

CTC 4 - Doc 05

Revised Draft Compliance Report on Members and CNCPs (2015/16).

Secretariat (prepared 31 December 2016)

Reporting period to which this report refers: 2015/16
(1 November 2015 – 31 October 2016)

Date report prepared: 30 December 2016

The Conservation and Management Measures which have been assessed include:

- CMM 4.01 (*Trachurus murphyi*; 2016)
- CMM 4.02 (Data Standards; 2016)
- CMM 4.03 (Bottom Fishing; 2016)
- CMM 4.04 (IUU List; 2016)
- CMM 4.05 (Record of Vessels; 2016)
- CMM 2.06 (Commission VMS; 2014)
- CMM 2.07 (Port Inspection; 2014)
- CMM 1.02 (Gillnetting; 2013)
- CMM 4.09 (Seabirds; 2016)
- CMM 4.10 (Compliance Monitoring Scheme; 2016)
- CMM 3.04 (Boarding and Inspection; 2015)
- CMM 3.05 (Transshipment; 2015) – effective 1 March 2016
- CMM 4.13 (Exploratory Fisheries; 2016)
- CMM 4.14 (Exploratory Toothfish fishing; 2016)
- CMM 4.15 (Stateless Vessels; 2016)

Note all figures are preliminary, and assessments of possible compliance issues are made using the best information available at this time.

This revised draft incorporates comments provided by Members and CNCPs in response to the initial draft compliance reports circulated previously.

In the following tables a blank cell indicates that an obligation was “not applicable”.

CMM 4.01 *Trachurus murphyi*

Effort management

Paragraph 4

Members and CNCPs shall limit the total gross tonnage (GT) of vessels flying their flag and participating in the fishing activities described in Article 1, (1)(g)(i) and (ii) of the Convention in respect of the *Trachurus murphyi* fisheries in the Convention Area to the total tonnage of their flagged vessels that were engaged in such fishing activities in 2007 or 2008 or 2009 in the Convention Area and as set out in Table 1 of CMM 1.01. Members and CNCPs may substitute their vessels as long as the total level of GT for each Member and CNCP does not exceed the level recorded in that Table.

Member/ CNCP	Gross Tonnage limit	2015/16 Active fishing Vessels	2014/15 Compliance Status	2015/16 - Possible compliance issues?
Australia			Compliant	No
Chile	96 867 (+3 756 GRT)	9 213	Compliant	No
China	74 516	15 342	Compliant	No
Cook Islands			Compliant	No
Cuba			Compliant	No
Ecuador			Compliant	No
EU	78 600	27 553	Compliant	No
Faroe Islands	15 222	0	Compliant	No
Korea	15 222	3 012	Compliant	No
New Zealand			Compliant	No
Peru	75 416	0	Compliant	No
Russian Federation	74 470	0	Compliant	No
Chinese Taipei			Compliant	No
Vanuatu	31 220	15 610	Compliant	No
Colombia			Compliant	No
Liberia			Compliant	No
Panama			Compliant	No
USA			Compliant	No

Table 1: Assessment of CMM 4.01 Paragraph 4

Secretariat Assessment of potential compliance issues

- No potential compliance issues.

Catch Management

Paragraph 7

In the event that a Member or CNCP reaches 70% of its catch limit set out in Table 1, the Executive Secretary shall inform that Member or CNCP of that fact, with a copy to all other Members and CNCPs. That Member or CNCP shall close the fishery for its flagged vessels when the total catch of its flagged vessels is equivalent to 100% of its catch limit. Such Member or CNCP shall notify promptly the Executive Secretary of the date of the closure.

Paragraph 9

A Member or CNCP may transfer to another Member or CNCP all or part of its entitlement to catch up to the limit set out in Table 1, subject to the approval of the receiving Member or CNCP. When receiving fishing entitlement by transfer, a Member or CNCP may either allocate it on the basis of domestic legislation or endorse arrangements between owners participating in the transfer. Before the transferred fishing takes place, the transferring Member or CNCP shall notify the transfer to the Executive Secretary for circulation to Members and CNCPs without delay.

Member/ CNCP	2016 Catch Limit	Effect of Catch Transfers	Preliminary 2016 Catch Total*	2014/15 Compliance Status	2015/16 - Possible compliance issues?
Australia				Compliant	No
Chile	297 000	323 100	289 678	Compliant	No
China	29 200	29 200	20 208	Compliant	No
Cook Islands				Compliant	No
Cuba				Compliant	No
Ecuador				Compliant	No
European Union	28 100	15 200	11 146	Compliant	No
Faroe Islands	5 100	0	0	Compliant	No
Korea	5 500	7 500	6 177	Compliant	No
New Zealand				Compliant	No
Peru	7 400	7 400	0	Compliant	No
Russian Federation	15 100	15 100	0	Compliant	No
Chinese Taipei				Compliant	No
Vanuatu	21 500	16 000	15 563	Compliant	No
Colombia				Compliant	No
Liberia				Compliant	No
Panama				Compliant	No
USA				Compliant	No

Table 2: Assessment of CMM 4.01 Paragraphs 7,9 & Table 1

**Data only available up to and including [November 2016]*

Secretariat Assessment of potential compliance issues

- No potential compliance issues.

Data Collection and Reporting

Paragraph 11

Members and CNCPs participating in the *Trachurus murphyi* fishery shall report in an electronic format the monthly catches of their flagged vessels to the Secretariat within 20 days of the end of the month, in accordance with the Data Standards CMM 4.02 and using templates prepared by the Secretariat and available on the SPRFMO website.

Paragraph 16

Each Member and CNCP participating in the *Trachurus murphyi* fishery shall provide the Executive Secretary a list of vessels (*Fishing vessels as defined in Article 1(h) of the Convention*) they have authorized to fish in the fishery in accordance with Article 25 of the Convention and CMM 4.05 (Record of Vessels; 2016) and other relevant CMMs adopted by the Commission. They shall also notify the Executive Secretary of the vessels that are actively fishing or engaged in transshipment in the Convention Area within 20 days of the end of each month. The Executive secretary shall maintain lists of the vessels so notified and will make them available on the SPRFMO website.

Member/ CNCP	Number of reports	% received on-time	Active and transshipping vessels notified?	2014/15 Compliance Assessment	2015/16 - Possible compliance issues?
Australia				Compliant	No
Chile	12	100	Yes	Non-Compliant	No
China	8	100	Yes	Non-Compliant	No
Cook Islands				Compliant	No
Cuba				Compliant	No
Ecuador				Compliant	No
European Union	8	88	Yes	Non-Compliant	Yes
Faroe Islands	12	100	Yes	Compliant	No
Korea	8	88	Yes	Non-Compliant	Yes
New Zealand				Compliant	No
Peru	12	100	Yes	Compliant	No
Russian Federation				Compliant	No
Chinese Taipei				Compliant	No
Vanuatu	9	100	Yes	Non-Compliant	No
Colombia				Compliant	No
Liberia	0	0	No	Non-Compliant	Yes
Panama	2	66	Partial	Priority Non-Compliant	Yes
USA				Compliant	No

Table 3: Assessment of CMM 4.01 Paragraphs 11 & 16

Secretariat Assessment of potential compliance issues

- European Union; The April 2016 report was received 5 days late.
- Korea; The August 2016 report was received 6 days late.
- **Liberia's** implementation report suggests that Liberian reefers have conducted Jack mackerel transshipping

activities during the period November 2015 – October 2016; However, the Secretariat has not received any monthly reports for that period.

- Panama; Based upon received transshipment notifications, Panama reefers were active in the Jack mackerel fishery during April, May & June. However, the June monthly report has not yet been received.

Member Comments on Potential Compliance Issues

Member	Comment
European Union	No comments received
Korea	No comments received
Liberia	Liberia's Implement Report previously submitted inadvertently covered the period January to December 2015, instead of 1 November 2015 – 31 October 2016. Liberia submitted her Annual Transshipment Report in June 2016; that Report detailed transshipment operations for four (4) vessels which were carried out from January to December 2015. Moreover, monthly reports for those same vessels were submitted in 2015. As of 1 December 2016, Liberia provided transshipment data for two (2) vessels (WATER PHOENIX and PRINCE OF TIDES) which transshipped squid in blocks, not <i>Trachurus Murphyi</i> .
Panama	No comments received

Paragraph 13

Except as described in paragraph 11 above, each Member and CNCP participating in the *Trachurus murphyi* fishery shall collect, verify, and provide all required data to the Executive Secretary, in accordance with the CMM 4.02 (Data Standards; 2016) and the templates available on the SPRFMO website, including an annual catch report.

This paragraph is assessed below as part of the section on CMM 4.02 (Data Standards).

Paragraph 15

Members and CNCPs participating in the *Trachurus murphyi* fisheries shall implement a vessel monitoring system (VMS) in accordance with the CMM 4.02 (Data Standards; 2016) and other relevant CMMs adopted by the Commission. These VMS data shall be provided to the Executive Secretary within 10 days of each quarter in the format prescribed by the SPRFMO Data Standards and using the templates on the SPRFMO website.

Member/ CNCP	Number of reports	% received on-time	Correct template?	Prescribed format?	2014/15 Compliance Assessment	2015/16 - Possible compliance issues?
Australia					Compliant	No
Chile	4	100	Yes	Yes	Compliant	No
China	3	100	Yes	Yes	Compliant	No
Cook Islands					Compliant	No
Cuba					Compliant	No
Ecuador					Compliant	No
European Union	2	100	Yes	Yes	Non-Compliant	No
Faroe Islands					Compliant	No
Korea	2	100	Yes	Yes	Non-Compliant	No
New Zealand					Compliant	No
Peru	4	100	Yes	Yes	Non-Compliant	No
Russian Federation					Non-Compliant	No
Chinese Taipei					Compliant	No
Vanuatu	4	100	Yes	Yes	Non-Compliant	No
Colombia					Compliant	No
Liberia	4	100	Yes	Yes	Compliant	No
Panama	0	0			Priority Non-Compliant	Yes
USA					Compliant	No

Table 4: Assessment of CMM 4.01 Paragraph 15

Secretariat Assessment of potential compliance issues

- Panama has not submitted any VMS data for its reefer vessels operating during 2016 in the Jack mackerel fishery.

Member Comments on Potential Compliance Issues

Member	Comment
Panama	No comments received.

Paragraph 18

In order to facilitate the work of the Scientific Committee and the planned assessment workshop scheduled for 7-8 October 2016, Members and CNCPs shall provide their annual national reports, in accordance with the existing guidelines for such reports, in advance of the 2016 Scientific Committee meeting. Members and CNCPs shall also provide observer data for the 2016 fishing season to the Scientific Committee to the maximum extent possible. The reports shall be submitted to the Executive Secretary at least one month before the 2016 Scientific Committee meeting in order to ensure that the Scientific Committee has an adequate opportunity to consider the reports in its deliberations.

Member/ CNCP	2016 Annual report provided	Received 1 month prior to SC-04	2016 observer data* provided to SC-04	2014/15 Compliance Assessment	2015/16 - Possible compliance issues?
Australia	Yes	Yes		Compliant	No
Chile	Yes	Yes	Yes	Compliant	No
China	Yes	Yes	Yes	Compliant	No
Cook Islands				Compliant	No
Cuba				Compliant	No
Ecuador				Compliant	No
European Union	Yes	Yes	Yes	Compliant	No
Faroe Islands	Yes	No ¹		Compliant	No
Korea	Yes	No	Yes	Compliant	Yes
New Zealand	Yes	Yes		Compliant	No
Peru	Yes	Yes	Yes	Compliant	No
Russian Federation	Yes	No	No	Compliant	Yes
Chinese Taipei	Yes	Yes		Compliant	No
Vanuatu	Yes	Yes	Yes	Compliant	No
Colombia	Yes	No ¹		Compliant	No
Liberia	No	No		Compliant	No
Panama	No	No		Compliant	No
USA	Yes	Yes		Compliant	No

Table 5: Assessment of CMM 4.01 Paragraph 18

**Observer data being length frequencies*

Secretariat Assessment of potential compliance issues

- **Korea's** annual report was received 3 weeks late (7 days prior to SC-04).
- Russian Federation; The 2016 Annual report was received on the 4th of October 2016 (24 days late).

Member Comments on Potential Compliance Issues

Member	Comment
Korea:	No comments received
Russian Federation	No comments received

¹ The annual report for both Colombia and the Faroe Islands were received late, however those participants did not participate in the 2015 Jack mackerel fishery in the SPRFMO Area.

Paragraph 19

In accordance with Article 24(2), all Members and CNCPs participating in the *Trachurus murphyi* fishery shall provide, at a report describing their implementation of this CMM in accordance with the timelines specified in CMM 4.10 (Compliance Monitoring Scheme; 2016). On the basis of submissions received, the CTC shall develop a template to facilitate future reporting. The implementation reports will be made available on the SPRFMO website.

This paragraph is assessed below as part of the section on CMM 4.10 (Compliance Monitoring Scheme; 2016).

Paragraph 20

The information collected under paragraphs 11, 13 and 18, and any stock assessments and research in respect of *Trachurus murphyi* fisheries shall be submitted for review to the Scientific Committee. The Scientific Committee will conduct the necessary analysis and assessment, in accordance with its Workplan (2016) agreed by the Commission, in order to provide updated advice on stock status and recovery.

Member/ CNCP	CJM stock assessment provided to SC-04	CJM research provided to SC-04	2014/15 Compliance Assessment	2015/16 - Possible compliance issues?
Australia			Compliant	No
Chile	Yes	Yes	Compliant	No
China	No	No	Compliant	No
Cook Islands			Compliant	No
Cuba			Compliant	No
Ecuador			Compliant	No
European Union	No	Yes	Compliant	No
Faroe Islands	No	No	Compliant	No
Korea	No	No	Compliant	No
New Zealand			Compliant	No
Peru	Yes	Yes	Compliant	No
Russian Federation	No	No	Compliant	No
Chinese Taipei			Compliant	No
Vanuatu	No	No	Compliant	No
Colombia			Compliant	No
Liberia	No	No	Compliant	No
Panama	No	No	Compliant	No
USA			Compliant	No

Table 6: Assessment of CMM 4.01 Paragraph 20

Secretariat Assessment of potential compliance issues

- No potential compliance issues.

Paragraph 21

Contracting Parties and CNCPs, as port States, shall, subject to their national laws, facilitate access to their ports on a case-by-case basis to reefer vessels, supply vessels and vessels fishing for *Trachurus murphyi* in accordance with this CMM. Contracting Parties and CNCPs shall implement measures to verify catches of *Trachurus murphyi* caught in the Convention Area that are landed or transhipped in its ports.....

This paragraph is assessed below as part of the section on CMM 2.07 (Port Inspections; 2014).

Paragraph 22

Until the Commission adopts an Observer Programme in accordance with Article 28 of the Convention, all Members and CNCPs participating in the *Trachurus murphyi* fishery shall ensure a minimum of 10 % scientific observer coverage of trips for vessels flying their flag and ensure that such observers collect and report data as described in CMM 4.02 (Data standards; 2016). In the case of the flagged vessels of a Member or CNCP undertaking no more than 2 trips in total, the 10% observer coverage shall be calculated by reference to active fishing days for trawlers and sets for purse seine vessels.

Member/ CNCP	Observer coverage %	2014/15 Compliance Assessment	2015/16 - Possible compliance issues?
Australia		Compliant	No
Chile	23	Compliant	No
China	50%	Compliant	No
Cook Islands		Compliant	No
Cuba		Compliant	No
Ecuador		Compliant	No
European Union	25	Compliant	No
Faroe Islands	0	Compliant	No
Korea	100	Compliant	No
New Zealand		Compliant	No
Peru		Compliant	No
Russian Federation	90	Compliant	No
Chinese Taipei		Compliant	No
Vanuatu	100	Non-Compliant	No
Colombia		Compliant	No
Liberia		Compliant	No
Panama	0	Compliant	No
USA		Compliant	No

Table 7: Assessment of CMM 4.01 Paragraph 22

Secretariat Assessment of potential compliance issues

- No potential compliance issues

CMM 4.02 Data Standards

Data on fishing activities and the impacts of fishing

Paragraph 1(a)

1 (a) Ensure that for each calendar year, Members and CNCPs collate annual catch totals raised to 'live' weight for all species/ species groups caught during that year, and that these are collated as described in Annex 13. Members and CNCPs will provide by the 30th September, their previous year's (January to December) annual catch totals raised to 'live' weight for all species/ species groups caught;

Member/ CNCP	2016 annual catch provided	Received prior to 30 th Sept	Consistent with Annex 13	2014/15 Compliance Assessment	2015/16 - Possible compliance issues?
Australia	Yes	Yes	Yes	Compliant	No
Chile	Yes	Yes	Yes	Compliant	No
China	Yes	Yes	Yes	Compliant	No
Cook Islands				Compliant	No
Cuba				Compliant	No
Ecuador				Compliant	No
European Union	Yes	Yes	Yes	Non-Compliant	No
Faroe Islands				Compliant	No
Korea	Yes	Yes	Yes	Compliant	No
New Zealand	Yes	Yes	Yes	Compliant	No
Peru	Yes	Yes	Yes	Compliant	No
Russian Federation	Yes	No	Yes	Compliant	Yes
Chinese Taipei	Yes	Yes	Yes	Compliant	No
Vanuatu	Yes	Yes	Yes	Compliant	No
Colombia				Compliant	No
Liberia				Compliant	No
Panama				Compliant	No
USA				Compliant	No

Table 8: Assessment of CMM 4.02 Paragraph 1(a)

Secretariat Assessment of potential compliance issues

- Russian Federation; 2015 Annual Catch Totals were extracted from the 2016 National report that was provided on 4 October 2016 (4 days late).

Member Comments on Potential Compliance Issues

Member	Comment
Russian Federation	No comments received

Paragraph 1(e)

Compile data on fishing activities and the impacts of fishing and provide these in a timely manner to the Secretariat of the South Pacific Regional Fisheries Management Organisation (SPRFMO). Such data are to be provided in sufficient detail to facilitate effective stock assessment. Members and CNCPs will provide by the 30th June, their previous (January to December) year's data on fishing activities and the impacts of fishing described in sections 1b) – 1d) above.

Member/ CNCP	Activities undertaken (2015)	Activity data provided?	Includes non-target spp?	Received prior to 30 th June	Consistent with appropriate Annex?	2014/15 Compliance Assessment	2015/16 - Possible compliance issues?
Australia	Demersal Longline	Yes	Yes	Yes	Yes	Compliant	No
Australia	Demersal Trawl	Yes	n/a	Yes	Yes	Compliant	No
Australia	Landings	Yes	n/a	Yes	Yes	Compliant	No
Chile	Purse Seine	Yes	Yes	Yes	Yes	Non - Compliant	No
Chile	Landings	Yes	Yes	Yes	Yes	Non - Compliant	No
China	Pelagic Trawl	Yes	No	Yes	Yes	Non-Compliant	Yes
China	Squid Jigging	Yes	No	Yes	No	Non-compliant	Not Assessed
China	Landings	Yes	Yes	Yes	Yes	Compliant	No
China	Transhipments	Partial	Yes	Yes	Yes	Compliant	Yes
Cook Islands						Compliant	No
Cuba						Compliant	No
Ecuador						Compliant	No
European Union	Demersal Longline					Non-Compliant	No
European Union	Pelagic Trawl	Yes	Yes	Yes	Yes	Compliant	No
European Union	Reefer Landings	Yes	Yes	Yes	Yes	Compliant	No
European Union	Transhipments	Yes	Yes	Yes	Yes	Compliant	No
Faroe Islands						Compliant	No
Korea	Pelagic Trawl	Yes	Yes	Yes	Yes	Non-Compliant	No
Korea	Squid Jigging	Yes	n/a	Yes	Yes	Compliant	n/a
Korea	Transhipments	Yes	Yes	Yes	Yes	Compliant	No
New Zealand	Demersal Lining	Yes	Yes	Yes	Yes	Compliant	No
New Zealand	Demersal Trawl	Yes	Yes	Yes	Yes	Compliant	No
New Zealand	Landings	Yes	Yes	Yes	Yes	Compliant	No
Peru						Non-Compliant	No
Russian Federation	Pelagic Trawl	No		No		Compliant	Yes

Member/ CNP	Activities undertaken (2015)	Activity data provided?	Includes non-target spp?	Received prior to 30 th June	Consistent with appropriate Annex?	2014/15 Compliance Assessment	2015/16 - Possible compliance issues?
Russian Federation	Transshipment	Yes	No	Yes	Yes	Compliant	No
Chinese Taipei	Squid Jigging	Yes		Yes	No	Not Assessed	Not Assessed
Chinese Taipei	Landings	Yes		Yes	Yes	Compliant	No
Chinese Taipei	Transshipments	Yes		Yes	Yes	Compliant	No
Vanuatu	Pelagic Trawl	Yes	Yes	Yes	Yes	Non-Compliant	No
Vanuatu	Transshipments	Yes	Yes	Yes	Yes	Compliant	No
Colombia						Compliant	No
Liberia	Transshipments	Yes	Yes	Yes	No	Non-Compliant	Yes
Panama	Transshipments	No		No		Non-Compliant	Yes
USA						Compliant	

Table 9: Assessment of CMM 4.02 Paragraph 1(e)

Secretariat Assessment of potential compliance issues

- **China's** 2015 Pelagic Trawl data do not contain information on bycatch species
- **China's** 2015 Transshipment data do not contain information on GIS transshipments
- Russian Federation; The 2015 Fishing activity data has not been submitted to the Secretariat yet.
- **Liberia's** 2015 Transshipment data does not separate out each individual species.
- Panama has not provided a final compilation of its 2015 Transshipment data
- *Note, Squid Jigging data have not been assessed pending the outcome of a future Commission decision upon the level of data resolution required for effective stock assessment.*

Member Comments on Potential Compliance Issues

Member	Comment
China:	China Overseas Fisheries Association (COFA) and SHOU were authorized by the Chinese government to jointly undertake the CJM and GIS fishing activities data collection. The CJM fishing activities data were submitted to DIWG in accordance with requirements of CMM3.02. The catch recorded in logbook is by set, it is very few catch of MAS in per set (143340kg MAS in 614 sets, average 233kg/set). Due to very few catch of non-target species, China CJM fishing vessels recorded the catch without classification in fishing log in 2015. China has already advised the vessel owner to record by-catch species in 2016. China requires all fishing vessels to notify the Chinese government of each transshipment of CMJ and GIS caught in the Convention area. For CMJ transshipment, China submits transshipment notification and data as required by CMM 3.05. For GIS transshipment, after receiving the transshipment request, we always check whether the unloading and receiving vessels were both included in the Record of Vessels. But it needs time for all Chinese squid jigging vessels to fully carry out the transshipment requirement. As our understanding to CMM 3.05, items 4, 5, 6, 7 and 8 under the sentence "Transshipments of <i>Trachurus murphyi</i> and demersal species caught in the Convention Area" are only applicable to transshipment of <i>Trachurus murphyi</i> and demersal species, but China will continue working on the improvement of the squid data collection.
Russian Federation	No comments received
Liberia	Corrected Transshipment Data has been provided to the Secretariat as of 1 December 2016.
Panama	No comments received

Observer Data

Paragraph 2(c)

Data Provision

Observer data should be provided to the Secretariat of the SPRFMO in a standardised format, to be included in a SPRFMO Observer Database. Specifications and standards for Observer data submissions are on the SPRFMO website. Until the Secretariat determines a change is needed, observer data will be submitted in Microsoft Excel format. Members and CNCPs will provide by the 30th September, their previous (January to December) year's data.

Paragraph 2(d)

Annual Reporting

All SPRFMO Members and CNCPs should provide annual observer implementation reports, which should include sections covering: observer training, programme design and coverage, type of data collected, and any problems encountered during the year. These reports shall be adequate enough to allow the Compliance and Technical Committee, the Scientific Committee or the Commission to evaluate the implementation and effectiveness of observer programmes implemented under this standard.

Member/ CNCP	2015 Observer data provided?	Received prior to 30 th September	Excel template?	Prescribed data format?	Annual observer implementation report provided	2014/15 Compliance Assessment	2015/16 - Possible compliance issues?
Australia	Yes	Yes	Yes	Yes	Yes	Compliant	No
Chile	Yes	Yes	Yes	Yes	Yes	Non-Compliant	No
China	Yes	Yes	Yes	Yes	Yes	Non-Compliant	No
Cook Islands						Compliant	No
Cuba						Compliant	No
Ecuador						Compliant	No
European Union	Yes	Yes	Yes	Yes	Yes	Compliant	No
Faroe Islands						Compliant	No
Korea	Yes	Yes	Yes	Yes	Yes	Non-Compliant	No
New Zealand	Yes	Yes	Yes	Yes	Yes	Compliant	No
Peru						Non-Compliant	No
Russian Federation	No	No			Yes	Compliant	Yes
Chinese Taipei						Compliant	No
Vanuatu						Non-Compliant	No
Colombia						Compliant	No
Liberia						Compliant	No
Panama	No				No	Compliant	No
USA						Compliant	No

Table 10: Assessment of CMM 4.02 Paragraph 2(c) & (d)

Secretariat Assessment of potential compliance issues

- Russian Federation; The 2015 observer data has not been submitted to the Secretariat yet.

Member Comments on Potential Compliance Issues

Member	Comment
Russian Federation	No comments received.

Vessel Monitoring System data

Paragraph 3

(a) Implementation of Vessel Monitoring Systems.

Members and CNCPs are to develop, implement and improve systems to:

- 3 bullet points addressing reporting of ALCs

(b) Frequency and Accuracy of VMS Position Reports. Members and CNCPs are to ensure that:

i. VMS position reports are reported by each of their vessels:

1. at least once every 2 hours if fishing using benthic or benthopelagic trawling or if operating within 20nm of an EEZ boundary;
2. at least once every four hours in other circumstances.

ii. All VMS Position reports are made in accordance with the specification in paragraph (c) of this standard.

iii. Under normal satellite navigation operating conditions, positions derived from the data reported are to be accurate to within 500m.

(c) Content of VMS Position Reports. Members and CNCPs are to ensure that all VMS Position Reports made by their vessels include at least the following information:

- Table describing VMS position report content

Member/ CNCP	VMS data provided?	Sufficient Frequency?	Sufficient Accuracy?	Excel template?	2014/15 Compliance Assessment	2015/16 - Possible compliance issues?
Australia					Compliant	No
Chile	Yes	Yes	Yes	Yes	Compliant	No
China	Yes	Yes	Yes	Yes	Compliant	No
Cook Islands					Compliant	No
Cuba					Compliant	No
Ecuador					Compliant	No
European Union	Yes	Yes	Yes	Yes	Compliant	No
Faroe Islands					Compliant	No
Korea	Yes	Yes	Yes	Yes	Compliant	No
New Zealand					Compliant	No
Peru					Non-Compliant	No
Russian Federation					Compliant	No
Chinese Taipei					Compliant	No
Vanuatu	Yes	Yes	Yes	Yes	Compliant	No
Colombia					Compliant	No
Liberia	Yes	Yes	Yes	Yes	Compliant	No
Panama	Yes	Yes	Yes	Yes	Compliant	No
USA					Compliant	No

Table 11: Assessment of CMM 4.02 Paragraph 3(a), (b) & (c)

Secretariat Assessment of potential compliance issues

- No potential compliance issues

Data verification

Paragraph 5

Members and CNCPs are to ensure that fishery data are verified through an appropriate system. Members and CNCPs are to develop, implement and improve mechanisms for verifying data, such as:

- a) Position verification through vessel monitoring systems;
- b) Scientific observer programmes to collect verification data on catch, effort, catch composition (target and non-target), discards and other details of fishing operations;
- c) Vessel trip, landing and transshipment reports; and
- d) Port sampling.

Member/ CNCP	Verification systems described?	2014/15 Compliance Assessment	2015/16 - Possible compliance issues?
Australia	Yes	Compliant	No
Chile	Yes	Compliant	No
China	Yes	Compliant	No
Cook Islands		Compliant	No
Cuba		Compliant	No
Ecuador		Compliant	No
European Union	Yes	Compliant	No
Faroe Islands		Compliant	No
Korea	Yes	Compliant	No
New Zealand	Yes	Compliant	No
Peru	Yes	Compliant	No
Russian Federation	Yes	Non-Compliant	No
Chinese Taipei	Yes	Compliant	No
Vanuatu	Yes	Compliant	No
Colombia		Compliant	No
Liberia	Yes	Compliant	No
Panama	Yes	Compliant	No
USA		Compliant	No

Table 12: Assessment of CMM 4.02 Paragraph 5

Secretariat Assessment of potential compliance issues

- No potential compliance issues

CMM 4.03 Bottom Fishing

Management of bottom fishing and fisheries

Paragraph 8

In respect of bottom fisheries, Members and CNCPs agree to:

(a) Prepare and submit to the Scientific Committee a bottom fishing footprint as defined in paragraph 6, and a bottom fishing impact assessment, in accordance with paragraphs 10 to 15;

(b) Prohibit vessels flying their flag from participating in bottom fishing activities in the Convention Area, except in accordance with the provisions of this CMM;

(c) Except as provided for in paragraphs 16 to 20 below, limit bottom fishing catch in the Convention Area to a level that does not exceed the annual average levels of that Member or CNCP over the period 1 January 2002 to 31 December 2006;

Member/ CNCP	Bottom fished during 2016?	Previously submitted BFIA?	2002/06 average annual catch (t)	Provisional 2015 catch (t)	2014/15 Compliance Status	2015/16 - Possible compliance issues?
Australia	Yes	Yes	451	233	Compliant	No
Chile	No	No	6	0	Compliant	No
China	No	No	854	0	Compliant	No
Cook Islands	No				Compliant	No
Cuba	No				Compliant	No
Ecuador	No				Compliant	No
European Union	No	Yes			Priority Non- Compliant	No
Faroe Islands	No				Compliant	No
Korea	No	No	188	0	Compliant	No
New Zealand	No	Yes	2 614	1 590	Compliant	No
Peru	No				Compliant	No
Russian Federation	No				Priority non- Compliant	No
Chinese Taipei	No				Compliant	No
Vanuatu	No				Compliant	No
Colombia	No				Compliant	No
Liberia	No				Compliant	No
Panama	No				Compliant	No
USA	No				Compliant	No

Table 13: Assessment of CMM 4.03 Paragraphs 8(a), (b) & (c)

Secretariat Assessment of potential compliance issues

- No potential compliance issues.

Paragraph 8

(d) Except as provided for in paragraphs 16 to 20 below, restrict bottom fishing to within the bottom fishing footprint of that Member or CNCP established in accordance with sub-paragraph (a);

(e) Pending the development of an SPRFMO Observer Program and until the Scientific Committee undertakes the assessments provided for in paragraph 5 (a) and (b) of this CMM:

i. for vessels using trawl gear in the Convention Area, ensure 100 percent observer coverage for vessels flying their flag for the duration of the trip;

ii. for each other bottom fishing gear type, ensure that there is at least a 10 percent level of observer coverage each fishing year;

(f) Until the Scientific Committee has developed advice on SPRFMO threshold levels pursuant to paragraph 5(c) of this CMM, establish threshold levels for encounters with VMEs for vessels flying their flag, taking into account paragraph 68 of the FAO Deep-sea Fisheries Guidelines;

(g) Require vessels flying their flag to cease bottom fishing activities within five (5) nautical miles of any site in the Convention Area where evidence of a VME is encountered above threshold levels established under sub-paragraph (f) in the course of fishing operations, and to report the encounter to the Secretariat of the Commission in accordance with the guidelines at Annex 1, so that appropriate action can be taken in respect of the relevant site;

Member/ CNCP	2002/06 footprint submitted?	All fishing within footprint in 2015?	Observer coverage Trawl 2015?	Observer coverage other 2015?	2015 VME encounters above threshold?	2014/15 Compliance Status	2015/16 - Possible compliance issues?
Australia	Yes	Yes	100%	10.4%	No	Compliant	No
Chile	Yes					Compliant	No
China	No					Compliant	No
Cook Islands						Compliant	No
Cuba						Compliant	No
Ecuador						Compliant	No
European Union	No					Compliant	No
Faroe Islands						Compliant	No
Korea	Yes					Compliant	No
New Zealand	Yes	Yes	100%	54%	No	Compliant	No
Peru						Compliant	No
Russian Federation						Compliant	No
Chinese Taipei						Compliant	No
Vanuatu						Compliant	No
Colombia						Compliant	No
Liberia						Compliant	No
Panama						Compliant	No
USA						Compliant	No

Table 14: Assessment of CMM 4.03 Paragraphs 8(d), (e) (f) & (g)

- No potential compliance issues.

Fishing outside the footprint or above reference period catch levels

Paragraph 16

Notwithstanding paragraphs 8(c) and (d), a Member or CNCP may apply to the Commission to either:

- a. undertake bottom fishing in the Convention Area where they do not have a bottom fishing footprint;
- b. undertake bottom fishing in the Convention Area but outside their footprint established in accordance with paragraph 8(a); or
- c. exceed the average level of catch for bottom fishing established in accordance with paragraph 8(c).

Paragraph 17

The Member or CNCP shall prepare and submit to the Secretariat for consideration by the Scientific Committee 60 days in advance of a Scientific Committee meeting, an application outlining their proposal to commence bottom fishing or their proposal to fish outside their footprint or above reference year catch levels, in accordance with paragraphs 10 and 11. Such an application will take into account the results of any public consultation conducted by that Member or CNCP.

Member/ CNCP	Para 16 Application submitted 2015/16?	Timeframe in Para 17 met?	Complies with Para's 10 and 11	2014/15 Compliance Status	2015/16 - Possible compliance issues?
Australia	No			Compliant	No
Chile	No			Compliant	No
China	No			Compliant	No
Cook Islands	No			Compliant	No
Cuba	No			Compliant	No
Ecuador	No			Compliant	No
European Union	No			Compliant	No
Faroe Islands	No			Compliant	No
Korea	No			Compliant	No
New Zealand	Yes	Yes	Yes	Compliant	No
Peru	No			Compliant	No
Russian Federation	No			Compliant	No
Chinese Taipei	No			Compliant	No
Vanuatu	No			Compliant	No
Colombia	No			Compliant	No
Liberia	No			Compliant	No
Panama	No			Compliant	No
USA	No			Compliant	No

Table 15: Assessment of CMM 4.03 Paragraphs 16 & 17

Secretariat Assessment of potential compliance issues

- No potential compliance issues.

Vulnerable Marine Ecosystems

Paragraph 23

Members and CNCPs shall cooperate to identify, on the basis of the best available scientific information, areas where VMEs are known or likely to occur in the Convention Area and to map these sites, and provide such data and information to the SPRFMO Secretariat for circulation to all Members and CNCPs.

Member/ CNCP	Identified sites where VMEs are likely?	Submitted likely VME information?	2014/15 Compliance Status	2015/16 - Possible compliance issues?
Australia	No	n/a	Compliant	No
Chile	Yes	Yes	Compliant	No
China	No	No	Compliant	No
Cook Islands	No	No	Compliant	No
Cuba	No	No	Compliant	No
Ecuador	No	No	Compliant	No
European Union	No	No	Compliant	No
Faroe Islands	No	No	Compliant	No
Korea	No	No	Compliant	No
New Zealand	Yes	Yes	Compliant	No
Peru	No	No	Compliant	No
Russian Federation	No	No	Compliant	No
Chinese Taipei	No	No	Compliant	No
Vanuatu	No	No	Compliant	No
Colombia	No	No	Compliant	No
Liberia	No	No	Compliant	No
Panama	No	No	Compliant	No
USA	No	No	Compliant	No

Table 16: Assessment of CMM 4.03 Paragraph 23

Secretariat Assessment of potential compliance issues

- No potential compliance issues.

Monitoring, control and reporting of bottom fishing

Paragraph 24

All Members and CNCPs whose vessels participate in bottom fishing shall, *inter alia*:

- (a) ensure that their vessels are equipped and configured so that they can comply with all relevant SPRFMO CMMs and shall only authorize their vessels to fish in the Convention Area where they are able to exercise their responsibilities as a flag State under the Convention and the CMMs;
- (d) require each of their vessels to operate a vessel monitoring system polling once every two hours for the duration of the trip, and report back to its flag state in accordance with the SPRFMO Data Standards or any other relevant CMM;
- (f) report, in an electronic format, the monthly catches of their flagged vessels to the Secretariat within 20 days of the end of each month, in accordance with the SPRFMO Data Standards.

Member/ CNCP	Ensure vessels comply with SPRFMO CMMs?	Ensure vessels equipped with VMS?	2015/16 reports submitted?	% received on-time	2014/15 Compliance Status	2015/16 - Possible compliance issues?
Australia	Yes	Yes	10	100	Compliant	No
Chile					Compliant	No
China					Compliant	No
Cook Islands					Compliant	No
Cuba					Compliant	No
Ecuador					Compliant	No
European Union					Compliant	No
Faroe Islands					Compliant	No
Korea					Compliant	No
New Zealand	Yes	Yes	12	100	Compliant	No
Peru					Compliant	No
Russian Federation					Compliant	No
Chinese Taipei					Compliant	No
Vanuatu					Compliant	No
Colombia					Compliant	No
Liberia					Compliant	No
Panama					Compliant	No
USA					Compliant	No

Table 17: Assessment of CMM 4.03 Paragraphs 24(a), (d) & (f)

Secretariat Assessment of potential compliance issues

- No potential compliance issues.

CMM 4.04 Vessels presumed to have carried out IUU activities

Paragraph 2

Members and CNCPs shall transmit every year to the Executive Secretary at least 120 days before the annual meeting, their list of vessels presumed to be carrying out IUU fishing activities in the Convention Area over the past two years, accompanied by suitably documented evidence concerning the presumption of IUU fishing activity. This list shall....

Paragraph 3

Before or at the same time as transmitting a list of presumed IUU vessels to the Executive Secretary, the Member or CNCP shall notify, either directly or through the Executive Secretary using the Reporting Form in Annex I, the relevant flag State of a vessel's inclusion on this list and provide a copy of the pertinent suitably documented information. The flag State shall promptly acknowledge receipt of the notification.

Paragraph 6

The Commission shall request the flag State to notify the owner of the vessel of its inclusion in the Draft IUU List and of the consequences that may result from its inclusion being confirmed in the IUU List adopted by the Commission. Upon receipt...

Paragraph 12

On adoption of the list, the Commission shall request Members, CNCPs and non- Members, whose vessels appear on the IUU List:

- To notify the owner of the vessel identified
- To take all the necessary measures to eliminate these IUU fishing activities...

Paragraph 13

Members and CNCPs shall take all necessary non-discriminatory measures, under their applicable legislation and international law:

- 9 measures detailed as bullet points

Member/ CNC	Transmitted a list of presumed IUU vessels during 2016?	Currently has vessels on the SPRFMO IUU list	2014/15 Compliance Status	2015/16 - Possible compliance issues?
Australia:	No	No	Compliant	No
Chile:	No	No	Compliant	No
China:	No	No	Compliant	No
Cook Islands	No	No	Compliant	No
Cuba	No	No	Compliant	No
Ecuador	No	No	Compliant	No
European Union:	No	No	Compliant	No
Faroe Islands	No	No	Compliant	No
Korea:	No	No	Compliant	No
New Zealand:	No	No	Compliant	No
Peru:	No	Yes	Compliant	No
Russian Federation:	No	Yes	Priority non- Compliant	No
Chinese Taipei:	No	No	Compliant	No
Vanuatu:	No	No	Compliant	No
Colombia	No	No	Compliant	No
Liberia:	No	No	Compliant	No
Panama:	No	No	Compliant	No
USA	No	No	Compliant	No

Table 18: Assessment of CMM 4.04 Paragraphs 2, 3, 6 ,12 & 13

Secretariat Assessment of potential compliance issues

- No potential compliance issues.

CMM 4.05 Commission Record of Vessels Authorised to fish

Paragraph 2

Each Member and CNCP will take into account the history of fishing vessels and operators with respect to their compliance (or non-compliance) with relevant conservation and management measures when considering whether or not to authorise a particular fishing vessel flying its flag to fish in the Convention Area. Members and CNCPs shall ensure that no authorisation to fish in the Convention Area is issued to a vessel included on any Regional Fisheries Management Organization illegal, unreported and unregulated (IUU) list.

Paragraph 3

Each Member or CNCP shall take necessary measures to ensure that vessels flying their flag and authorised to fish in the Convention Area have a sufficient level of ownership by citizens, residents or legal entities within its jurisdiction to allow enforcement action to be effectively taken against them.

Paragraph 4

Each Member and CNCP is to maintain a register of fishing vessels entitled to fly its flag and authorised to fish in the Convention Area.

Member/ CNCP	History of vessels etc accounted for?	Effective enforcement actions able to be taken?	National register of SPRFMO authorised vessels?	2014/15 Compliance Status	2015/16 - Possible compliance issues?
Australia	Yes	Yes	Yes	Compliant	No
Chile	Yes	Yes	Yes	Compliant	No
China	Yes	Yes	Yes	Compliant	No
Cook Islands	Unknown	Unknown	Unknown	Compliant	Unknown
Cuba				Compliant	No
Ecuador	Yes	Yes	Yes	Compliant	No
European Union	Yes	Yes	Yes	Compliant	No
Faroe Islands	Yes	Yes	Yes	Compliant	No
Korea	Yes	Yes	Yes	Compliant	No
New Zealand	Yes	Yes	Yes	Compliant	No
Peru	Yes	Yes	Yes	Compliant	No
Russian Federation	Yes	Yes		Non-Compliant	No
Chinese Taipei	Yes	Yes	Yes	Compliant	No
Vanuatu	Yes	Yes	Yes	Compliant	No
Colombia				Compliant	No
Liberia	Yes	Yes	Yes	Compliant	No
Panama	unknown	unknown	unknown	Non-Compliant	unknown
USA	Yes	Yes	Yes	Compliant	No

Table 19: Assessment of CMM 4.05 Paragraphs 2, 3, & 4

Secretariat Assessment of potential compliance issues

- Cook Islands; The Secretariat is unable assess whether there may be a compliance issue because the Cook Islands have not submitted an implementation report (no received comments).
- Panama; The Secretariat is unable assess whether there may be a compliance issue because Panama has not submitted an implementation report (no received comments).

Paragraph 5

Members and CNCPs are to collect and include for each vessel on its register of fishing vessels entitled to fly its flag and authorised to fish in the Convention area, the data described in Annex 1 of this Measure.

Paragraph 6

Members and CNCPs shall inform the Executive Secretary of the vessels flying their flag authorised to fish in the Convention Area at least 15 days previous to the first entry of such vessels in the Convention Area. In doing so, Members or CNCP shall provide the Executive Secretary the vessels details, as indicated in Annex 1 of this Measure.

Paragraph 7

Members and CNCP shall ensure that the data of the vessels flying their flag authorised to fish in the Convention Area is updated. Any modification regarding the vessel data shall be informed by the relevant Member or CNCP to the Executive Secretary within 15 days after such modification.

Paragraph 8

Members and CNCP shall inform the Executive Secretary when authorisations to fish in the Convention area are revoked, relinquished or otherwise no longer valid. This information shall be submitted immediately or in any case in no more than 3 days of the date of invalidity of the authorisation.

Paragraph 11

The Record of Vessels shall indicate which of the authorised vessels have been actively fishing for each year. To this end each Member and CNCP participating in fishing activities in the Convention shall notify the Executive Secretary of the vessels that are actively fishing or engaged in transshipment in the Convention Area. In the case of vessels involved in the *Trachurus murphyi* fishery, this information shall be submitted within 20 days of the end of each month. For vessels involved in other fisheries within the Convention area, this information shall be submitted on annually basis, within 30 days of the end of the year. The Executive Secretary shall maintain lists of the vessels so notified and will make them available on the SPRFMO website.

Member/ CNC	Number of vessels authorised (active)?	New & (revoked) authorisations during 2015/16?	Provided within timeframe?	Annex 1 Format?	Vessels with IMO (>100Gt)?	Authorised Vessels with Images	2013/14 Compliance Status	2014/15 - Possible compliance issues?
Australia	7 (3)	0 (1)	Yes	Yes	100%	100%	Compliant	No
Chile	154 (6)	7 (37)	Partial	Yes	100%	100%	Non-compliant	Yes
China	383 (263)	51 (0)	Yes	Yes	8%	34%	Non-Compliant	Yes
Cook Islands	1 (0)	1 (0)	Yes	Yes	100%	100%	Compliant	No
Cuba							Compliant	No
Ecuador	2 (2)	0 (0)	Yes	Yes	100%	100%	Compliant	No
European Union	15 (3)	7 (1)	Yes	Yes	100%	100%	Non-Compliant	No
Faroe Islands	0 (0)	0 (0)			100%	100%	Compliant	No
Korea	23 (6)	5 (2)	Yes	Yes	100%	38%	Non-Compliant	Yes
New Zealand	21 (8)	21 (0)	Yes	Yes	100%	100%	Non-Compliant	No
Peru	88 (0)	4 (0)	Yes	Yes	79%	85%	Non-Compliant	Yes
Russian Federation	0 (1)	0 (0)			100%	100%	Compliant	Yes
Chinese Taipei	17 (11)	4 (0)	Yes	Yes	100%	100%	Compliant	No
Vanuatu	6 (2)	5 (0)	No	Yes	100%	100%	Compliant	No
Colombia	0 (0)	0 (0)			100%	100%	Compliant	No
Liberia	24 (4)	19 (0)	No	Yes	100%	67%	Compliant	Yes
Panama	34 (4)	32 (0)	No	Yes	94%	91%	Compliant	Yes
USA	0 (0)	0 (0)			100%	100%	Compliant	No

Table 20: Assessment of CMM 4.05 Paragraphs 5, 6, 7, 8 & 11

Secretariat Assessment of potential compliance issues

- Chile; All 37 of the revoked authorisations were received by the Secretariat between 2 & 10 days late.
- China has provided images for 34% of its authorised fleet (reflecting an increase from 40 to 130 vessel images).
- China; Submission of IMO numbers in accordance with Annex 1 is currently incomplete.
- Korea; The Secretariat has received images for 10 out of the 23 authorised vessels (includes the 6 active vessels).
- Peru; The Secretariat has received images for 74 of Peru's authorised vessels (an increase of 70 vessels).
- Peru; Submission of IMO numbers in accordance with Annex 1 is currently incomplete.
- Russian Federation; On 2 April the PAMYAT KIROVA undertook transfer of supplies within the Convention Area without being on the SPRFMO Record of Vessels.
- Liberia; 8 currently authorised vessels are missing the required images.
- Panama; 3 of Panama's currently authorised vessels are missing images.
- Panama; Submission of IMO numbers in accordance with Annex 1 is currently incomplete.

Member Comments on Potential Compliance Issues

Member	Comment
Chile	Chile recognizes the late submission of 37 revoked authorizations. Additional efforts will be made to avoid this kind of situations in the future. It is important to highlight that none of those 37 vessels has been actively fishing in the SPRFMO Area since 2010, thus the aim of the Convention and CMMs were not compromised.
China	Because of the big number of Chinese authorised vessels in SPRFMO Convention Area, it needs time to collect images of all the vessels, and many of them are fishing on sea throughout the year and there is not possibility to take photo of them on sea. We always update images of vessels when the images are available. China will try the best to collect all the images of the China flagged vessels in SPRFMO records as soon as we can. All Chinese Trawlers have already obtained IMO number, but squid jigging vessels almost do not have IMO number. Due to the big number of Chinese squid jigging vessels, it needs time to apply for IMO number for all the vessels. All Chinese authorised vessels in SPRFMO Convention area are advised to get IMO number, and China will urge the vessel owner to apply for IMO number as soon as possible. China domestic authorisation procedure is as follows: Chinese government examines the vessel and issues the Fishing License on High Sea for the vessel for permission to fish in a certain area (in this case, the SPRFMO Convention Area). The validity period of the Fishing License is usually three years, starting from the permission date. After obtaining the Fishing License the vessel is permitted to set out to sea and then it will submit the SPRFMO registration application. The authorisation period in the registration form conforms to the validity period on the Fishing License, but it doesn't mean that the vessel is fishing before registration. We require all the newly authorised vessels to enter the SPRFMO Convention Area 15 days after their registration.
Korea	No comments received
Peru	Vessels with IMO (>100t): With respect to vessels with IMO numbers, we sent IMO numbers of 69 vessels, representing 79% of the total. It is being carried out the necessary coordination for that the IMO numbers of 18 vessels can be sent as soon as possible. Authorised Vessels with Images: Regarding the images, it have been sent images of 70 vessels; though, it should be mentioned that the SPRFMO already had images of 303 vessels (Westella of registration number CO-29381-PM, Don Ole of registration number CO-50608-PM and Ocean Star of registration number CO-51118-PM). Attached to this document are the images of 01 vessels (Caracol of registration number CO-15313-PM). Therefore, the SPRFMO would already have 74 vessels with its images, representing 85% of the total. Nevertheless, we have pending images of 13 vessels, it is being carried out the necessary coordination for that the images of this vessels can be sent as soon as possible.
Russian Federation	Refer to additional information supplied for the Draft IUU List.
Liberia	Images for the aforementioned vessels have been submitted to the Secretariat as of 29 November 2016.
Panama	No comments received.

CMM 2.06 Establishment of the SPRFMO Vessel Monitoring System

At this time, this CMM does not have readily measurable implementation requirements.

CMM 2.07 Minimum standards of Inspection in Port

Points of Contact

Paragraph 5

Each Member and CNCP shall designate a point of contact for the purposes of receiving notifications pursuant to paragraph 11. Each Member and CNCP shall designate a point of contact for the purpose of receiving inspection reports pursuant to paragraph 23(b) of this conservation and management measure. It shall transmit the name and contact information for its points of contact to the SPRFMO Executive Secretary no later than 30 days following the entry into force of this conservation and management measure. Any subsequent changes shall be notified to the SPRFMO Executive Secretary at least 14 days before such changes take effect. The SPRFMO Executive Secretary shall promptly notify Members and CNCPs of any such change.

Designated ports

Paragraph 8

Each Member and CNCP shall, to the greatest extent possible, ensure that it has sufficient capacity to conduct inspections in every designated port pursuant to this conservation and management measure.

Paragraph 9

Each Member and CNCP is to maintain a register of fishing vessels entitled to fly its flag and authorised to fish in the Each Member and CNCP shall provide to the SPRFMO Executive Secretary within 30 days from the date of entry into force of this CMM list of designated ports. Any subsequent changes to this list shall be notified to the SPRFMO Executive Secretary at least 30 days before the change takes effect.

Prior notification

Paragraph 13

After receiving the relevant information pursuant to paragraph 11, as well as such other information as it may require to determine whether the foreign fishing vessel requesting entry into its port has engaged in IUU fishing, the Member or CNCP, in its capacity as a port States shall decide whether to authorize or deny the entry of the vessel into its port. In case the port State decides to authorize the entry of the vessel into its port, the following provisions on port inspection shall apply. Where a vessel has been denied entry, the port State shall report this to the Members and CNCPs.

Port inspections

Paragraph 15

Each year Members and CNCPs shall inspect at least 5% of landing and transshipment operations in their designated ports as are made by foreign fishing vessels.

Paragraph 16

Port Members and CNCPs shall, in accordance with their domestic law, inspect foreign fishing when:

- a) there is a request from other Members and CNCPs or relevant regional fisheries management organizations that a particular vessel be inspected, particularly where such requests are supported by evidence of IUU fishing by the vessel in question, and there are clear grounds for suspecting that a vessel has engaged in IUU fishing;
- b) a vessel has failed to provide complete information as required in paragraph 11;
- c) the vessel has been denied entry or use of a port in accordance with this or other RFMO's provisions.

Member/ CNC	Points of contact provided?	Sufficient capacity?	Designated ports provided?	Foreign vessels using port services?	Vessels denied entry	Vessels Inspected	2014/15 Compliance Status	2015/16 - Possible compliance issues?
Australia	Yes	Yes	Yes	0	0	0	Compliant	No
Chile	Yes	Yes	Yes	12	1	11	Compliant	No
China	No		No	0	0	0	Compliant	No
Cook Islands	No	Unknown	No				Non-Compliant	Unknown
Cuba	No	Unknown	No				Non-Compliant	Unknown
Ecuador	Yes	Yes	Yes	26	0	26	Non-Compliant	Yes
European Union	Yes	Yes	Yes	0	0	0	Compliant	No
Faroe Islands	Yes	Yes	Yes	0	0	0	on-Compliant	No
Korea	Yes	Yes	Yes	31	0	93	Compliant	Yes
New Zealand	Yes	Yes	Yes	1	0	1	Compliant	No
Peru	Yes	Yes	Yes	0	0	0	Compliant	No
Russian Federation	No	Yes	No	0	0	0	Compliant	Yes
Chinese Taipei	Yes	Yes	Yes	2	0	1	Non-Compliant	No
Vanuatu	No			0	0	0	Compliant	No
Colombia	No		No				Non-Compliant	No
Liberia	No		No				Compliant	No
Panama	No		No				Compliant	No
USA	Yes	Yes	Yes	0	0	0	Compliant	No

Table 21: Assessment of CMM 2.07 Paragraphs 5, 8, 9, 13, 15 & 16

Secretariat Assessment of potential compliance issues

- Cook Islands; The Secretariat is unable assess whether there may be a compliance issue because the Cook Islands have not submitted an implementation report
- Cuba; The Secretariat is unable assess whether there may be a compliance issue because the Cook Islands have not submitted an implementation report
- Ecuador; At this time, the Secretariat has not received any summaries for the 26 port inspections conducted by Ecuador.
- Korea; Korea's implementation report records that 93 inspections have been carried out but the Secretariat has only received 1 inspection report summary ~ 3% (note a similar report was received last year and Korea clarified that the number referred to the number of inspectors and not the number of inspections).
- The Russian Federation Implementation Report indicates that the Russian Federation does expect to receive SPRFMO-managed species in its ports – but so far the information required under Paragraphs 5 and 9 has not been submitted.

Member Comments on Potential Compliance Issues

Comment

No comments received from **Cook Islands, Cuba, Ecuador, Korea** nor the **Russian Federation**.

Procedure in the event of infringements

Paragraph 23

If the information collected during the inspection provides evidence that a foreign fishing vessel has committed a breach of the SPRFMO CMMs, the inspector shall:

- a) record the breach in the inspection report;
- b) transmit the inspection report, including possible subsequent measures that could be taken by the port State competent authority, to the port State competent authorities, which shall forward a copy to the SPRFMO Executive Secretary and to the flag Members or CNCP point of contact as soon as possible and no later than 5 working days;
- c) to the extent practicable, ensure safekeeping of the evidence pertaining to such alleged breach.

Paragraph 24

If the breach falls within the legal jurisdiction of the Member or CNCP, in its capacity as a port State, the port State may take action in accordance with its domestic laws. The port State shall promptly notify the action taken to the competent authority of the flag Member or CNCP and to the SPRFMO Executive Secretary, which shall promptly publish this information in a secured part of the SPRFMO website.

Paragraph 25

Other infringements shall be referred to the flag Member or CNCP. Upon receiving the copy of the inspection report, the flag Member or CNCP shall promptly investigate the alleged infringement and notify the SPRFMO Executive Secretary of the status of the investigation and of any enforcement action that may have been taken within 3 months of such receipt. If the flag Member or CNCP cannot provide the SPRFMO Executive Secretary this status report within 3 months of such receipt, the flag Member or CNCP should notify the SPRFMO within the 3 month time period the reasons for the delay and when the status report will be submitted. The SPRFMO Executive Secretary shall promptly publish this information in a secured part of the SPRFMO website.

Paragraph 26

Should the inspection provide evidence that the inspected vessel has engaged in IUU activities as referred to in CMM 4.04 (IUUU List; 2016) the Member or CNCP, in its capacity as a port State shall promptly report the case to the flag Member or CNCP and notify as soon as possible the SPRFMO Executive Secretary, along with its supporting evidence, for the purpose of inclusion of the vessel in the draft IUU list.

Requirements of developing Members and CNCPs

Paragraph 27

Members and CNCPs shall give full recognition to the special requirements of developing Members and CNCPs in relation to a port inspection scheme consistent with this conservation and management measure. Members and CNCPs shall, either directly or through the SPRFMO, provide assistance to developing Members and CNCPs in order to, inter alia:

- a) Develop their capacity including by providing technical assistance and establishing an appropriate funding mechanism to support and strengthen the development and implementation of an effective system of port inspection at national, regional or international levels and to ensure that a disproportionate burden resulting from the implementation of this CMM is not unnecessarily transferred to them;

- b) Facilitate their participation in meetings and/or training programmes of relevant regional and international organizations that promote the effective development and implementation of a system of port inspection, including monitoring, control and surveillance, enforcement and legal proceedings for infractions and dispute settlements pursuant to this conservation and management measure; and
- c) Either directly or through the SPRFMO, assess the special requirements of developing Members and CNCPs concerning the implementation of this conservation and management measure.

General provisions

Paragraph 32

Members and CNCPs are encouraged to enter into bilateral agreements/arrangements that allow for an inspector exchange program designed to promote cooperation, share information, and educate each party's inspectors on inspection strategies and methodologies which promote compliance with SPRFMO conservation and management measures. A description of such programs should be provided to the SPRFMO Executive Secretary who should publish it on the SPRFMO website.

Member/ CNCP	Possible infringements detected??	Procedures detailed in para's 23-26 applied?	Provided or received assistance described in para 27?	Bilateral inspector exchange program?	2014/15 Compliance Status	2015/16 - Possible compliance issues?
Australia	No		No	No	Compliant	No
Chile	No		No	No	Compliant	No
China	No		No	No	Compliant	No
Cook Islands	No		No	No	Compliant	No
Cuba	No		No	No	Compliant	No
Ecuador	No		No	No	Compliant	No
European Union	No		No	No	Compliant	No
Faroe Islands	No		No	No	Compliant	No
Korea	Yes	Yes	No	No	Compliant	No
New Zealand	No		No	No	Compliant	No
Peru	No		No	No	Compliant	No
Russian Federation	No		No	No	Compliant	No
Chinese Taipei	No		No	No	Compliant	No
Vanuatu	No		No	No	Compliant	No
Colombia	No		No	No	Compliant	No
Liberia	No		No	No	Compliant	No
Panama	No		No	No	Compliant	No
USA	No		No	No	Compliant	No

Table 22: Assessment of CMM 2.07 Paragraphs 23-27 & 32

Secretariat Assessment of potential compliance issues

- No potential compliance issues.

CMM 1.02 Gillnets in the SPRFMO Area

Paragraph 1

Members shall require that vessels flying their flag prohibit the use of large-scale pelagic driftnets and all deepwater gillnets in the Convention Area.

Paragraph 2

Members whose flagged vessels seek to transit the Convention Area with gillnets onboard shall:

- a. Give at least 36 hours advanced notice to the Secretariat prior to entering the Convention Area. In particular, Members shall report the expected entry and exit dates and length of gillnet carried onboard;
- b. Ensure their vessels operate a vessel monitoring system polling once every two hours while in the Convention Area;
- c. Submit VMS position reports to the Secretariat within 30 days of the vessel leaving the Convention Area; and
- d. If gillnets are accidentally lost or fall overboard from the vessel, report the date, time, position (using WGS84) and length (metres) of gillnets lost to the Secretariat as soon as possible and within 48 hours of the gear being lost.

Member/ CNC	Vessels Transiting SPRFMO Area with gillnets on-board?	2014/15 Compliance Status	2015/16 - Possible compliance issues?
Australia	No	Compliant	No
Chile	No	Compliant	No
China	No	Compliant	No
Cook Islands	No	Compliant	No
Cuba	No	Compliant	No
Ecuador	No	Compliant	No
European Union	No	Compliant	No
Faroe Islands	No	Compliant	No
Korea	No	Compliant	No
New Zealand	No	Compliant	No
Peru	No	Compliant	No
Russian Federation	No	Compliant	No
Chinese Taipei	No	Compliant	No
Vanuatu	No	Compliant	No
Colombia	No	Compliant	No
Liberia	No	Compliant	No
Panama	No	Compliant	No
USA	No	Compliant	No

Table 23: Assessment of CMM 1.02 Paragraphs 1 & 2

Secretariat Assessment of potential compliance issues

- No potential compliance issues.

CMM 4.09 Minimising bycatch of Seabirds

Paragraph 1

Members and Cooperating non-Contracting Parties (CNCs) shall require vessels flying their flag and using demersal longlines, to implement seabird mitigation measures, as described in Annex 1.

Paragraph 2

Subject to paragraph 3, Members and CNCs shall require vessels flying their flag and using trawl gear to implement seabird mitigation measures, as described in Annex 2.

Paragraph 3

Vessels using trawl gear that discharge no biological material shall be exempt from applying the seabird mitigation measures described in Annex 2. This provision shall be subject to periodic review or review when new information is available.

Member/ CNC	Demersal LL Seabird mitigation implemented?	Trawl Seabird mitigation implemented?	Trawlers exempt from using mitigation?	2014/15 Compliance Status	2015/16 - Possible compliance issues?
Australia	Yes	Yes	Yes	Compliant	No
Chile				Compliant	No
China		Yes	No	Compliant	No
Cook Islands				Compliant	No
Cuba				Compliant	No
Ecuador				Compliant	No
European Union		Yes	No	Compliant	No
Faroe Islands				Compliant	No
Korea		Yes	No	Compliant	No
New Zealand	Yes	Yes	No	Compliant	No
Peru				Compliant	No
Russian Federation				Compliant	No
Chinese Taipei				Compliant	No
Vanuatu	n/a	Yes	Yes	Compliant	No
Colombia				Compliant	No
Liberia				Compliant	No
Panama				Compliant	No
USA				Compliant	No

Table 24: Assessment of CMM 4.09 Paragraphs 1, 2 & 3

Secretariat Assessment of potential compliance issues

- No potential compliance issues.

Paragraph 7

Members and CNCPs shall record data on all interactions with seabirds in accordance with CMM 4.02 (Data standards; 2016), and record seabird bycatch data through existing observer programmes. Members and CNCPs shall report these data annually to the Secretariat.

Paragraph 8

In their annual national science reports to the Scientific Committee, Members and CNCPs shall report annually, on the seabird mitigation measures used by each vessel flying their flag and fishing in the Convention Area, as well as any observed seabird interaction data and the level of observer coverage focussed on recording seabird bycatch.

Member/ CNCP	Seabird interaction data reported?	Seabird Observer coverage level	Approx. Seabird mortality rate	2014/15 Compliance Status	2015/16 - Possible compliance issues?
Australia	Yes	100% (10.4%)	0	Compliant	No
Chile				Compliant	No
China	Yes	50%	0	Non-Compliant	No
Cook Islands				Compliant	No
Cuba				Compliant	No
Ecuador				Compliant	No
European Union	Yes	>25%	0	Compliant	No
Faroe Islands				Compliant	No
Korea	No	100%	0	Non-Compliant	Yes
New Zealand	Yes	100% (60.2%)	0	Non-Compliant	No
Peru				Non-Compliant	No
Russian Federation				Non-Compliant	No
Chinese Taipei				Compliant	No
Vanuatu	No	100%	0	Non-Compliant	Yes
Colombia				Compliant	No
Liberia				Compliant	No
Panama				Compliant	No
USA				Compliant	No

Table 25: Assessment of CMM 4.09 Paragraphs 7 & 8

Secretariat Assessment of potential compliance issues

- **Korea's** annual national report did not report specifically on seabird mitigation measures nor observed seabird interaction data
- **Vanuatu's** annual national report did not report specifically on seabird mitigation measures nor observed seabird interaction data

Member Comments on Potential Compliance Issues

Member	Comment
Korea	No comments received
Vanuatu	The most recent Vanuatu annual report covered the 2015 fishing year. During this season there were no observers on the vessels as a result of public servants being redeployed to assist in the reconstruction work following Cyclone Pam. Consequently, there were no seabird observations carried out on the vessels during 2015. I would also note that because the vessels do not discharge biological material they are exempt from applying the seabird mitigation measures described in the CMM. However, tori lines were trialled on the vessels in 2016.

CMM 4.10 Compliance and Monitoring Scheme

III Implementation Reports

Paragraph 5

At least 90 days before the start of the CTC meeting Members and CNCPs should provide the Secretariat with their Implementation reports as required by article 24 (2) of the Convention and any other relevant CMMs on the basis of a template to be developed by the Commission at its 2016 Annual meeting.

Until the template referred to above is adopted, the provisional template in Annex II will be used.

Member/ CNCP	2015/16 implementation report provided?	Report provided 90 days prior to 2016 CTC?	2014/15 Compliance Status	2015/16 - Possible compliance issues?
Australia	Yes	Yes	Compliant	No
Chile	Yes	Yes	Compliant	No
China	Yes	Yes	Compliant	No
Cook Islands	No	No	Priority non-Compliant	Yes
Cuba	No	No	Priority Non- Compliant	Yes
Ecuador	Yes	Yes	Priority Non-Compliant	No
European Union	Yes	Yes	Compliant	No
Faroe Islands	Yes	Yes	Priority Non-Compliant	No
Korea	Yes	No	Non-Compliant	Yes
New Zealand	Yes	Yes	Compliant	No
Peru	Yes	Yes	Compliant	No
Russian Federation	Yes	Yes	Priority non-Compliant	No
Chinese Taipei	Yes	Yes	Compliant	No
Vanuatu	Yes	Yes	Compliant	No
Colombia	No	No	Non-Compliant	Yes
Liberia	Yes	Yes	Compliant	No
Panama	No	No	Priority Non-Compliant	Yes
USA	Yes	Yes	Compliant	No

Table 26: Assessment of CMM 4.10 Paragraph 5

Secretariat Assessment of potential compliance issues

- The Cook Islands have not submitted a 2015/16 Implementation report so far.
- Cuba has not submitted a 2015/16 implementation report so far.
- Korea submitted its 2015/16 implementation report on 14 December 2016 (60 days late).
- Colombia has not submitted a 2015/16 implementation report so far.
- Panama has not submitted a 2015/16 implementation report so far.

Member Comments on Potential Compliance Issues

Member	Comment
Cook Islands	No comments received.
Cuba	No comments received.
Korea	This significant delay is due to the personnel changes and the shift in responsibilities within our Division.
Colombia	No comments received.
Panama	No comments received.

CMM 3.04 Boarding and Inspection Procedures

Paragraph 1

The Commission's procedures on at sea inspection in the SPRFMO Convention Area shall be those contained in Articles 21 and 22 of the 1995 Agreement.

Paragraph 2

Consistent with the commitments given by CNCPs, Contracting Parties may conduct at sea inspections following the procedures contained in Articles 21 and 22 of the 1995 Agreement in respect of a vessel flying the flag of a Cooperating non-Contracting Party.

Member/ CNCp	Informed SPRFMO about Article 21.4 authorities?	Ensure vessel masters comply with Article 22.3?	2014/15 Compliance Status	2015/16 - Possible compliance issues?
Australia	Yes	Yes	n/a	No
Chile	No	No	n/a	No
China	No	No	n/a	No ²
Cook Islands	No	No	n/a	No
Cuba	No	No	n/a	No
Ecuador	No	No	n/a	No
European Union	No	Yes	n/a	No
Faroe Islands	No	No	n/a	No
Korea	No	No	n/a	No
New Zealand	Yes	Yes	n/a	No
Peru	No	No	n/a	No
Russian Federation	No	No	n/a	No
Chinese Taipei	No	No	n/a	No
Vanuatu	No	Yes	n/a	No
Colombia	No	No	n/a	No
Liberia	Yes	Yes	n/a	No
Panama	No	No	n/a	No
USA	No	No	n/a	No

Table 27: Assessment of CMM 3.04 Paragraph 1

Secretariat Assessment of potential compliance issues

- No potential compliance issues.

² China's Implementation report refers to a previous statement made on 24 August 2015 and circulated as Letter 103-2015. The Secretariat notes that this has possible implications for future CMS assessments in relation to CMM 3.04.

Member/ CNCP	No of Vessels inspected by others?	No of Vessels inspected?	2014/15 Compliance Status	2015/16 - Possible compliance issues?
Australia	0	0	n/a	No
Chile	0	0	n/a	No
China	0	0	n/a	No
Cook Islands	0	0	n/a	No
Cuba	0	0	n/a	No
Ecuador	0	0	n/a	No
European Union	0	0	n/a	No
Faroe Islands	0	0	n/a	No
Korea	0	0	n/a	No
New Zealand	0	0	n/a	No
Peru	0	0	n/a	No
Russian Federation	0	0	n/a	No
Chinese Taipei	0	0	n/a	No
Vanuatu	0	0	n/a	No
Colombia	0	0	n/a	No
Liberia	0	0	n/a	No
Panama	0	0	n/a	No
USA	0	0	n/a	No

Table 28: Assessment of CMM 3.04 Paragraphs 1 & 2

Secretariat Assessment of potential compliance issues

- No potential compliance issues.

CMM 3.05 Regulation of Transshipment and Other Transfer Activities (only assessed for the period after 1 March 2016)

General Provisions for All Vessels engaged in Fishing in the Convention Area

Paragraph 2

Transshipments at sea and in port shall only be undertaken between vessels included in the Commission Record of Vessels

Paragraph 3

At sea transfer of fuel, crew, gear or any other supplies between two vessels in the Convention Area shall only be undertaken between vessels included in the Commission Record of Vessels.

Member/ CNCP	Vessels conducted transshipment activities?	All vessels on the SPRFMO Record?	2014/15 Compliance Status	2015/16 - Possible compliance issues?
Australia	0		n/a	No
Chile	0		n/a	No
China	Yes	No	n/a	Yes
Cook Islands	0		n/a	No
Cook Islands	0		n/a	No
Cuba	0		n/a	No
Ecuador	0		n/a	No
European Union	Yes	Yes	n/a	No
Faroe Islands	0		n/a	No
Korea	Yes	Yes	n/a	No
New Zealand	0		n/a	No
Peru	0		n/a	No
Russian Federation	Yes	No	n/a	Yes
Chinese Taipei	Yes	Yes	n/a	No
Vanuatu	Yes	No	n/a	Yes
Colombia	0		n/a	No
Liberia	Yes	Yes	n/a	No
Panama	Yes	Yes	n/a	No
USA	0		n/a	No

Table 29: Assessment of CMM 3.05 Paragraphs 2 & 3

Secretariat Assessment of potential compliance issues

- China; On 7 March 2016 the RONG ZHOU conducted transshipment activities in the SPRFMO Area without being on the SPRFMO record of Vessels. The RONG ZHOU was later included into the Record by China as per an email received on 11 October 2016 where China also asserted that at the time of the Transshipment the RHOU ZHOU had been authorised.
- Vanuatu; On 2 April 2016, the vessel FRIGG engaged in transfer of supplies with the Russian Federation flagged PAMYAT KIROVA (a vessel that is not included in the SPRFMO Record of Vessels).
- Russian Federation; On 2 April the PAMYAT KIROVA undertook transfer of supplies within the Convention Area without being on the SPRFMO Record of Vessels.

Member Comments on Potential Compliance Issues

Member	Comment
China	The fishing vessel RONG ZHOU had been registered in SPRFMO Record of Vessels since 2014, its period of validity expired on 31 March 2015. After that due to the carelessness of the ship-owner, the updated registration information of this vessel did not be submitted in a timely manner. However, the vessel RONG ZHOU is authorized by Chinese government to fish in south-east Pacific from 20 th March 2014 to 31 st March 2017 according to its latest Fishing License. The updated registration information of RONG ZHOU has been submitted to this Secretariat on 11th October 2016. We confirm that HUA YING 205 and RONG ZHOU are both authorized vessels to operate in the SPRFMO Convention Area. In view of this, we would like to request this Secretariat to move the above mentioned two vessels from the Draft IUU List in 2017. From now on China will update the vessel registration information in a timely manner if any.
Russian Federation	Please refer to additional information provided as part of the Draft IUU List.
Vanuatu	A detailed investigation report of this incident was provided by Vanuatu to the SPRFMO Secretariat on 22 September 2016.

Transshipments of *Trachurus murphyi* and Demersal Species caught in the Convention Area

Paragraph 4

The competent authorities of both the unloading and receiving fishing vessels shall notify the Secretariat of each transshipment of *Trachurus murphyi* and demersal species caught in the Convention Area, regardless of where the transshipment takes place, at least [36] hours before the estimated time of such activities. This notification must include the relevant information available regarding the transshipment operation, including the estimated date and time, anticipated location, fishery, and information about the vessels involved, in accordance with Annex A. The competent authorities may authorise the vessel operator to provide notification directly to the Secretariat. The Secretariat shall make this information available on the Members' section of the Commission website as soon as possible.

Paragraph 6

An observer monitoring transshipment under paragraph 5 shall complete a transshipment logsheet, as set out in Annex B, to verify the quantity and species of the fishery resources being transhipped, and shall provide a copy of the logsheet to the competent authorities of the observed vessel. The competent authorities of the observed vessel shall submit the observer data of the transshipment logsheet to the Secretariat, no later than 15 days from debarkation of the observer.

Paragraph 8

The competent authorities of the unloading fishing vessel and the receiving fishing vessel shall notify all the operational details to the Secretariat, as specified in Annex C, no later than 7 days after the transshipment is carried out. The competent authorities may authorise the vessel operator to provide this information directly to the Secretariat by email; should the Secretariat require any clarification, those requests shall be directed to the competent authorities of the relevant vessel. The Secretariat shall make a summary of this information available on the Members' section of the Commission website.

Member/ CNP	Transshipments notifications provided?	Observed Transshipments?	Transshipment details provided?	2014/15 Compliance Status	2015/16 - Possible compliance issues?
Australia	0	0		n/a	No
Chile	0	0		n/a	No
China	Yes	Yes	Yes	n/a	Yes
Cook Islands	0	0		n/a	No
Cuba	0	0		n/a	No
Ecuador	0	0		n/a	No
European Union	5	0	5	n/a	Yes
Faroe Islands	0	0		n/a	No
Korea	7	0	7	n/a	Yes
New Zealand	0	0		n/a	No
Peru	0	0		n/a	No
Russian Federation	0	0		n/a	No
Chinese Taipei	0	0	0	n/a	No
Vanuatu	Yes	Yes	Yes	n/a	Yes
Colombia	0	0		n/a	No
Liberia	No	No	No	n/a	Yes
Panama	Yes	No	Yes	n/a	Yes
USA	0	0	0	n/a	No

Table 30: Assessment of CMM 3.05 Paragraphs 4, 6 & 8

Secretariat Assessment of potential compliance issues

- China; None of the notifications related to the 15 Jack mackerel Transshipments have been received within the timeframe required under paragraph 6 (i.e. [36] hrs prior to transshipment).
- China; According to China's Implementation Report 7 Jack mackerel Transshipments were observed, but China has not submitted any Annex B logsheets to the Secretariat.
- European Union; None of the Transshipment notifications were received within the required timeframe of [36] hours
- Korea; Three of the Transshipment notifications have not been received within the required timeframe of [36] hours
- Vanuatu; Two of the Transshipment notifications were not received within the required timeframe of [36] hours.
- Liberia; Liberia's implementation report suggests that Liberian reefers have conducted transshipping activities during the period Nov 2015 – Oct 2016; however, the Secretariat has not received any Transshipment reports for that period.
- Panama; 12 of the 21 Transshipment notifications were received outside the timeframe of [36] hrs.
- Panama; 7 of the 13 Transshipment details files were received outside the timeframe of 7 days

Member Comments on Potential Compliance Issues

Member	Comment
China	Sometimes the carrier vessel adjusts the transshipment date temporarily because of the bad weather. In this case, the notification cannot be received 36 hours before transshipment. We emphasize to the vessel operator that they shall notify the Secretariat of each transshipment of CMJ at least 36 hours before the estimated time of such activities. According to CMM 3.05 para 6, China shall submit the transshipment logsheets to the Secretariat no later than 15 days from debarkation of the observer. But the observer of KAIFU is also steward of this vessel, he is still working on-board KAIFU. China would like to submit the transshipment logsheets if needed.
European Union	The actual date of transshipments occurred later than the date foreseen in the initial notifications. SPRFMO was duly informed. <i>Secretariat note – the Transshipments occurred between 21 and 33 days later than initially anticipated. The Secretariat was informed via Transshipment detail reports submitted after the completion of the activities.</i>
Korea	No Comments received.
Vanuatu	During Commission discussion of the (then) proposed CMM, Vanuatu expressed concerns about the practicality of the measures particularly with regard to the need to provide pre-transshipment reports 36 hours in advance of the activity, advising the Commission that captains of fishing vessels sometimes decide to undertake transshipments at short notice because of operational considerations. On 5 May 2016 I wrote to the Secretariat to advise of the occurrence of such an event, stating, "Here is an updated transshipment report that illustrates the difficulties of applying the 36hr rule in practice. Odin experienced poor fishing conditions and took the opportunity to top up the carrier with 300t of fish at short notice." The initial pre-transshipment report was for the vessel 'Frigg' only for a scheduled unload. Rigid compliance with the 36hr pre-transshipment reporting rule would at times lead to costly inefficiencies in the operation of the vessels. This rule should be reviewed
Liberia	A revised Implementation Report has been provided to the Secretariat as of 1 December 2016.
Panama	No comments received.

CMM 4.13 Exploratory Fisheries

No Member or CNCPs were assessed under this CMM during this period.

CMM 4.14 Exploratory Toothfish fishing (New Zealand only)

Details and Specification of Exploratory Fishing Activities

Paragraph 5

Fishing for toothfish, using the bottom longline method, may be conducted in the exploratory fishing boxes identified in Table 1 below.

Table 1 contains the coordinates for the 2 exploratory fishing blocks

Paragraph 6

The first exploratory trip may occur any time between 1 July and 30 September 2016. During this first trip, fishing operations shall take place over no more than 10 consecutive days, setting and hauling no more than five lines a day.

Total Allowable Catch

Paragraph 8

The annual toothfish total allowable catch shall not exceed 30 tonnes (greenweight) in each of 2016 and 2017,

Authorised Vessels

Paragraph 13

The vessel San Aspiring shall be authorised to undertake fishing pursuant to this measure. In the event that San Aspiring is unavailable, an alternate vessel of similar capability and capacity shall be authorised to undertake fishing pursuant to this measure only after the vessel has been notified by New Zealand to the Executive Secretary.

Management measures

Paragraph 15

Fishing pursuant to this measure shall only take place in accordance with SC-03-DW-01_rev2 "Proposal for exploratory bottom longlining for toothfish by New Zealand vessels outside the bottom lining footprint during 2016 and 2017:

Description of proposed activities and impact assessment".

Paragraph 16b)

Because of the likelihood of shared stocks of toothfish, fishing pursuant to this measure shall, as far as possible, be conducted consistent with relevant measures in force in the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) Area, including the following:

b) A minimum tagging rate of three fish of each *Dissostichus* species per greenweight tonne shall be implemented. The rules applied by CCAMLR in the immediately adjacent 88.1 A&B North region, CMM 4.14 (Exploratory Toothfish Fishing; 2016) 5 where tagged fish were released in early 2015, shall be applied (CM 41-01 Annex C). These rules require a minimum overlap statistic (that is comparison between the observed length frequency from vessel biological information and the size composition of fish returned alive with tags) of at least 60% once 30 or more *Dissostichus* of each species have been successfully released with tags.

Data Collection

Paragraph 18

In undertaking fishing pursuant to this measure the vessel shall, to the extent possible, collect all the data as set out in the paper submitted to the Scientific Committee (SC-03-DW-01_rev2) and any further data requested by the Scientific Committee for its annual evaluation and assessment.

Paragraph 19

The vessel shall be fully capable of complying with SPRFMO data standards and reporting and CCAMLR CM 22-07 (2013). New Zealand will submit all data at least to the standard required by CMM 4.02 (Data Standards; 2016)

Paragraphs 18 and 19 were assessed earlier under CMM 4.02 (Data Standards) paragraph 1e.

Marine Mammals, Seabirds, turtles, and other species of concern

Paragraph 20

A vessel fishing pursuant to this measure shall use the following mitigation methods:

methods listed a) to g)

Paragraph 21

The following information shall be collected for marine mammals, seabirds, turtles, and other species of concern

Information types listed a) to f)

Monitoring

Paragraph 23

A vessel undertaking fishing pursuant to this measure shall carry a New Zealand Government observer, as well as a dedicated assistant experienced in at-sea scientific data collection to assist the observer with biological measurement and data collection. Observer data shall be collected in accordance with the SPRFMO Observer data standard and shall include gear deployment and retrieval data, catch and effort information, biological data collection, and information on marine mammals, seabirds, reptiles and other species of concern.

Paragraph 24

In addition to carrying an observer, a vessel undertaking fishing pursuant to this measure shall be equipped with a video monitoring and recording system to be located over the hauling position to ensure that all hauled lines and hooks are observed or recorded on video. All recorded footage must be provided to the New Zealand Ministry for Primary Industries at the end of the voyage for analysis and storage.

Member/ CNCP	Fishing within Blocks A & B?	Fishing in accordance with para 6	Total catch taken during 2016	Vessel notified?	2015/16 - Possible compliance issues?
New Zealand	Yes	Yes	29 t	Yes	No

Table 31: Assessment of CMM 4.14 Paragraphs 5, 6, 8, & 13

Secretariat Assessment of potential compliance issues

- No potential compliance issues.

Member/ CNCP	Fishing followed proposal?	Tagging rate and overlap statistic	Adequate mitigation and data collected as per para 21?	Observer and video monitored?	2015/16 - Possible compliance issues?
New Zealand	Yes	3.5 (80%)	Yes	Yes	No

Table 32: Assessment of CMM 4.14 Paragraphs 15-24

Secretariat Assessment of potential compliance issues

- No potential compliance issues.

CMM 4.15 Stateless Vessels

Paragraph 1

Vessels determined under international law to be without nationality that are fishing in the SPRFMO Convention Area undermine the Convention and the Conservation and Management Measures adopted by the Commission and are engaged in IUU fishing;

Paragraph 2

Members, Cooperating Non-Contracting Parties(CNCPs)and non-Parties are encouraged to take measures, including by sharing information about the activities of vessels without nationality and, where appropriate, by enacting domestic legislation, to prevent and deter vessels without nationality from engaging in fishing or fishing related activities in the Convention Area;

Paragraph 3

Members, CNCPs and non-parties are encouraged to take action, in accordance with international law, against vessels referred to in paragraph 1 of this measure, including to prohibit the landing and transshipment of fish and fish products and access to port services by such vessels, except where such access is essential to the safety or health of the crew or the safety of the vessel.

Member/ CNCP	Measures taken under para 2?	Actions taken under para 3?	2014/15 Compliance Status	2015/16 - Possible compliance issues?
Australia	Yes	No	n/a	No
Chile	No	No	n/a	No
China	No	No	n/a	No
Cook Islands	No	No	n/a	No
Cuba	No	No	n/a	No
Ecuador	No	No	n/a	No
European Union	Yes	No	n/a	No
Faroe Islands	No	No	n/a	No
Korea	No	No	n/a	No
New Zealand	No	No	n/a	No
Peru	Yes	No	n/a	No
Russian Federation	No	No	n/a	No
Chinese Taipei	No	No	n/a	No
Vanuatu	No	No	n/a	No
Colombia	No	No	n/a	No
Liberia	No	No	n/a	No
Panama	No	No	n/a	No
USA	No	No	N/A	No

Table 33: Assessment of CMM 4.15 Paragraphs 2 & 3

Secretariat Assessment of potential compliance issues

- No potential compliance issues.

Comparison with the 2016 Final Compliance Report

(which assessed 2014/15)

Table 34 provides a simple comparison between each Members/CNCPs “Compliance Status” as assigned in the 2016 Final Compliance Report (Annex I of the COMM4 report) and as provisionally assessed in the current document.

It can be seen that there has been an improvement in compliance across all measures (49 total non-compliant instances last year reducing to 25 this year). Measures for which compliance has significantly improved include CMMs 4.01 (*T. murphyi*), 4.02 (Data standards), 2.07 (Port Inspections) and 4.09 (Seabird mitigation) whilst CMMs 4.05 (Record of Vessels) and 4.10 (CMS) have shown small improvements.

	CMM 4.01 <i>T. murphyi</i>	CMM 4.02 Data Standards	CM 4.03 Bottom Fishing	CMM 4.04 IUU List	CMM 4.05 Vessel Record	CMM 2.06 VMS	CMM 2.07 Port Inspection	CMM 1.02 Gillnetting	CMM 4.09 Seabirds	CMM 4.10 CMS
Australia										
Chile										
China										
Cook Islands										
Cuba										
Ecuador										
European Union										
Faroe Islands										
Korea										
New Zealand										
Peru										
Russian Federation										
Chinese Taipei										
Vanuatu										
Colombia										
Liberia										
Panama										
USA										
Non-compliant 2016 Final CMS	9	9	2	1	8		6	0	6	8
Non-compliant 2017 Draft CMS	4	4	0	0	7		2	0	2	6

KEY: Compliant, Non-compliant, Priority non-compliant, Seriously/Persistently non-compliant

Table 34: Comparisons between Compliance Status as assigned in the 2016 Final Compliance Report and as provisionally assessed in the 2015/16 Draft Compliance report.