

**South Pacific Regional Fisheries Management Organisation's  
View on the Performance Review**  
*SPRFMO Secretariat*

## 1. The Scope and the role of the Performance Review

Article 30 of [the SPRFMO Convention](#) provides for a regular review of the effectiveness of the Conservation and Management Measures (CMMs) adopted by the Commission in meeting the objective of the Convention and the consistency of such measures with the principles and approaches in Article 3 of the SPRFMO Convention. Such reviews may include an examination of the effectiveness of the provisions of the Convention itself.

In January 2018, the South Pacific Regional Fisheries Management Organisation's Commission decided on the first Performance Review of the SPRFMO, setting out a process to establish a Panel Review, criteria for the review, a timeline for the process, and terms of reference that should guide the Panel's work ([Decision 06-2018](#)).

The scope of the Performance review focused on 5 main areas: Conservation and Management, Compliance and Enforcement, Decision-making and Dispute settlement, International Cooperation, and Financial and Administrative issues.

The role of Performance Review was assessing whether SPRFMO in its current legal and operational structure meets its objectives, and on the basis of the evaluation identifying any gaps or weaknesses and presenting possible actions to address the issues.

## 2. The Process and Structure of Performance Reviews in relation with Independent evaluation, Participation, Transparency, Accountability and Periodicity

The process of SPRFMO<sup>1</sup> Performance Review was set by the Commission's decision which was reflecting international best practice including experience from another RFMOs/As.

As specified in the Commission's decision, the Review Panel was to be comprised of four international independent experts, with two being nationals of SPRFMO Members who have experience in the SPRFMO context and a thorough understanding of the SPRFMO Convention, and two being external experts who have experience in relevant areas of science, fisheries and marine ecosystems management and legal matters, including compliance and enforcement. Final Panel experts were selected from New Zealand, Australia (2), and USA, aiming at reflecting regional balance including fishing and non-fishing nations and developing and developed countries. The Review Panel appointed a Chairperson amongst its members.

The Panel developed a [Questionnaire](#) addressed to all SPRFMO Members, Cooperating non-Contracting Parties (CNCs) and relevant stakeholders. The Panel interviewed the Chairs of the Commission and subsidiary bodies, the staff of the Secretariat, and independent experts. The Panel received 17 responses to the questionnaire from 13 Members, 3 CNCs and 1 observer. On behalf of the Panel, the Secretariat followed up with Members to ensure that all those that wished to talk to the Panel had an opportunity to do so.

[The Report of the Performance Review](#) consists of seven sections. The first two sections provide background information relating to SPRFMO. The following five sections address each of the areas of the Performance Review criteria and include the Panel's consideration, its assessment and recommendations.

---

<sup>1</sup> SPRFMO now has 15 Members and 4 Cooperating Non-Contracting Parties (CNCs)



To ensure transparency and accountability, SPRFMO made available all documents on the SPRFMO web site, however responses to the questionnaire are only available to the Members of the Commission.

Article 30 of the SPRFMO Convention provide the periodical terms of the Performance Review that it shall be undertaken at least every five years.

### 3. Implementation of the Recommendation of Performance Review

At the 7<sup>th</sup> Commission's meeting in January 2019, the Commission formed a Working Group to consider the 44 Performance Review Panel recommendations, considering also the 8 specific Compliance and Technical Committee (CTC) recommendations and the 9 specific recommendations addressing the Finance and Administration Committee (FAC) to provide their recommendations to the Commission. The Commission instructed the Scientific Committee (SC) to review the 9 specific SC recommendations at its' coming annual meeting in September 2019.

The Commission provided [responses](#) to the Performance Review Panel recommendations based on the CTC's and FAC's advice.

For implementing the recommendations, the Commission based on its subsidiary bodies' contributions, provided responses and endorsed the Performance Review's recommendations. Therefore, the Commission's established a chronogram of actions guiding future implementation of the recommendations until 2020.

### 4. Lessons Learned and Best Practices from past Performance Review

Considering this is the first SPRFMO Performance Review, it has been a learning process for the Organisation. Many Members commended the Performance Review Panel for its efficiency and excellent performance highlighting that SPRFMO has established a strong legal foundation and has put in place a credible range of CMMS to sustainably manage the fisheries within the Convention area since its establishment.

The Panel's composition should be regionally balanced, including both developed and developing countries, as well as coastal States and distant fishing countries.

Addressing the recommendations made by the Performance Review Panel should consider the budgetary constraints of the Organisation.

The Performance Review also has made recommendations for the improvement and development of the Commission; further integration of the ecosystem approach in all fishery management; expansion of the database, including how the data sharing and accessibility are managed; continuation of scientific advice needed for the Jumbo Flying Squid; application of seabird mitigation to all fisheries; development of a measure on marine pollution; replenishment of the Contingency Fund and Accumulated Surplus Fund to be available for the Commission's objection procedure; and removal of any impediments to use of the Developing States Fund.

Although these recommendations might have been already perceived by the members of the Commission and relevant stakeholders, the Performance Review has efficiently and effectively articulate both challenges and difficulties to achieve the objectives of the Commission.

### 5. Actions needed to further strengthen the effectiveness of the Performance Review Process

The SPRFMO Commission has not elaborated yet on further strengthening the Performance Review process. However, it was noted during the 7<sup>th</sup> Commission's meeting that those recommendations that are process-related should be implemented as soon as possible.

A reporting template which was designed to clearly present the results of the performance review and deal with the future implementation of review recommendations it is considered as a useful tool for leading to critically assess and strengthening the performance review process.