CNCPs

348 (b) Recommends that the Commission further encourages CNCPs to cooperate with the Commission in implementing its conservation and management measures, including data submission requirements, and that the Commission apply a consistent approach to the granting of CNCP status.

COMM7 Response: *"Endorses this recommendation reminding the obligation of complying with CMMs to all CNCPs".*

No further action needed from COMM

6.3 Relationship with non-members or non-CPs

353 (a) Recommends that the Commission continue to encourage non-Members and non-CNCPs found to be fishing within the Convention Area to cooperate with the Commission, including through requesting CNCP status.

COMM7 Response: *"Endorses this recommendation".*

No further action needed from COMM



<i>6.3 Relationship with non-members or non-CPs</i>	
353 (b) Urges the Secretariat to include in the SPRFMO Annual Administrative Report information on the outreach to nonMembers and non-CNCPs that has been undertaken in the previous year.	
COMM7 Response: <i>"Endorses this recommendation and instructs the Secretariat to follow this recommendation"</i> .	
Secretariat action: Included in FAC 7 – Doc 10 "SPRFMO Annual Administrative Report, Section 7".	
No further action needed from COMM	

<i>6.3 Relationship with non-members or non-CPs</i>	
353 (c) Recommends that Members and the Secretariat take a more proactive approach towards identifying those vessels of non-Members and non- CNCPs that are undertaking fishing operations in the SPRFMO Convention Area.	
COMM7 Response: <i>"Endorses this recommendation"</i> .	
Secretariat action: CTC7-Doc 16.1 "Possible proactive approaches for identifying non-Member_non-CNCP fishing vessels".	
COMM8 Response:	

<i>6.4 Cooperation with International Organisations</i>	
360 (b) Recommends that the Commission develop a cooperation strategy which targets cooperation towards organisations and activities which would provide a direct benefit to SPRFMO.	
COMM7 Response: <i>"Endorses this recommendation noting that the Commission has instructed the Secretariat to prioritise engagement with 3 RFMOs (NPFC, WCPFC, IATTC)"</i> .	
Secretariat action: Letters DC58-2019, DC59-2019 and DC60-2019 (30/04/2019), DC70-2019, DC71-2019 and DC72-2019 (14/06/2019), DC127-2019 (12/09/2019) sent to NPFC, WCPFC and IATTC respectively. Secretariat COMM8-Prop23, COMM8-Prop24 , COMM8-Prop25 (31/12/2019).	
COMM8 Response:	
360 (c) Recommends that in addition to the development of any necessary formal linkages through MOUs, the Secretariat engage informally with colleagues in other RFMOs to learn and share experiences of operational activities, not only in the MCS area as recommended above.	
COMM7 Response: <i>"Endorses this recommendation"</i> .	
Secretariat action: Informal engagements to learn and share experiences of operational activities are described, especially on the " Cooperation " Section of the SPRFMO website. Furthermore, the budget item 1.5 "Staff Training and Other professional development" partially covers this recommendation.	
No further action needed from COMM	



6.5 Special Requirements of Developing States	
369 (b) Recommends that the Commission and Secretariat encourage the use of the Developing States budget category for more than funding the attendance of participants from developing countries at SPRFMO meetings and that the Commission work to remove any impediments to accessing the Special Requirements Fund for technical assistance and capacity building.	
FAC6 Response: "FAC small working group to be convened, lead by the USA".	
COMM7 Response: "Endorses the recommendation noting that implementation will take time and require consideration of dedicated resources. Notes that USA has agreed to lead related work intersessionally".	
USA and Secretariat Action: Members to participate in the Working Group on 5 May 2019 (G26-2019) and an extension to nominate Members (G44-2019) on 19 June 2019. Letter G51-2019 (03/07/2019) o the Cancellation of the Working Group on Accessibility for Capacity Building.	
USA Voluntary Contribution: G110-2019 on 07/11/2019 where USD 35 000 support "facilitating the effective participation of developing State Contracting Parties".	
COMM8 Response:	

Financial and administrative issues	
7.1 Availability of Resources for Activities	
386 (c) Encourages the Secretariat to prepare an estimate of the additional financial cost which is likely to arise from proposed conservation and management measures.	
FAC6 Response: "The FAC encourages Members to engage with the Secretariat when a proposal has financial impacts or influence on the Secretariat work".	
COMM7 Response: "Supports the FAC response to this recommendation".	
Secretariat action: The Secretariat has provided FAC7-Doc 08.3 quantifying the financial impact of new or amended proposals received by 26 December 2019 (2 weeks after the Draft Budget for financial year 2020-21 and Forecast Budget for 2021-22 was circulated).	
No further action needed from COMM	



7.2 Efficiency and Cost-Effectiveness	
396 (b) Recommends that the Commission, on advice of the Executive Secretary, give consideration to reviewing the structure of the Secretariat to ensure the most cost effective use of staff resources, and to investing additional resources in building the capacity of the Secretariat to analyse scientific and MCS data.	
FAC6 Response: <i>“The FAC supports the recommendation and task the Executive Secretary to give consideration and to advise the Commission accordingly no later than the 2020 annual meeting”.</i>	
COMM7 Response: <i>“Supports the FAC response and instructs the Executive Secretary to consider this recommendation and to advise the Commission accordingly no later than the 2020 annual meeting”.</i>	
Secretariat action: The review of the structure of the Secretariat is presented in FAC7-Doc 14.	
FAC7 Response:	
COMM8 Response:	

7.2 Efficiency and Cost-Effectiveness	
396 (c) Recommends that the Commission set aside a half day for the Finance and Administration Committee in advance of the annual Commission meeting, and following the annual meeting of the Compliance and Technical Committee.	
FAC6 Response: <i>“The FAC considered the recommendation but agreed that the current arrangement should be retained, but this could be revisited in the future”.</i>	
COMM7 Response: <i>“The Commission supports the FAC response”.</i>	
No further action needed from COMM	