

9TH MEETING OF THE SPRFMO COMMISSION

Held virtually, 25 January – 2 February 2021

COMM 9 – Prop 06

Peru

<input checked="" type="checkbox"/> Amend <input type="checkbox"/> Create	CMM 05-2019 for the Establishment of the Commission Record of Vessels Authorised to fish in the Convention Area
Submitted by: Republic of Perú	
<p>Summary of the proposal:</p> <p>It is proposed to exempt fishing vessels of no more than 15 meters in length from compliance with the requirements established in literals "e)"[UVI (Unique Identification of Vessels) / IMO Number] and " t) "[Vessel communication types and numbers (INMARSAT A, B and C numbers)]]" of point 2) contained in Annex 1 of Conservation and Management Measure 05-2019 (<i>Conservation and management measure for the establishment of the Commission Register of vessels authorized to fishing in the Convention Area</i>), or "CMM 05-2019". In this sense, it is proposed to include a footnote (1) in paragraph 11:</p> <p><i>"11. The Commission Record of Vessels shall include all the fishing vessels¹ on Member's and CNCP's records authorised to fish in the Convention Area, including the data submitted by Members and CNCPs according to Annex 1 of this Measure.</i></p> <p><i>1 Fishing vessels of no more than 15 meters in length will not be required to comply with the requirements established in literals "e) UVI (Unique Vessel Identifier)/IMO number (if issued)" and "t) Vessel communication types and numbers (INMARSAT A, B and C numbers)" of Annex 1; however, these vessels must comply with similar conditions such as the national registration certificate, as well as for the safety of human life on board, which establishes the State of origin of the registry.</i></p>	
<p>Goal of the proposal</p> <p>This proposal is based on what is established in article 19, numeral 2, literal "b" of the constitutive treaty of the SPRFMO, as it seeks to facilitate access to fishing activity for fishermen and women who work in the sector to subsistence fishing, artisanal fishing, in the Convention area, due to the characteristics of the vessels employed in such activities, it becomes extremely difficult and complicated to meet the requirements indicated.</p> <p>Considering the goals contracted in Sustainable Development Goal number 14 of the United Nations 2030 Agenda and according to the provisions of the FAO Code of Conduct for Responsible Fisheries, it is justified to facilitate the access of artisanal fishers to fish resources and markets. These activities constitute the economic and social engine, at the same time that they contribute to the achievement of the food security objective by providing nutritional quality to the population and generating self-employment, among other multiplying effects for local economies. It should be noted that the main purpose of these activities is to satisfy direct human consumption by men and women who work in a small scale without putting at risk the sustainability of resources in the area of application of the Convention.</p> <p>In this context, compliance with the same requirements for vessels that carry out industrial fishing activities should not be required for the artisanal vessels. It is known that the Regional Fisheries Management Organizations regulate activities that enable the operation of highly autonomous vessels that carry out their tasks continuously in the high seas area.</p> <p>However, it cannot be ignored that the members of the Regional Fisheries Management Organizations not only have fishing vessels that are dedicated to industrial activity, but also have small-scale and artisanal vessels. The latter, not greater than 15 meters of length, which carry out their regular activity in jurisdictional waters and move out of them towards the high seas area only circumstantially.</p> <p>Likewise, it should be noted that the aforementioned artisanal vessels have a VMS system that monitors and allows knowing their location and they have their respective registration number. In the same way, they are compulsorily equipped with radiobeacons to face their own safety risks. Consequently, and in application of a principle of equity, it is deemed appropriate to exempt the fulfilment of the two requirements alluded to in the preceding summary of this proposal.</p>	
Ref: COMM9-PROP06	Received on 05 December 2020

CMM 05-20121

Conservation and Management Measure for the Establishment of the Commission Record of Vessels Authorised to Fish in the Convention Area (Supersedes CMM 05-2019)

The Commission of the South Pacific Regional Fisheries Management Organisation;

RECALLING Article 27 (1)(a) of the Convention regarding the establishment of appropriate procedures for effective monitoring, control and surveillance of fishing and to ensure compliance with this Convention and the Conservation and Management Measures (CMMs) adopted by the Commission, including the establishment and maintenance of a Commission record of vessels authorised to fish in the Convention Area;

CONSIDERING that according to Article 1 (1)(h) of the Convention, “fishing vessel” means any vessel used or intended for fishing, including fish processing vessels, support ships, carrier vessels and any other vessel directly engaged in fishing operations;

TAKING INTO ACCOUNT the provisions of Articles 23 and 25 of the Convention, regarding Data collection, compilation and exchange and Flag State duties;

ADOPTS the following CMM in accordance with Articles 8 and 27 of the Convention:

1. The appropriate government authorities of Members and Cooperating Non-Contracting Parties (CNCP) shall only authorise fishing vessels flying their flag to fish in the Convention Area where they are able to exercise effectively their responsibilities in respect of such vessels under the Convention, including relevant CMMs adopted by the Commission, and in accordance with relevant international law.
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 CMMs 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 or maintained for a vessel included on any Regional Fisheries Management Organisation Illegal, Unreported and Unregulated (IUU) vessel list or on the IUU vessel list of the Commission for the Conservation of Antarctic Marine Living Resources.
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.
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.
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.
6. For vessels not previously on the SPRFMO Record of Vessels 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 for the purposes of fishing for SPRFMO fishery resources. In doing so, Members or CNCP shall provide the Executive Secretary the vessel’s details, as indicated in Annex 1 of this Measure.



7. Members and CNCPs shall ensure that the vessel data specified in Annex 1 for the vessels flying their flag authorised to fish in the Convention Area is updated. Any modification regarding the vessel data shall be notified by the relevant Member or CNCP to the Executive Secretary within 15 days after such modification.
8. Members and CNCPs 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 any such change.
9. An authorisation entry on the SPRFMO Record of Vessels shall cease to be a valid entry when there is a change in any of the following details until the required information is updated:
 - a) Vessel flag state
 - b) International Radio call sign (if any)
 - c) Flag authorisation start date
 - d) Flag authorisation end date
 - e) UVI (Unique Vessel Identifier)/IMO number (if issued)
10. Where a notification indicates a change of Vessel flag, the Secretariat shall inform the previous flag State on the Record of Vessels of the notification within 5 days of receiving such notification in order to confirm the Vessel flag has changed.
11. The Commission Record of Vessels shall include all the fishing vessels¹ on Member's and CNCP's records authorised to fish in the Convention Area, including the data submitted by Members and CNCPs according to Annex 1 of this Measure.
12. The Executive Secretary shall maintain the Commission Record of Vessels authorised to fish in the Convention Area. A summary of the Record of Vessels shall be publicly available on the SPRFMO website, according to the provision of paragraph 6 of CMM 02-2020 (Data Standards).
13. 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 annual 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.
14. When a previously authorised vessel is no longer authorised by the Member or CNCP to fish within the Convention Area, such vessel shall not be deleted from the Record of Vessels, but labelled as "not currently authorised".
15. The Commission will review this CMM as required, to consider amendments to this measure to improve its effectiveness and to take into account, among others, the developments of the FAO Global Record initiative as relevant.

¹ Fishing vessels of no more than 15 meters in length will not be required to comply with the requirements established in literals "e) UVI (Unique Vessel Identifier)/IMO number (if issued)" and "t) Vessel communication types and numbers (INMARSAT A, B and C numbers)" of Annex 1; however, these vessels must comply with similar conditions such as the national registration certificate, as well as for the safety of human life on board, which establishes the State of origin of the registry.



ANNEX 1

Standard for Vessel Data

1. Members and CNCP are to collect data on an un-aggregated (vessel by vessel) basis.
2. The following fields of data are to be collected, included on Member's and CNCP's authorised vessel records, and informed to the Executive Secretary, pursuant to paragraphs 6 and 7 of this measure.
 - a) Current vessel flag (using the codes indicated in Annex 2);
 - b) Name of vessel;
 - c) Registration number;
 - d) International radio call sign (if any);
 - e) UVI (Unique Vessel Identifier)/IMO number (if issued)²;
 - f) Previous Names (if known);
 - g) Port of registry;
 - h) Previous flag (if any, and using the codes indicated in Annex 2);
 - i) Type of vessel (Use appropriate ISSCFV codes, Annex 10 of CMM 02-2020 (Data Standards));
 - j) Type of fishing method(s) (Use appropriate ISSCFG codes, Annex 9 of CMM 02-2020 (Data Standards));
 - k) Length;
 - l) Length type e.g. "LOA", "LBP";
 - m) Gross Tonnage – GT (to be provided as the preferred unit of tonnage);
 - n) Gross Register Tonnage – GRT (to be provided if GT not available; may also be provided in addition to GT);
 - o) Power of main engine(s) (kW);
 - p) Hold capacity (m³);
 - q) Freezer type (if applicable);
 - r) Number of freezers units (if applicable);
 - s) Freezing capacity (if applicable);
 - t) Vessel communication types and numbers (INMARSAT A, B and C numbers);
 - u) VMS system details (brand, model, features and identification);
 - v) Name of owner(s);
 - w) Address of owner(s);
 - x) Date of inclusion into the SPRFMO Record;
 - y) Flag authorisation end date;
 - z) Flag authorisation start date;
 - aa) Good quality high resolution photographs of the vessel of appropriate brightness and contrast, no older than 5 years, which shall consist of:
 - i. one photograph not smaller than 12 x 7 cm showing the starboard side of the vessel displaying its full overall length and complete structural features;
 - ii. one photograph not smaller than 12 x 7 cm showing the port side of the vessel displaying its full overall length and complete structural features;
 - iii. one photograph not smaller than 12 x 7 cm showing the stern taken directly from astern.

² Effective 1 January 2020, Members and CNCPs shall ensure that all fishing vessels flying their flag that are authorised to fish in the Convention Area have IMO numbers issued to them.



3. Each Member and CNCP shall, to the extent practicable, also provide to the Executive Secretary at the same time as submitting information in accordance with paragraph 2 of this Annex, the following additional information:
 - a) External markings (such as vessel name, registration number or international radio call sign);
 - b) Types of fish processing lines (if applicable);
 - c) When built;
 - d) Where built;
 - e) Moulded depth;
 - f) Beam;
 - g) Electronic equipment on board (i.e., radio, echo sounder, radar, net sonde);
 - h) Name of license owner(s) (if different from vessel owner);
 - i) Address of license owner(s) (if different from vessel owner);
 - j) Name of operator(s) (if different from vessel owner);
 - k) Address of operator(s) (if different from vessel owner);
 - l) Name of vessel master;
 - m) Nationality of vessel master;
 - n) Name of fishing master;
 - o) Nationality of fishing master.
4. When Members and CNCPs provide the data indicated in paragraph 2 of this Annex, they will do so in accordance with the specifications and format prescribed in Annex 8 of CMM 02-2020 (Data Standards).



ANNEX 2 Flag codes

Australia	AUS	Italy	ITA
Austria	AUT	Korea	KOR
Belgium	BEL	Latvia	LVA
Belize	BLZ	Liberia	LBR
Bulgaria	BGR	Lithuania	LTU
Chile	CHL	Luxembourg	LUX
China	CHN	Malta	MLT
Colombia	COL	Netherlands	NLD
Cook Islands	COK	New Zealand	NZL
Croatia	HRV	Panama	PAN
Cuba	CUB	Peru	PER
Curaçao	CUW	Poland	POL
Cyprus	CYP	Portugal	PRT
Czech Republic	CZE	Romania	ROU
Denmark	DNK	Russian Federation	RUS
Ecuador	ECU	Slovakia	SVK
Estonia	EST	Slovenia	SVN
Faroe Islands	FRO	Spain	ESP
Finland	FIN	Sweden	SWE
France	FRA	Chinese Taipei	TWN
Germany	DEU	United Kingdom	GBR
Greece	GRC	United States	USA
Hungary	HUN	Vanuatu	VUT
Ireland	IRL		