

Second SPRFMO Performance Review: Panel Report and Recommendations

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Executive Summary

1. As SPRFMO approaches its 13th year, it has demonstrated a solid track record since its establishment, which is commendable considering its small size and relatively limited resources. Its most notable and enduring success is the rebuilding of the Jack mackerel stock, which was on the brink of collapse. This represents a significant challenge that many international fisheries organisations face, and the Review Panel underscores this achievement.
2. The Review Panel also commends SPRFMO for its many other accomplishments: its effective and widely praised decision-making procedure, the development of monitoring, control, and surveillance (MCS) tools, its general willingness to act on the advice of its subsidiary bodies, its transparency, and the contributions from many organisations and individuals who provide expertise to develop and implement best practices. SPRFMO sets several examples that similar organisations could follow with pride.
3. The Panel of the Second SPRFMO Performance Review recognises the strategic value and potential of SPRFMO. It also notes the significant changes within the organisation since the first Performance Review in 2018. SPRFMO is now entering a new phase in its development: moving beyond its foundational years into a phase where it can consolidate its purpose and shape its future direction. In the next 5 to 10 years, SPRFMO will face different requirements, challenges, and tensions to manage. However, there are varying perspectives on where the organisation should be headed and what direction it should take, which has hindered the decision-making process at the Commission level in recent years. The Review Panel finds that the Commission is at a crossroads and must focus on defining the organisation's future. This issue was identified in the first Review Panel's findings six years ago, and it has become even more pressing if SPRFMO Members wish to achieve their individual and collective objectives.
4. Decision 06-2024, adopted by the SPRFMO Commission, outlined the framework for the Second Performance Review in accordance with Article 30 of the SPRFMO Convention. This decision divided the review into two main parts. The first part (Part A) focuses on assessing progress since the first Performance Review conducted in 2018, and is presented in Section 2, *Progress Since the First Performance Review*. The second part (Part B) examines SPRFMO's current work and procedures, which are detailed in Section 3, *Key Findings*.
5. In alignment with the approach set forth in Decision 06-2024 and supported by feedback gathered from questionnaires and interviews, the Second Review Panel identifies five key issues and provides a set of 24 recommendations. These recommendations address five critical areas aimed at enhancing SPRFMO's effectiveness and ensuring its continued success. Each of the five key findings

subsections includes an overview of the analysis conducted, the conclusions drawn by the Review Panel, and the relevant findings and recommendations, which are at the end of each subsection. The full list of the 24 PR2 recommendations is available in Annex 1.

- a. *Governance – Planning and Oversight (subsection 3.1)*: The Review Panel believes that SPRFMO must invest in the organisation’s governance to set itself up for future success. Improved planning will help the Commission, its subsidiary bodies, and the Secretariat focus their efforts, set clear goals, and achieve them. It will also better equip SPRFMO to address future challenges, increase opportunities for external funding, and support subsidiary bodies in fulfilling their core functions. Members are encouraged to realistically assess what the organisation’s future will look like and to make decisions that will set SPRFMO up for success, or adjust expectations and workloads accordingly.
- b. *Building a High Performing Secretariat (subsection 3.2)*: The Review Panel recommends a significant reform of the Secretariat to enhance operational performance, workplace culture, and SPRFMO’s reputation as an employer, including revisiting its hosting arrangements. In this context, the Review Panel urges the Commission to value proven leadership and executive management skills when recruiting its next Executive Secretary, as this is a critical strategic decision.
- c. *Data Collection and Information Management Systems (subsection 3.3)*: Data and resulting information is a strategic asset, but it has not been treated as such thus far. The Review Panel recommends a serious transformation in the way SPRFMO manages its data and information. This includes determining data needs, improving data storage and maintenance, and ensuring the effective use of data in decision-making processes. SPRFMO has great potential to enhance its fisheries management and MCS capabilities, but this potential is being underutilised because the organisation has not adequately invested in its information management systems and processes. A modest investment in this area could lead to significant improvements.
- d. *Fisheries Management (subsection 3.4)*: Regarding the fisheries, the Review Panel observes mixed performance and varying levels of attention across the fisheries.
 - i. As mentioned earlier, the Review Panel commends the success of the Jack mackerel fishery and its promising future, provided the harvest strategy process is completed. The Review Panel stresses the importance of SPRFMO continuing to build its experience with harvest strategies and recommends that this approach be adopted for all of SPRFMO’s fisheries to ensure proactive and fit-for-purpose management.
 - ii. While the squid fishery has seen some improvements, it remains poorly managed, with key gaps in stock assessment, data collection, and management measures.

The Review Panel highlights the ongoing uncertainty surrounding the stock's status and the lack of catch limits as critical issues. Urgent attention is needed to address these gaps to ensure the sustainability of the fishery. Moving forward, the Commission should prioritise these issues and implement a more robust, science-driven management approach to safeguard the squid fishery for the long term.

- iii. The Review Panel acknowledges the complexities of SPRFMO's deepwater fisheries, particularly its responsibilities under the Convention and United Nations instruments to prevent significant adverse impacts on vulnerable marine ecosystems. However, the Review Panel is concerned that the current management arrangements may have unintended consequences on the relevant industry, which could potentially be addressed through alternative management approaches.
 - iv. In relation to the Commission's four straddling stocks (Jack mackerel, squid, alfonsino, and orange roughy), the Review Panel acknowledges that achieving compatibility between high seas and national jurisdictions is a complex challenge. Many RFMOs face similar difficulties, and SPRFMO is no exception. The Review Panel emphasises the importance of finding a balanced approach that considers both national interests and collective objectives, which can be achieved through data sharing and sound, equitable information management practices.
 - v. Beyond the established fisheries, the Review Panel notes that significant decisions need to be made in the short term, as the individual exploratory fisheries approach the ten-year time limit established by CMM 13. The Review Panel urges the Commission to take a proactive approach and assess whether the exploratory fisheries framework is ready to support any transitions to established fisheries, given the current state of knowledge. History has shown that maintaining precautionary arrangements in the long term is preferable to rushing the establishment of new fisheries that are not yet ready. Furthermore, the Review Panel recommends special consideration be given to the toothfish fisheries, due to their biological linkages with species managed under CCAMLR, and the fact that multiple SPRFMO toothfish fisheries, several utilising the same stock, are managed differently without clear justification. While SPRFMO is an independent entity, the Review Panel believes there is a strong case for more meaningful scientific, management and MCS cooperation with CCAMLR.
- e. *Improving Engagement (subsection 3.5)*: Finally, the Review Panel concludes that many Members face serious barriers to their engagement with SPRFMO due to the lack of Spanish as a formal language within the organisation. The Review Panel believes that SPRFMO would be strengthened and could operate more fairly and efficiently if Spanish was elevated to a working language.

1. Introduction

6. The South Pacific Regional Fisheries Management Organisation (SPRFMO) entered into force in 2012. Its current membership consists of 16 Contracting Parties and 1 Participating Fishing Entity: Australia, Belize, Chile, China, the Cook Islands, Cuba, Ecuador, the European Union, the Faroe Islands, Korea, New Zealand, Panama, Peru, the Russian Federation, Chinese Taipei, the United States of America, and Vanuatu.
7. Article 30 of SPRFMO's constituent Convention¹ mandates the organisation to conduct an independent performance review every five years. The first performance review² took place in 2018, resulting in a comprehensive and detailed report that has proven useful in supporting the work of the SPRFMO Commission. This report is referred to hereafter as *PR1*. That report also provides an extensive overview of SPRFMO's history and establishment, which will not be repeated in this document.
8. The SPRFMO Commission decided to undertake its second performance review at its 12th annual meeting in 2024. The Terms of Reference for this review are set out in Decision 06-2024³. The Review Panel was constituted in June 2024, with a mandate to complete the review by 23 December 2024. The Panel is composed of two experts who are nationals of SPRFMO Members (Karin Mundnich, Chile; Josh Mitchell, Cook Islands) and two external experts (Kerrie Robertson; Stan Crothers). Biographies of the experts are available in Annex 8. Ms. Robertson was appointed Chairperson by consensus of the Panel. Due to the importance of the impending recruitment decision and to allow Members ample time to implement recommendations in 2025, the Review Panel submitted the report ahead of schedule.
9. Decision 06-2024 effectively tasked the Review Panel with conducting its work in two parts: the first part being a review of SPRFMO's implementation of the PR1 recommendations, and the second part a review of "key aspects of SPRFMO's work and procedures", covering a range of topics to be considered.
10. The Review Panel approached these two parts differently. Part A was a straightforward assessment of how SPRFMO has implemented the PR1 recommendations. The Review Panel categorised the current status of these recommendations for the Commission's consideration. Please refer to section 2. of this report, and to annexes 4 and 5.
11. Part B was more complex. Recognising the thoroughness of the 2018 review, the current Review Panel consulted with Members and Observers through interviews to gather input on what a successful second performance review should encompass. The response

¹ <https://sprfmo.int/assets/Basic-Documents/Convention-and-Final-Act/SPRFMO-Convention-2023-update-12May2023.pdf>

² <https://sprfmo.int/about/docs/article-30-reviews/1st-review-2018/>

³ <https://sprfmo.int/assets/Basic-Documents/Convention-and-Final-Act/Article-16-Decisions/Decision-06-2024-Second-SPRFMO-Performance-Review-1Mar2024.pdf>

was overwhelmingly a request for a focused and actionable review. The Review Panel agreed that this would be the most useful approach and, based on clear and consistent feedback, concentrated on identifying the key strategic issues for the Commission to consider. These issues are the central focus of this report. While the Review Panel's assessment may contain some direct and candid commentary, it is important to acknowledge also that the Commission has made significant progress since its establishment.

12. The structure of this report is as follows:

- a. *Progress since the First Performance Review*: This chapter reflects on the numerous changes within SPRFMO since PR1. It provides an implementation scorecard summarising the PR1 recommendations, broken down by topic. It also highlights issues the Review Panel encountered during the assessment, with a view to facilitating the tracking of performance review recommendations in the future. The detailed status of each PR1 recommendation and its implementation (or lack thereof) are recorded in annexes 4 and 5. Section 2. of this report, as well as the mentioned annexes, delivers Part A of the Decision 06-2024 Terms of Reference.
- b. *Key Findings*: This chapter presents the substance of the Review Panel's advice. Through its enquiries, the Review Panel identified key topics critical to SPRFMO's success at this stage, namely:
 - i. Governance – Planning and Oversight (subsection 3.1).
 - ii. Building a High Performing Secretariat (subsection 3.2).
 - iii. Data Collection and Information Management Systems (subsection 3.3).
 - iv. Fisheries management (subsection 3.4).
 - v. Improving Engagement (subsection 3.5).

In the context of Fisheries Management, the Review Panel offers advice on each of the Commission's three established fisheries (Jack mackerel, squid, and deepwater), as well as its Exploratory Fisheries. The Review Panel emphasises that the absence of separate sections on science and compliance does not imply these areas were overlooked. On the contrary, the Review Panel identified many strengths but also recognised impediments to success, which are detailed in the Governance – Planning and Oversight section (section 1.). The Review Panel has been careful not to over-direct the Commission, out of respect for its mandate to determine its strategic future. However, we have provided a roadmap for implementation where we believe it would be helpful. This section delivers Part B of the Terms of Reference outlined in Decision 06-2024.

- c. *Annexes*: Are presented in a separate document and are an integral part of this report. It includes all supporting information and analysis for the review. Most importantly, it contains a consolidated list of PR1 recommendations in Annex 1. The annexes also provide copies of relevant supporting documentation, such as questionnaires and interview questions, as well as the methodology applied by the Review Panel that led to the conclusions and recommendations in this report.
13. The Review Panel has aimed to provide clear, actionable, and practical advice to SPRFMO as it moves into the next stage of its development. We trust that this report will assist the Commission in determining its next steps. The Review Panel also acknowledges the generosity of the many individuals and organisations that contributed their expertise and experience to this process, making this a richer and more insightful review.

2. Progress Since The First Performance Review

14. Part A of Decision 06-2024 tasked the Review Panel with analysing SPRFMO's progress in implementing the recommendations from PR1, highlighting areas where significant improvements have been made, and identifying areas where further action is required to close any remaining gaps.
15. SPRFMO's First Performance Review⁴ was conducted throughout 2018, with the Review Panel delivering its findings to the Commission at its 7th meeting in 2019.
16. SPRFMO has made commendable efforts to implement the findings from the first Review Panel. The Commission gave careful consideration to these findings in both 2019 and 2020.
17. As PR1 was the first review, its Terms of Reference called for a comprehensive assessment of the Commission's work and its Conservation and Management Measures (CMMs). This review resulted in 63 high-level and operational recommendations.
18. According to responses to a questionnaire conducted for the preparation of this report, 58% of respondents felt that SPRFMO had made very good progress in implementing the PR1 recommendations, with most or all of the recommendations having been addressed. 42% felt SPRFMO had made moderate progress and implemented a few recommendations while leaving many gaps. No respondents felt that SPRFMO had made limited effort.
19. Overall, responses to the questionnaire were positive. Some respondents noted that SPRFMO Members were generally willing to implement recommendations. However, several highlighted that tracking progress was difficult, as SPRFMO did not maintain clear records of implementation or work towards a set timeline. In terms of outstanding gaps, it was noted that several process-related recommendations remained unaddressed, and progress on squid management had not been fully realised.
20. The Review Panel approached Part A as follows:
 - a. For each of the PR1 63 recommendations, we reviewed the current progress based on available information.
 - b. Each recommendation was categorised as follows:
 - i. Fully implemented and/or addressed, 16 recommendations (Annex 4).
 - ii. Significant work but not fully implemented/addressed, 14 recommendations (Annex 5.1).

⁴ <https://sprfmo.int/about/docs/article-30-reviews/1st-review-2018/>

- iii. Marginal or uneven implementation, 17 recommendations (Annex 5.2).
 - iv. Not implemented/addressed, 10 recommendations (Annex 5.3)
 - v. Unknown status, 6 recommendations (Annex 5.4).
- c. For all pending recommendations, i.e., those that were not fully implemented or addressed, a cross-reference to this report has been included at the end of each comment from PR2 in Annexes 5.1, 5.2, and 5.3. Recommendations with unknown status (Annex 5.4) does not include such references, as PR2 was unable to find evidence regarding their implementation.
21. Figure 1 outlines the status of each PR1 recommendation as determined by this Review Panel. Table 1 provides further detail, scoring each recommendation according to its corresponding category in PR1. The Review Panel’s implementation scorecard for the PR1 recommendations is summarised below.
22. The Review Panel congratulates the Commission and its subsidiary bodies for their substantial progress since 2019, particularly considering the challenges posed by the COVID-19 pandemic during this period.
23. The Review Panel offers the following general observations regarding this scorecard:
- a. Some PR1 recommendations called for specific actions or changes, while others related to ongoing practices within the Commission. For example, the recommendation *to continue using informal discussions in meetings to achieve consensus* (Recommendation 304(c)) is an ongoing practice, rather than a one-off action. The Review Panel has categorised such recommendations as ‘implemented and/or fully addressed,’ but we urge the Commission to maintain these good practices, which are fundamental to successful multilateralism.
 - b. Three recommendations were not accepted by the Commission (two were not supported, and one could not reach consensus). Other recommendations were referred to subsidiary bodies for advice, which was provided but not subsequently reconsidered by the Commission. In some cases, recommendations were deferred for later years, presumably to allow the Commission to prioritise other issues. However, there was no process to follow up on these deferrals or to plan for their re-consideration, leaving some recommendations without a clear position.
 - c. This Review Panel found it challenging to gather information on the Commission’s or subsidiary bodies’ responses, as PR1 recommendations were considered over several meetings in 2019 and 2020. Relevant information was dispersed across meeting papers and report texts from these meetings.
 - d. The Review Panel notes that the lack of proper record-keeping and follow-up on recommendations may have unintentionally hindered the Commission’s progress in

other areas of its work. We recommend that more attention be given to tracking and planning SPRFMO’s responses to recommendations. Specific advice on planning and effective review processes is provided in subsection 3.1, Governance – Planning and Oversight.

24. 47 of 63 recommendations have not been fully implemented. Some recommendations are now outdated or have been overtaken by events, but overall, the pending recommendations remain sound and valuable advice. However, the Review Panel believes that the Commission must first address some foundational issues—such as governance, planning, oversight, Secretariat reforms, and information management—to be able to effectively implement these recommendations or pursue any other priorities. Tackling these foundational issues is crucial for the future success of the organisation.

Figure 1. Number of recommendations per implementation status

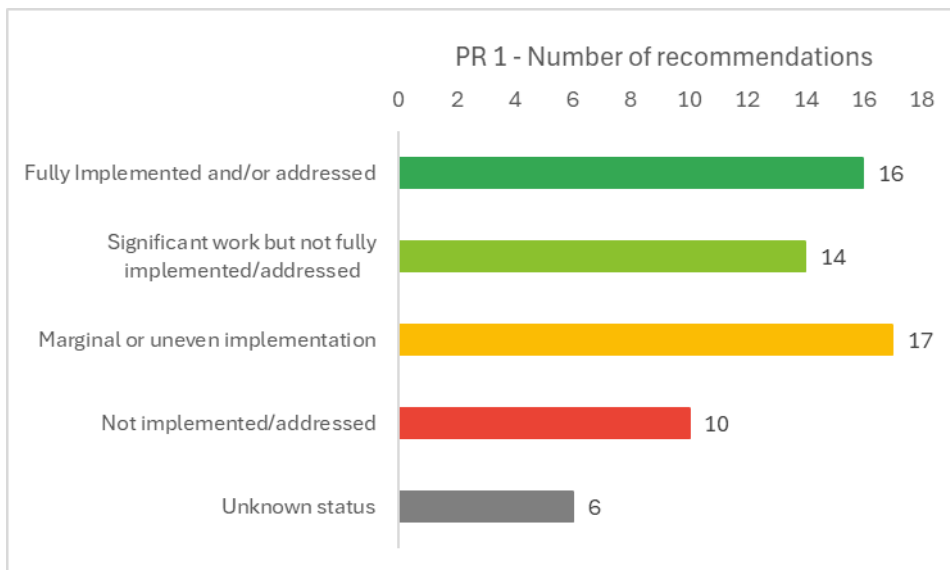


Table 1. Number of recommendations per implementation status and reviewed area

Reviewed area	Implementation status	Fully implemented and/or addressed	Significant work but not fully implemented / addressed	Marginal or uneven implementation	Not implemented or addressed	Unknown status	TOTAL
Conservation and Management		1	10	7	4	0	22
Compliance and Enforcement		5	3	5	4	2	19
Decision-making and dispute settlement		5	0	0	1	0	6
International Cooperation		2	0	4	1	4	11
Finance and Administration		3	1	1	0	0	5
TOTAL		16	14	17	10	6	63

3. Key Findings

25. As previously noted, the Review Panel is delivering a focused review. The key findings outlined below are based on a thorough review and extensive consultation with SPRFMO stakeholders. The Review Panel acknowledges SPRFMO's many strengths and achievements, as well as its demonstrated commitment to continuous improvement. However, the Review Panel is confident that the findings presented here address the highest strategic risks currently facing SPRFMO.

3.1. Governance – Planning and Oversight

26. Good governance is a critical success factor for all high-performing organisations. At its core, good governance involves the 'owners' of the organisation providing clear direction and ensuring robust oversight.
27. The Review Panel found that SPRFMO has established sound governance arrangements, particularly in the areas of financial budgeting and oversight. However, these governance arrangements are not aligned with international best practices when it comes to integrated multi-year business planning. This gap is resulting in inefficiencies and the potential for division among Members.
28. Most Members were reasonably satisfied with the current governance arrangements, though they recognised the need for improvement. During interviews, several Members highlighted the need to enhance planning and financial management, particularly with regard to improving the performance of the Secretariat.
29. The Review Panel observed significant differences among Members regarding their vision for SPRFMO over the next 5 to 10 years. There was no consensus on long-term goals, and no unified long-term plan was in place—only non-integrated annual work plans for the subsidiary bodies and the Secretariat.
30. The Review Panel concluded that it would be very challenging for the Commission to make sound long-term investment decisions—such as those related to the size and role of the Secretariat or the specifications of information management systems—without a coherent long-term planning framework and associated funding arrangements. Moreover, the Review Panel believes that several critical unresolved issues, such as staffing, budgeting, investments in information management systems, and new CMMs, have not been addressed, partly due to the absence of a clear long-term planning framework and corresponding financial strategy.
31. In essence, SPRFMO is at a governance crossroads. It can continue to operate in a reactionary, year-by-year manner, or it can shift towards a more future-focused approach, addressing issues in a planned and organised manner. Furthermore,

challenging issues will be more easily resolved if there is a consensus among Members regarding the organisation's direction and how it intends to achieve its goals.

3.1.1. Strategic Direction and Planning

32. The Review Panel found no evidence of any strategic planning within SPRFMO. It was unclear where SPRFMO aims to be in the next 5 to 10 years. For example, does SPRFMO intend to manage all targeted species through harvest strategies within this timeframe? Additionally, it was uncertain how SPRFMO planned to address wider and longer-term issues such as climate change, labour standards, BBNJ (Biodiversity Beyond National Jurisdiction), and other global challenges. It was also unclear if SPRFMO intended to develop strategic partnerships with other organisations beyond the basic data-sharing arrangements outlined in the current Memoranda of Understanding (MoUs) with other RFMOs. Feedback from Members demonstrated that Members do not know if the current MoUs are valuable.
33. The Review Panel recommends that the Commission engage in an annual strategic discussion, resulting in a document that clearly outlines the organisation's direction and how it plans to address broader issues as those mentioned above. This document could be titled the SPRFMO Statement of Intent and would provide a clear context and focus for the business and programme planning of subsidiary bodies and the Secretariat. It is important to note that the proposed Statement of Intent is not intended to be a formal strategic plan, but rather a concise statement on the organisation's direction of travel. The Commission could look to the example of NEAFC and its Working Group on the Future of NEAFC for guidance.
34. The Review Panel found that organisational work and programme planning within SPRFMO were poorly focused and not well integrated. There was little evidence to suggest that the Commission was providing clear direction to the subsidiary bodies. The Review Panel was left with the impression that to some extent, the subsidiary bodies were driving the Commission's agenda. Although the subsidiary bodies had basic annual work and programme plans with associated budgets, these plans lacked future focus, did not prioritise workloads effectively, and were not well integrated with the activities of other subsidiary bodies or the Secretariat. As a result, the Review Panel concluded that, while the subsidiary bodies had achieved some excellent results, they were not well directed by the Commission and were working in isolation of each other with a limited short-term focus. This lack of integration and shared long-term vision means there are significant efficiencies to be gained through improved business and organisational planning.
 - a. *Scientific Committee*: The SC is currently dealing with an unsustainable workload. The Review Panel found that the Committee's comprehensive multi-year work

programme appeared to be driven largely by participating scientists, who were trying their best to anticipate the scientific advice required by the Commission. The success of the SC has been largely due to excellent leadership from the Chairs and the goodwill of dedicated scientists. However, several Members expressed concern about the increasing number of scientific working group meetings. These Members are concerned that the volume means their participation was being constrained. The Review Panel recommends that the work of the SC be better directed and prioritised by the Commission through the approval of a fully costed and funded annual work programme, with a three-year planning horizon.

- b. *Compliance and Technical Committee*: Most Members expressed strong support for the work of the CTC. However, some Members raised concerns that the time spent on compliance monitoring was detracting from the Committee's other important roles, such as reviewing CMMs and analysing MCS risks. The Review Panel found that there was no systematic plan in place for the Committee to review all key CMMs or to prioritise compliance assessments. Few CMMs had been meaningfully reviewed beyond extending their review dates, meaning the Commission has little assurance that they are functioning as intended. The Review Panel recommends that the work of the Compliance and Technical Committee be better directed through the annual approval of a fully costed and funded work programme, with a three-year planning horizon.
- c. *Finance and Administration Committee*: Members recognised the importance of the FAC and acknowledged the challenges it faces due to the organisation's financial fragility. The Review Panel found that the Committee was operating without clear long-term direction from the Commission, forcing it to operate in a somewhat ad-hoc manner. It was unclear how the Committee could properly analyse and make recommendations on business cases and investment decisions. While the Committee worked to integrate budgets from subsidiary bodies and the Secretariat, it found no evidence of efforts to integrate the associated work programmes of these entities. The Review Panel recommends that the FAC be better directed through the approval of a fully costed, annually approved work programme, with a three-year planning horizon. Additionally, it is recommended that the role of the Committee be clarified and expanded to include facilitating the development of a fully costed and funded Commission business plan, incorporating the work programmes of subsidiary bodies (including the Data Working Group) and the Secretariat.
- d. *Secretariat*: The Review Panel found that the current performance of the Secretariat was hindered by poor management and underinvestment in the Organization's functioning. Organisational planning, staff management, information management, and financial management within the Secretariat were found to be basic and not fit for purpose, particularly when compared with other RFMO Secretariats. It was

unclear to the Review Panel where the Secretariat was heading over the next three to five years, or how it planned to achieve its goals. The Review Panel found no evidence of investment strategies, appropriate risk management plans, or continuity plans in place. This issue is partly related to the current size and capability of the Secretariat and the fact that the Commission has yet to make strategic decisions regarding the future role, leadership, size, and structure of the Secretariat.

3.1.2. Organisational Oversight

35. The Review Panel found that, because the Commission has not set long-term organisational goals or developed strategies to achieve agreed long-term outcomes, there are no systems or processes in place to monitor progress towards these objectives.
36. While the Commission exercises reasonably sound oversight of the organisation's budget through the FAC process, it remains exposed to financial risk due to its current funding model, which is heavily reliant on voluntary contributions. This model also presents challenges in managing cash flow and other fiscal risks, such as funding the 'objection process' and addressing unexpected staff entitlements. Additionally, it is unclear if the Commission is effectively determining whether it is achieving value for money from the expenditure of funds by the Secretariat and subsidiary bodies.
37. The Review Panel found there was limited oversight of the performance of the subsidiary bodies by the Commission. This appears to be due to the subsidiary bodies not having Commission approved business / work plans with clearly specified objectives, key performance indicators and associate budget. Quarterly performance reporting of the subsidiary bodies to the Commission is not a feature of the current oversight process. However, the Review Panel noted strong support and recognition from Members for the work and achievements of the subsidiary bodies.
38. The Review Panel also observed that the Commission has adopted a relatively light-handed approach to overseeing the performance of the Secretariat. While the financial performance of the Secretariat is reasonably well monitored, the results expected from or achieved by the Secretariat are not clearly specified, tracked, or acknowledged. Furthermore, the Review Panel found that there was only a limited and somewhat ineffective performance management system for the Executive Secretary. There was no evidence of annual performance agreements, with explicit objectives and key performance indicators, being negotiated between the Chair and the Executive Secretary.

3.1.3. Conclusions

39. In summary, the Review Panel found that:

- a. *Strengthening Strategic direction and Business Planning:* SPRFMO would benefit from enhancing its strategic direction and business planning systems and processes. Currently, there is a lack of clarity regarding the organisation's long-term direction, which has led to inefficiencies and divergent views among Members. Strengthening these systems will improve Member understanding and alignment with the organisation's objectives, foster greater commitment, and ultimately enhance organisational performance. The Review Panel has provided specific guidance on how this can be achieved through the Governance Reforms and Strategic Planning Framework (proposed in Annex 2), which outlines key actions for SPRFMO to implement a more cohesive and forward-focused strategic planning framework.
- b. *Improving Oversight of Subsidiary Bodies and the Secretariat:* The Review Panel found that SPRFMO's oversight of its subsidiary bodies and Secretariat needs to be strengthened. While there is reasonable oversight of the budget, there is insufficient monitoring of performance and accountability, particularly regarding the Secretariat and the work of subsidiary bodies. The Review Panel recommends the adoption of clearer performance management systems, including specific performance metrics for the Secretariat, and a more integrated approach to work and programme planning across subsidiary bodies. Enhancing oversight will not only improve performance but also ensure that SPRFMO can meet its long-term objectives while operating more effectively and efficiently.

3.1.4. Findings and Recommendations

Rec.	Finding	Recommendation
1.	The Review Panel found that SPRFMO would benefit from building member consensus on the long-term direction of the organisation, including how it intends to address emerging strategic issues such as climate change, BBNJ, and labour standards.	The Review Panel recommends facilitating an annual strategic discussion aimed at producing a Statement of Intent that outlines where the Commission wants to be in 5 to 10 years and signals how it intends to get there. This should include how the Commission plans to address emerging issues such as climate change and BBNJ, among others.
2.	The Review Panel found that SPRFMO would benefit from implementing integrated, multi-year business planning.	The Review Panel recommends the development of a Business Plan with a three-year planning horizon and an associated budget. The first Business Plan should include a review and enhancement of the Headquarters Agreement with the New Zealand Government.
3.	The Review Panel found that SPRFMO could improve performance if the Commission provided greater direction and oversight to its subsidiary bodies, including the Data Working Group, and the Secretariat.	The Review Panel recommends that the Commission improve its direction to subsidiary bodies, the Data Working Group, and the Secretariat by approving their work plans/programmes through the proposed integrated business plan, with a three-year planning horizon and associated budget/funding model. Commission oversight can be strengthened by assessing the performance of the subsidiary bodies and Secretariat against their components of the proposed Business Plan. This would involve developing a Workplan for the CTC and FAC, improving the approach to the SC Multiannual Work Plan, and developing an Operational Plan for the Secretariat, as well as an Information Management Strategy and associated Data Management Plan.

3.2. Building a High Performing Secretariat

40. High-performing Secretariats are crucial to the success of any Regional Fisheries Management Organisation.
41. The SPRFMO Secretariat is relatively small compared to those of other RFMOs. It currently consists of five full-time staff members: four in Professional grade positions and one in the General Services category. The Commission is considering adding an additional Professional grade staff member (Science Manager), subject to sufficient funding in the coming financial years.
42. While small, the Secretariat has faced numerous challenges and changes since its establishment. Over the course of 12 years, the Secretariat has been led by four different Executive Secretaries, soon to be five. Since the PR1, six staff members, including an Executive Secretary, have left the Secretariat, while three new staff members have joined, of whom only two remain.
43. The role, size, and performance of the Secretariat were raised as priority issues during the Review Panel's interviews. The Review Panel agrees that investing in and rebuilding the Secretariat should be one of the Commission's highest priorities. Furthermore, the Review Panel believes that if the Secretariat is not restructured in the near future, it will become a significant risk to the Commission's ability to achieve its objectives or even to deliver its most basic services (e.g., processing quota transfers).
44. As part of its in-depth examination of the Secretariat, the Review Panel regrets to report the following findings:
 - a. Workplace dysfunction and a challenging work environment.
 - b. Potential deprivation of staff entitlements.
 - c. Instances of unaddressed inappropriate physical contact in the workplace.
 - d. Reports of bullying and harassment from senior management.
 - e. Inadequate performance management systems and processes.
 - f. Inadequate administrative systems and processes.
 - g. An environment that stifled innovation and creativity.
45. The Review Panel found that these issues are symptomatic of deeper underlying problems in organisational management, operational performance, and recruitment and retention. These findings point to significant governance failures on the part of the Commission in preventing, monitoring, and addressing these issues within the Secretariat.

46. For completeness, the Review Panel notes that the allegations raised during the review were immediately referred to the Chairperson. The Review Panel further notes that it was not within its mandate to investigate these allegations and, therefore, has no comment on their veracity.
47. The Review Panel acknowledges the seriousness of these findings and offers this analysis and set of recommendations to support the Commission and the new Executive Secretary in rebuilding the Secretariat.

3.2.1. Staffing and Employment Conditions at SPRFMO

48. SPRFMO's employment arrangements are governed by the Staff Regulations⁵ and the Headquarters Agreement⁶.
49. The Review Panel notes that the Staff Regulations have been amended periodically, typically following a request from the Executive Secretary to address specific matters. The Review Panel's impression is that the Staff Regulations themselves are generally adequate. No serious issues were identified with the Staff Regulations through interviews or the questionnaire process, although there may be minor adjustments needed to better reflect workplace practice (e.g., the stringency of standard working hours when staff are required to work outside of normal hours to support intersessional meetings).
50. However, the Review Panel is concerned that the administration of these Regulations has created unnecessary complications within the Secretariat. Ordinarily, such Regulations (including those within the United Nations, from which much of SPRFMO's framework is derived) are supported by clear policies and procedures that ensure fair and consistent implementation.
51. The Review Panel is unaware if such policies and procedures exist but believes that the Staff Regulations are being implemented arbitrarily and inconsistently. Policies and procedures need to be developed, or, where they already exist, thoroughly reviewed and appropriately revised. The issues that led the Review Panel to this conclusion include the following:
 - a. *Lack of a sound performance management system*: While an annual process exists for the Executive Secretary, involving consultation with the Chair and Members on the Executive Secretary's performance, there is no appropriate or transparent system in place within the Secretariat. Staff are unclear about how their performance is assessed or how it is communicated to the Commission. There is also no annual

⁵ <https://sprfmo.int/assets/Basic-Documents/Staff-Regulations-2024-1Mar2024.pdf>

⁶ <https://www.sprfmo.int/assets/Basic-Documents/bca6c7e61b/Headquarters-Agreement-Signed-Final.pdf>

performance agreement negotiated with the Executive Secretary, nor is their performance linked to an organisational business plan or performance metrics.

- b. *Unresolved staff grievances*: Multiple staff grievances have not been resolved satisfactorily or in a timely manner. While there is a dispute resolution procedure in the Regulations, it has not been effectively utilised. In many cases, legal advice is sought without being brought to the Commission's attention, and unresolved grievances have exacerbated workplace tensions.
 - c. *Excessive working hours and leave issues*: Staff have been forced to take leave for early finishes or later starts despite regularly working significantly more than their ordinary hours, including throughout the night. Secretariat staff report routinely working excessive hours, a fact acknowledged in the 2023 SC Report.
 - d. *Unreliable payroll and DSA issues*: The payroll and daily subsistence allowance (DSA) are calculated manually, leading to errors and inconsistencies with the Staff Regulations. Payments are often delayed if the relevant officer is absent, and no payslips are provided despite repeated requests. There also appear to be multiple internal pay disputes.
 - e. *Inconsistent job descriptions*: Job descriptions are not benchmarked against relevant UN professional grading standards, and in some cases, may not accurately reflect the realities of the job. This inconsistency can lead to staff being either underpaid or overpaid, creating inequities between staff performing similar or equally complex roles.
52. The Review Panel believes that these issues are impacting staff retention, but also consider that they are fixable.
53. The Review Panel understands that staff conditions have been raised for several years, with input from multiple local consultancies. The Commission has introduced a housing allowance to offset the high cost of renting in New Zealand, which has been positively received. However, retention issues are compounded by the current hosting arrangements, particularly regarding visas, which are outlined in the Headquarters Agreement.
54. Article 16 of the Headquarters Agreement provides that, subject to New Zealand law, the New Zealand Government will facilitate visas for staff, their spouses, and dependents under the age of 21. These visas are diplomatic in nature, do not allow spouses to work, and are limited to a duration of 10 years. The Review Panel understands that these conditions were not made clear to prospective candidates during the application process or when they accepted their positions. In fact, staff were advised otherwise—that spouses could work and their contracts were permanent, not

subject to a 10-year limit. This discrepancy is confirmed in FAC11-Doc12⁷, which outlines changes to the standard offer letter based on legal advice, but which maintains the provision that appointments are intended to be permanent, possibly because the visa limitation was not raised with the legal advisers.

55. The result of this misinformation is that staff, who had relied on the original information, now face unexpected reductions in household income, career interruptions for their spouses, and uncertainty about how long they can remain in their positions. This situation has led to professional staff resigning, despite many reporting that they enjoy living in Wellington.
56. Honest and transparent recruitment information is crucial. However, even if these issues are addressed, the domestic restrictions may still significantly limit the pool of candidates willing to relocate to New Zealand to work in the Secretariat.
57. The Review Panel is aware that these are not new issues, and it notes that the Secretariat has been unable to find a solution to this point.
58. The Review Panel considers that these recruitment and retention issues must be addressed for SPRFMO to become a competitive employer of choice in New Zealand and the Oceania region. Additionally, the current situation is hindering operational performance, as it disrupts workplace productivity and continuity. Relocating and onboarding new professional staff and their families is also expensive. If these issues cannot be satisfactorily resolved, the Commission could consider relocating the Secretariat, as provided for in the Convention. It is clear to the Review Panel that Members expect the New Zealand Government to play a stronger role in resolving hosting-related issues for the Secretariat.

3.2.2. Secretariat Work Environment

59. As is often the case in international organisations, the Commission (or other decision-making body) has limited visibility into the day-to-day operations of the Secretariat, including the productivity and welfare of its staff. It is not uncommon for Member States to only interact with Secretariat staff during the annual meetings, which are typically the busiest and most stressful time of the year.
60. The Review Panel's impression is that the Secretariat staff are dedicated to the organisation and take pride in the work they do. The Panel has heard various ideas and ambitions from staff regarding their roles and the Commission's work, which is encouraging. However, the Review Panel has also encountered instances where staff

⁷ Restricted document: <https://sprfmo.int/member-pages/meetings-and-wgs/2024-annual-meeting/restricted-documents/>

feel stifled and discouraged from innovating or contributing to the Commission's technical work, such as in areas like science and information management. Overall, the Panel has identified a difficult working environment that may be affecting the productivity and welfare of staff.

61. In the interest of protecting those involved, this report will not elaborate on the specific workplace culture issues further. However, the Review Panel strongly encourages the Commission to recruit an Executive Secretary who will work to foster a healthier and more supportive work environment. The Commission should support this effort to the fullest extent possible. Additionally, the Review Panel suggests that an annual culture survey would be a valuable tool for the Commission to better understand the Secretariat's workplace environment and ensure it remains healthy and conducive to productivity. The first such survey could be conducted immediately to help the new Executive Secretary begin their role effectively.

3.2.3. Envisioning the SPRFMO Secretariat's Future Capacity

62. The Review Panel reviewed the documentation related to the Secretariat staffing strategy with interest. Interview feedback consistently highlighted both the importance and challenges of ensuring that the Secretariat is appropriately sized to meet SPRFMO's current and future operational requirements.
63. The Review Panel sensed that delegations were looking to this independent review for advice on the appropriate structure for the Secretariat. While the Review Panel cannot provide a definitive answer to this question, we can offer some perspective based on the insights gained through this review process.
64. The Review Panel believes that the Commission must make a clear decision about the nature and extent of the services it wants the Secretariat to deliver. There are differing views on how much the Secretariat should grow, which aligns with our findings in subsection 3.1, where we observed that the Commission has yet to determine the future direction of SPRFMO as an organisation. The current Secretariat was designed around a low-cost, minimal service delivery model, which may have been appropriate in the Commission's early years. However, as the demands on the Commission and Secretariat continue to grow, this model is likely to be no longer sufficient.
65. For the reasons identified above, the Review Panel found it difficult to determine whether the Secretariat is adequately resourced to meet current demands. Indicators suggest that it is not, including the excessive number of intersessional meetings held late into the night, high leave balances, and the excessive working hours of staff. However, these are also signs of management and organisational failures to plan and prioritise effectively.

66. As a first step, the Review Panel suggests that the Commission engage in discussions about the future it wants to work towards and develop the necessary planning materials to help guide the Commission toward its objectives, while being mindful of available resources.
67. The Review Panel also notes there is significant interest, at least among some Members, in increasing the scientific capacity within the Secretariat. Many Members expressed that the departure of the former Data Manager, who was also an accomplished scientist, was a significant loss for both the Secretariat and the SC. The Review Panel agrees that there would be clear benefits to enhancing the scientific capacity of the Secretariat and notes that many RFMOs as well as CCAMLR have a professional-grade Science Manager position.
68. However, the Review Panel observed that Members have differing expectations for this position. Some Members want the Science Manager to provide meeting and logistical support for the SC and funded projects, while others expect the role to focus on scientific work, such as stock assessments. The job description provided to the Review Panel reflects these conflicting expectations, as it combines two fundamentally different roles requiring distinct skills and experience. Additionally, the Secretariat's staffing strategy states that the job description, which was not benchmarked, is "similar to the P2 and P4 positions in other organisations"—a contradiction, as P2 and P4 positions differ significantly in terms of skills and experience. Revisiting this job description and ensuring alignment on the expectations for the role is crucial. The Review Panel recommends that the Science Manager position should focus on managing the scientific processes and approved science programme to meet the Commission's objectives.
69. The Review Panel also reviewed several iterations of the Staffing Strategy⁸. From our perspective, the strategy offered a rudimentary analysis of the Secretariat's work, largely focused on whether positions are retained and listing current tasks. Strategic functions and deliverables were not clearly outlined, nor were the cost drivers evident. The Review Panel was unable to identify the direction in which the Secretariat is moving. Additionally, there were inconsistencies in the analysis. For example, the Secretariat's staffing strategies state that if the Communications and Coordination position were

⁸ Restricted documents:

- <https://sprfmo.int/assets/Meetings/04-FAC/7th-FAC-2020/meeting-documents/RESTRICTED/038b05eb5c/FAC7-Doc12-RESTRICTED-Secretariat-Structure-Review.pdf>
- <https://sprfmo.int/assets/Meetings/04-FAC/9th-FAC-2022/meeting-documents/FAC9-Doc10-Development-of-a-Secretariat-Strategic-Plan-and-associated-Staffing-Strategy.pdf>
- <https://sprfmo.int/assets/Meetings/04-FAC/10th-FAC-2023/FAC10-Doc12-Secretariat-Staffing-Strategy.pdf>;
- <https://sprfmo.int/member-pages/meetings-and-wgs/2024-annual-meeting/restricted-documents/>

removed, there would be "*no Spanish language support*" or "*out-of-office follow-up*". Yet Spanish language support is not listed as a function in any job description (or in any other job description), nor is out of business hours support a specified service. These are skills and attributes possessed by the individual in that position.

70. The Review Panel concludes that these staffing strategies are not a useful foundation for discussions on the Secretariat's future size and structure. We believe that the development of governance processes and a planning framework, as recommended earlier, will help the Commission determine the future direction it wants to pursue and plan its resourcing accordingly—whether that involves enhancing the Secretariat's operations or reducing the organisation's activities to align with the budget.

3.2.4. Conclusions

71. In summary, the Review Panel found that there is significant potential for performance improvement within the SPRFMO Secretariat, contingent upon strategic investment in key areas. These areas include:
 - a. *Enhancing Executive Management Competencies*: The Review Panel believes that strengthening the leadership capabilities of the Secretariat is crucial. This includes recruiting an Executive Secretary who can cultivate a healthier, more supportive work environment, foster staff engagement, and drive the Secretariat toward achieving its strategic goals. Furthermore, the Commission should ensure that the new leadership is equipped with the necessary skills to manage and oversee a growing Secretariat effectively. Improved executive management will provide the clarity and direction needed to enhance organisational cohesion and productivity.
 - b. *Organisational Development and Strengthening*: The Secretariat's structure, systems, and processes need to be revisited to ensure they are fit for purpose and capable of supporting SPRFMO's evolving operational demands. This includes developing clear and consistent performance management systems, revising job descriptions to accurately reflect staff roles, and ensuring alignment between the Secretariat's work and SPRFMO's strategic objectives. Additionally, the Review Panel strongly recommends investing in improving staff retention and recruitment strategies, addressing the current issues related to staff conditions, and ensuring that the Secretariat is appropriately sized and resourced to meet both current and future challenges. This also involves revising the staffing strategy to provide a clearer understanding of roles and responsibilities and ensuring that staff are adequately supported and motivated to perform at their best.
72. The Review Panel concludes that these investments are essential for SPRFMO to fully realise its potential as a leading regional fisheries management organisation.

Strengthening both leadership and organisational capacity will enable the Secretariat to play a central role in achieving the Commission’s long-term objectives and will ensure that the Secretariat remains capable of delivering high-quality services as the organisation continues to grow and evolve.

3.2.5. Findings and Recommendations

Rec.	Finding	Recommendation
4.	The SPRFMO Secretariat requires a comprehensive overhaul to address internal issues, workplace practices, and ensure its resourcing aligns with the Commission’s planned direction for the future. To succeed and thrive, the Secretariat needs a strong leader with proven managerial experience, strong communication skills, and a focus on continuous improvement. This will ensure the recruitment and retention of quality staff and help the Secretariat develop a strong track record for delivery.	Recruit a competent Executive Secretary with proven leadership, executive management, organisational development, and results-oriented skills that can drive the necessary internal reforms to improve the Secretariat’s operational performance and support the Commission’s strategic objectives. An understanding of the strategic importance of information management systems would also be an advantage to the organisation. The Executive Secretary should be provided with a performance agreement linked to Key Performance Indicators (KPIs) in the approved Business Plan.
5.	The Headquarters Agreement is affecting the Secretariat’s operations in New Zealand.	Carry out an independent review of the Headquarters Agreement to ensure it is fit for purpose.
6.	The Secretariat would benefit from clear strategic direction from the Commission. However, the draft Secretariat Staffing Strategies are not fit for purpose and will not provide the necessary direction in terms of operational deliverables, staffing structure, service delivery or investment in organisational health.	Develop a Secretariat Business Plan with a three-year planning horizon and an associated budget. The first Business Plan, with specific and measurable KPIs, should include: <ul style="list-style-type: none"> • A staffing plan and associated organisational arrangements. • Cultural improvement plan. • The development of systems and processes to implement the staffing and financial regulations to meet international best practice and in a fair and consistent manner. • Support for the Information Management Strategy and Data Management Plan. • Support for the Commission and its subsidiary bodies and the Data Working Group. • Support for the independent review of the Headquarters Agreement with the New Zealand Government.

3.3. Data Collection and Information Management Systems

73. Information is a strategic asset for most modern organisations. In the case of SPRFMO, fisheries catch, effort, impacts, landing, research and compliance data collection and management, and the subsequent analysis of this data is fundamental to the work of the Commission. The provision of comprehensive, timely, and accurate data and its conversion to usable information underpins most, if not all, decisions made by SPRFMO.
74. However, data collection and information management go beyond simply collecting information from vessels and observers. It involves the strategic identification of data and information needs, secure handling of that data, the efficient and secure collection and handling of that data, cost effective systems and processes that organise and structure data, the exchange of data and information between users and the ability to use information to make sound decisions about the fishery.
75. In SPRFMO's case, the Review Panel finds that the Commission has tended to treat data as an operational input, primarily to the science functions of the organisation, with insufficient investment in information management systems, which leads to significant inefficiencies. Investing in integrated information management systems has the potential to deliver substantial improvements for SPRFMO in the conduct of its business.
76. Data collection and information management systems emerged as a key issue for respondents in the questionnaire and interview process. The collection, maintenance, and investment in information management systems, as well as the use of data for compliance purposes, were all identified as areas requiring improvement.

3.3.1. Data Standards

77. Current data requirements for the Commission are set out in CMM 02: Standards for the Collection, Reporting, Verification, and Exchange of Data⁹. This measure outlines the requirements for data collection, observer programmes, historical data, verification, exchange, confidentiality, and annual reporting. The measure also requires the Secretariat to compile and disseminate statistical data while maintaining appropriate confidentiality. Under CMM 02-2022, Members are required to submit annual reports on fishing, research, and management activities to the SC to inform any management decisions and recommendations made by the Commission. Additionally, the CMM contains a review process that mandates the measure to be reviewed no later than the 2025 Commission meeting, with advice from the SC.

⁹ <https://sprfmo.int/fisheries/conservation-and-management-measures/cmm-02-data-standards/>

78. The Review Panel notes that, despite the review process outlined in the CMM, the measure has never been substantively reviewed; only its review date has been amended. The Panel also observed that there are several instances in the SC reports where the SC has recommended specific data to be collected, but these recommendations have not resulted in any amendments to the CMM. This suggests a disjointed approach to the CMM, and it is unclear whether CMM 02-2022 fully meets SPRFMO's information needs or how SPRFMO typically determines its data requirements. Furthermore, the measure does not clearly specify the role and responsibilities of the Secretariat as the Commission's information manager.

3.3.2. Governance and Strategic Direction for SPRFMO Information Management System

79. The Review Panel found no evidence of an overarching information management strategy that guides SPRFMO's approach to the management of its data. This lack of a strategic framework has led to a somewhat ad-hoc, underfunded approach to information management, which is not responsive to SPRFMO's current and future management needs. The Review Panel considers that it is essential to strengthen the institutional arrangements governing information management and to develop a comprehensive strategy that will guide a formal data management plan and investment decisions.
80. In terms of existing direction and oversight, SPRFMO established a Data Working Group (DWG) under the auspices of the SC in 2023. The group held its inception meeting in April 2023, but its progress has been slow, partly due to the absence of a Chair. The current Terms of Reference, outlined in SC12-Doc12: Data Working Group status and work¹⁰, direct the working group to report to both the SC and the CTC, although the CTC has not yet reviewed the document.
81. The Terms of Reference outline the potential areas of work for the DWG, which include the development of improved databases and processing tools, such as a new portal for data submissions, whilst ensuring confidentiality. The group is also tasked with guiding data-related projects, including transshipment notifications and integration with relevant FAO fisheries information management platforms, supporting the development of Electronic Monitoring Reporting initiatives, and evaluating the completeness, consistency, and reliability of SPRFMO data. Additionally, the group is expected to ensure that data reports support decision-making by the Commission, coordinate

¹⁰ <https://sprfmo.int/assets/Meetings/02-SC/12th-SC-2024/Plenary-Documents/SC12-Doc12-Data-Working-Group-status-and-Terms-of-Reference.pdf>

capacity-building programmes such as workshops for data preparation and processing, and review and assess the relevance and consistency of current data submissions.

82. While the Review Panel acknowledges the SC's efforts to embrace data reform, particularly in improving the user experience and the quality of submissions, it believes that information management should be addressed in a more comprehensive and strategic manner.
83. The Review Panel recommends that the Commission take a more active role in ensuring the efficiency and effectiveness of its information management system. Specifically, the Panel suggests elevating the Data Working Group to report directly to the Commission, potentially as a new subsidiary body. This would allow the working group to collaborate across all three subsidiary bodies, rather than being absorbed into the already heavy workload of the SC. By reporting directly to the Commission, the working group would be better positioned to ensure that information management requirements are clearly defined, that the process for identifying data needs is closely aligned with management requirements, and that the systems are properly maintained and resourced. The Review Panel also recommends that the Secretariat's role as the Commission's Information Manager be better specified with appropriate accountability mechanisms in place.
84. To be effective, the working group would need to include representatives from a wide range of disciplines to ensure alignment and integration across the Commission's work. In this respect, the mandate of the group could be revised to include these broader responsibilities while maintaining the important tasks already outlined in SC12-Doc12.

3.3.3. Improving Information Management Systems

85. SPRFMO's database redevelopment efforts began in 2020, prompted by the ageing technology of the previous infrastructure. Some redevelopment work was completed in March 2021, which resulted in improvements to the user interface and user experience for the Public Vessel Record and the SPRFMO database web interface. In 2023, the Secretariat brought additional issues to the Commission's attention. Specifically, the database had to transition to a new provider, and there were a range of other technical improvements needed to accommodate increasing data types and requirements. In response, the Commission allocated modest additional funding for information management systems to support these improvements.
86. Over the following years, iterative work has continued on the Commission's database and related systems to improve the accuracy and timeliness of fisheries data. More recently, some Members have provided additional voluntary funding to enhance information management by:
 - a. Redeveloping and maximising the core functionality of the SPRFMO database.

- b. Integrating a spatial management module with the SPRFMO database.
 - c. Aligning the SPRFMO database with the SPRFMO website.
87. However, the Review Panel could find no evidence of a comprehensive business case that underpinned the decisions for the recent enhancement to the Commission’s information systems.
88. While these efforts represent a promising start, the Review Panel finds that, based on the information available, the current information management system is not fit for purpose. Recent investments appear to have made only marginal, piecemeal improvements, and have not adequately addressed the overall limitations of the underlying system. The Review Panel believes that a comprehensive Information Management Strategy and Data Management Plan, along with a more proactive approach to financial resourcing, could help design and implement a more robust, fully integrated, future-proof solution for the Commissions information and data needs.
89. If these changes are not made, the Commission will struggle to benefit from emerging technologies, such as artificial intelligence and advanced real-time reporting (Electronic Reporting and Electronic Monitoring), which could significantly improve accuracy and efficiency, and better inform management decisions. The current approach represents an unsound investment for SPRFMO, as it is both ineffective and inefficient. The Commission could look to emulate or adapt other comparable information management systems, such as the FAO’s Global Information Exchange System (GIES) or IFIMS (PNA/WCPFC), to enhance and improve efficiency, reliability, and usability.

3.3.4. Systems for User-Friendliness and Efficiency

90. SPRFMO’s data infrastructure serves a variety of users, including Secretariat staff, scientists, fisheries managers, compliance professionals, and the public. These users both input and extract data from the system for various purposes and may access either public or private data.
91. There is a clear need to address the user experience with the database to ensure that data can be efficiently contributed and effectively analysed. Many respondents reported that current practices are overly complex, prone to errors, not user-friendly, and inefficient. These issues are largely due to reliance on unstructured (Excel) spreadsheets and the lack of a comprehensive Electronic Reporting (ER) platform. The need for standardised electronic reporting formats was consistently highlighted. In particular, VMS (Vessel Monitoring System) data and transshipment data appear to be particularly challenging due to the large volume of data, the onerous requirement for manual input, and difficulties in effectively using the data. Managing this data requires

significant attention to ensure that the system is efficient and reliable. The Review Panel concluded these issues need to be addressed as part of the wider reforms to the information management function of the Commission.

3.3.5. Data as a decision-making tool

92. SPRFMO relies on data to strengthen its decision-making processes. In the Review Panel's view, SPRFMO is fortunate to have access to a wealth of relatively clean data. However, this data is reportedly difficult to access due to limitations in the database, challenges in analysing it, and the fact that few Members are actively requesting data for scientific or compliance purposes. The Review Panel emphasises that there is no value in data that remains unused. This represents untapped potential, which could be addressed through targeted database investments and by conducting a comprehensive data-needs scoping exercises to better align data resources with decision-making requirements and investment in new fit for purpose information management systems.
93. The Review Panel notes that PR1 recommended that the Commission *don't develop Catch Documentation Schemes or market-related measures at that time* (PR1 recommendations 285(d) and 285(e)). The Commission agreed to keep these issues under review. However, the Review Panel found no evidence of further consideration on these matters, and they did not emerge as a key issue in this review. Nevertheless, the Review Panel observes that if SPRFMO chooses to manage its fisheries based on catch, it may require more independent verification. In light of this, the Commission may want to consider the potential need for a Catch Documentation Scheme when designing electronic monitoring or reporting systems. It may also be prudent to incorporate this consideration into the information needs scoping exercise that the Review Panel recommends.

3.3.6. Confidentiality

94. Respondents did not identify any concerns regarding data confidentiality. However, the Review Panel was unable to find any evidence that SPRFMO's data confidentiality standards comply with international standards for information security management, as required by paragraph 6(b) of CMM 02-2022¹¹. As a result, it remains unclear whether SPRFMO's information security measures are adequate.

¹¹ <https://sprfmo.int/assets/Fisheries/Conservation-and-Management-Measures/2024-CMMs/CMM-02-2022-Data-Standards-1-Mar2024-consequential.pdf>

3.3.7. Conclusions

95. In summary, the Review Panel found that:

- a. *The SPRFMO Information Management System is Not Fit for Purpose:* The current information management system has significant limitations that hinder its effectiveness. Despite the availability of relatively clean data, the system struggles with accessibility, analysis, and usability, reducing the overall value of the data collected. As a result, the system is not meeting SPRFMO's operational and decision-making needs, and substantial improvements are required.
- b. *Underinvestment in Information Management:* The Commission has underinvested in information management, failing to recognise its critical value in supporting SPRFMO's functions. This underinvestment has led to inefficiencies in information management and limited the Commission's ability to fully leverage the data for better decision-making. Information management is an essential strategic asset that needs to be treated as a priority, with adequate resources allocated to enhance its capabilities.
- c. *Need for an Information Management Strategy and Data Management Plan:* SPRFMO requires a comprehensive Information Management Strategy and Data Management Plan to guide its data governance, ensure consistency, and optimise the use of data across all its functions. The Review Panel believes that by developing these strategic frameworks, the Commission can address the current deficiencies and establish a robust, long-term approach to managing its data resources effectively.
- d. *Improvement and Elevation of the Data Working Group's Mandate:* The DWG has an important role to play in the reform of SPRFMO's information management system. However, the Review Panel believes that its current mandate could be improved and that it should be elevated to report directly to the Commission. This would enable the DWG to better coordinate efforts across all subsidiary bodies, ensuring that information management needs are clearly identified, aligned with management requirements, and adequately resourced. By reporting directly to the Commission, the DWG can ensure that collection of data and information management systems becomes an organisational priority, helping to drive the necessary reforms and improvements.

3.3.8. Findings and Recommendations

Rec.	Finding	Recommendation
7.	Effective data collection and information management systems are critically important. The Commission has under-invested in information management through an ad hoc and poorly resourced approach.	The Commission should develop an Information Management Strategy and Data Management Plan, placing a high priority on improving its overall approach to information management. This could draw on the SC's existing progress through SC12-Doc12.
8.	The Data Working Group is a positive step forward; however, its mandate is too limited to address the underlying issues associated with SPRFMO's information management system.	The Commission should elevate the Data Working Group to a standalone body reporting directly to the Commission and reconsider its title and mandate in light of the issues identified by the Review Panel.
9.	The Commission needs to ensure that the provisions of CMM 02-2022 meet its future data and information requirements.	The Commission should work towards conducting a comprehensive review of CMM 02-2022, following the development of the Information Management Strategy and Data Management Plan, as part of the Business Plan.

3.4. Fisheries management

96. SPRFMO manages three main fisheries: jack mackerel, jumbo flying squid, and deepwater species, alongside a range of exploratory fisheries. Participation in each fishery varies across SPRFMO's Membership, and each fishery is managed under its own CMM.
97. Most Members consider that the precautionary approach, as required by the Convention, is applied unevenly and is often fishery-dependent. Many Members view the management of the jack mackerel fishery as following a precautionary approach, although some noted that there is no management framework for chub mackerel, a commonly bycaught species. Similarly, many Members commented that the squid fishery is not managed in a precautionary manner. There were mixed views on whether the deepwater fishery is managed consistently with the precautionary approach. Some respondents expressed concern that the Commission had not implemented the 70% protection of VME taxa as they were required to do in 2024 by paragraph 19 of CMM 03-2023¹².
98. There were also differing views on whether the Commission applies an ecosystem-based approach to fisheries management. While many noted efforts to consider broader environmental and habitat factors in decision-making, others pointed out that there is insufficient data to support an ecosystem-based approach and that it has not been effectively defined within the SPRFMO context.
99. Overall, the Review Panel acknowledges SPRFMO's genuine efforts to manage its fisheries effectively. The jack mackerel fishery continues to be a success in terms of rebuilding, which is an example of effective cooperative management. However, while there are positive aspects to the management of SPRFMO's other fisheries, they have not received the same degree of attention in the Commission's work planning and could benefit from more structured attention moving forward.
100. The Review Panel suggests that the Commission explore the adoption of a harvest strategy approach for its fisheries. This would provide a practical framework for decision-making and goal-setting for each fishery, ensuring that the precautionary approach is consistently applied.
101. While the Panel acknowledges that efforts have been made to implement an ecosystem-based approach, it has received limited attention through CMMs, except for some provisions related to associated or dependent species and technical work on the

¹² CMM 03-2023, paragraph 19: *From 2024, the Commission shall apply a minimum of 70% protection of suitable habitat for each modelled VME indicator taxa. The Commission, taking into account the advice and recommendations of the Scientific Committee, shall review the boundaries of the Management Areas established in paragraph 14 and Annex 4 of this CMM and make any modifications necessary to achieve this level of protection at its 12th annual meeting in 2024.*

habitat and connectivity of the jack mackerel fishery. However, the Panel recognises that achieving a full ecosystem approach requires extensive data, the collection and analysis of which would likely exceed SPRFMO's current capacity.

102. The Commission might find it useful to define what an ecosystem-based approach to fisheries management would mean in the SPRFMO context. Following this, a plan should be developed to outline how effective implementation could be achieved for each fishery. Additionally, it would be beneficial to consider whether the SC's agenda could be better structured to ensure that ecosystem impacts are adequately addressed.
103. Finally, the Review Panel notes that each fishery shares stocks across national boundaries and achieving compatible management measures across jurisdictions is inherently difficult. Many international fisheries organisations face similar challenges. The Review Panel urges Members to work towards compatibility, including sharing data as necessary, to ensure the biological sustainability of these stocks.

3.4.1. Jack Mackerel Fishery

104. The jack mackerel fishery has demonstrated a healthy and consistently increasing biomass, a positive trend attributed to the diligent efforts of SPRFMO Members. This progress is supported by robust stock assessments and recommendations from the SPRFMO SC, which have informed the Commission's decisions regarding relevant CMMs. As a result, the stock has significantly recovered from its previous overfished status.
105. Feedback from questionnaires and interviews reveals a cautiously optimistic sentiment regarding SPRFMO's management of the jack mackerel fishery. The consensus recognises the substantial progress, particularly in stock recovery and the implementation of science-based initiatives such as the rebuilding plan. However, many respondents emphasise that long-term sustainability relies on the completion of the Management Strategy Evaluation (MSE) process. Concerns persist regarding the political will to adhere to reductions in catch limits should the SC recommend such actions, as a notable risk to sustainability arises when catches exceed scientific advice across the range of the stock.
106. The SC has undertaken thorough and ongoing work to provide precautionary advice and improve the understanding of stock dynamics. Various working groups contribute valuable insights into the fishery, further strengthening the scientific framework. The Review Panel acknowledges this commendable effort and encourages its continuation, while noting the risk of overburdening Members and Secretariat staff (especially given the high workload of the SC, as noted in subsection 3.1).

107. Harvest control rules for the fishery are detailed in the document titled “Adjusted Annex K”. However, the Review Panel observes that this document is not easily accessible on the SPRFMO website, suggesting that transparency and public accessibility of key documents could be improved. This is particularly important given the role of Annex K in managing this fishery.
108. A precautionary approach continues to guide management efforts, alongside long-term strategies aimed at preventing overfishing. Compliance with total allowable catches (TAC) has generally been positive, and the long-term allocation of total catches has been well-received by Commission Members, reflecting strong cooperation. Although the allocation process is complex, it has generally been successful, albeit with occasional use of the objection procedure¹³. The ongoing work on the MSE is an essential contribution to the long-term management of the jack mackerel fishery.
109. The Commission has generally aligned its decisions with the SC’s advice, with one notable exception: the adoption of CMM 01-2023, which authorised catches exceeding the recommended levels. The Review Panel acknowledges that extensive discussions regarding allocations, including considerations for new entrants to the fishery, took place during that annual meeting.
110. The observed overshoot of catches beyond scientific advice is a significant concern, compounded by a lack of cooperation regarding fisheries in adjacent areas under national jurisdiction. This lack of coordination could undermine management effectiveness across the entire stock range. This issue has been a recurring topic of discussion among Members, yet no clear solutions have emerged.
111. Regarding associated and dependent species, it remains unclear whether the SC has conducted a thorough analysis of the impacts of the jack mackerel fishery. Some information regarding effects on chub mackerel and other species is available in the SC reports. The Review Panel notes that the SC’s Multiannual Workplan includes a task focused on chub mackerel to gather pertinent data for stock assessment. However, some respondents raised concerns about the absence of specific measures for associated and dependent species and noted the need for a more comprehensive, ecosystem-based management strategy to address these gaps.
112. While the impact on protected species and other species of concern appears low, it remains unclear whether sufficient information is available to evaluate these impacts effectively. The Commission should consider this issue, as the SC reports contain only limited analysis on the matter. The Review Panel advises that this issue be considered as part of the broader set of data and information recommendations outlined in subsection 3.3.

¹³ <https://sprfmo.int/about/docs/objections/>

3.4.2. Jumbo Flying Squid Fishery

113. Since PR1, significant improvements have been made regarding the management of the SPRFMO jumbo flying squid fishery. The first CMM was adopted in 2020, focusing on key areas such as data collection, regular reporting, monitoring and control of fishing vessels, and the establishment of minimum observer coverage, along with the requirement for scientific data provision. In 2023, CMM 18-2023 on the Management of the Jumbo Flying Squid Fishery¹⁴ was introduced, which included limits on fishing effort and enhanced data collection requirements.
114. The Review Panel acknowledges the challenges associated with assessing and managing this stock, given its brief lifespan, rapid growth, high reproductive capacity, and sensitivity to environmental fluctuations. We commend the significant efforts made by the SC in recent years to collect data and develop suitable assessment strategies. Notably, external scientific experts have been engaged to improve the understanding and management of the fishery.
115. The SC, especially through its Squid Working Group, has focused on evaluating assessment methods, fishing effort, and observer coverage, alongside a deeper understanding of the biological and ecological characteristics of the stock. Much of this progress has been supported by voluntary contributions, both in-kind and financial, from Members and Observers, notably CALAMASUR.
116. The squid fishery, among the three managed by SPRFMO, receives the least favourable feedback. Despite the progress made, feedback from questionnaire respondents indicates a general sense of concern and dissatisfaction regarding SPRFMO's management of the squid fishery. While some improvements have been achieved, such as the introduction of effort limits and increased observer coverage, significant gaps remain. Respondents highlighted the lack of a comprehensive stock assessment and the absence of specific catch limits as critical shortcomings. Concerns were raised that the current effort limits are too high, exceeding the scientific recommendations, and that observer coverage, even with planned increases, remains insufficient to ensure accurate data collection and stock monitoring. Furthermore, the lack of effective management of bycatch and species of special interest, combined with uncertainties surrounding the squid stock status, jeopardises the long-term sustainability of the fishery. Overall, while progress has been made, the management framework for the squid fishery remains inadequate, requiring urgent action to address the data gaps and enhance conservation efforts.

¹⁴ <https://sprfmo.int/assets/Fisheries/Conservation-and-Management-Measures/2024-CMMs/CMM-18-2024-Squid-1Mar2024.pdf>

117. The Review Panel notes that, despite ongoing efforts, the revised stock assessments continue to exhibit significant limitations and uncertainties. We encourage the SC to prioritize this issue, as outlined in its Multiannual Workplan.
118. However, the current situation raises questions about the SC's progress in delivering a robust stock assessment and its ability to advise the Commission on appropriate management measures in line with the Convention's objectives. Moreover, given the straddling nature of this stock, there is concern about whether all relevant data from individual Members, including national jurisdictions, has been adequately shared to improve understanding of the stock and its fishery. Feedback from questionnaires and interviews highlights these issues as major concerns for many Members.
119. The Review Panel is particularly concerned about the risk that the Commission may not adopt measures aligned with the Convention's objectives, including adequate effort control, due to the absence of a robust stock assessment. The Commission must determine how to proceed if a stock assessment cannot be completed or if it is not suitable for management purposes. In such cases, the Commission should instruct the SC to explore alternative approaches and provide relevant advice.
120. It remains unclear whether the Commission and its relevant subsidiary bodies have fully addressed the potential ecosystem impacts of the squid fishery. While PR1 reported that this fishery is mono-specific and assumed that bycatch is negligible, the SC has since acknowledged the potential for seabird interactions during jig operations. The Review Panel notes that CMM 09: Minimising Bycatch of Seabirds in the SPRFMO Convention Area¹⁵ does not cover the main gear used in squid fishing—jigging. Considering that the last review of this measure was in 2017, we believe the Commission should consult the SC on this matter to ensure that the effectiveness of bycatch reduction measures is fully evaluated, particularly with regard to seabird populations.
121. Annual bycatch records prepared by the Secretariat for the SC have reported only one recorded interaction with a marine turtle. However, the SC has emphasised that even minimal interactions require substantial observer coverage to ensure they are detected, as even small numbers can have significant impacts on vulnerable species, particularly in large fleets.

¹⁵ <https://sprfmo.int/fisheries/conservation-and-management-measures/cmm-09-seabirds/>

3.4.3. Deepwater Species and Bottom Fishery

122. SPRFMO manages a deepwater fishery, primarily using bottom longline, bottom trawl, and midwater trawl methods. Only Australia and New Zealand participate in this fishery, located in the western part of the SPRFMO Convention Area.
123. The fishery is governed by CMM 03: Management of Bottom Fishing¹⁶ and CMM 03a: Deepwater Species¹⁷. Its history is detailed in the Report of the Bottom Fishing Intersessional Working Group. Despite limited participation, the trawling sector has attracted significant attention, especially in efforts to prevent significant adverse impacts on vulnerable marine ecosystems (VMEs), as required by various UN General Assembly resolutions.
124. In 2022, the Commission initiated an intersessional process to review the bottom fishing measure. The Bottom Fishing Intersessional Working Group was tasked with addressing five specific topics, with the aim of resolving legal, policy, and scientific issues through management recommendations. In 2023, the Commission agreed by consensus to apply a minimum of 70% protection of suitable habitat for each modelled VME indicator taxa from 2024. However, this outcome was met with dissatisfaction from both the fishing industry and e-NGO observers.
125. Although the SC had provided the necessary advice for the Commission to implement this obligation in 2024, the Commission did not act on the advice at its annual meeting.
126. The Review Panel acknowledges that the Commission did not act on the SC's advice, which is not ideal practice. However, deeper issues must also be considered. The Panel's view is that paragraph 19 of CMM 03 is binding, and the change in government within one Member country should not absolve the Commission from its obligations¹⁸. Disrupting a multilateral process due to such political changes is very unfortunate. The feedback from interviews and questionnaires indicate that this view is shared by at least three Members and one observer.
127. The Review Panel is conscious that the deepwater fishery is complex, but the issue at hand is not simply whether the 70% protection should be implemented, or whether it should be a different percentage. The real concern is that CMM 03, in its current form, is unworkable. The catch and effort data, along with periodic boundary changes, reflect a gradual reduction in fishing opportunities. The industry has repeatedly raised concerns that SPRFMO's approach has made it increasingly difficult for the sector to operate.

¹⁶ <https://sprfmo.int/fisheries/conservation-and-management-measures/bottom-fishing/>

¹⁷ <https://sprfmo.int/fisheries/conservation-and-management-measures/cmm-03a-deepwater-species/>

¹⁸ This discussion is recorded in paragraphs 13 and 58-67 of COMM 12 report (<https://sprfmo.int/assets/Meetings/01-COMM/12th-Commission-2024/COMM12-Report-2024-Final-26Feb24-No-Annexes.pdf>).

128. While the Commission is entitled to set management objectives and metrics, the current measure is difficult to regulate, costly to maintain from a scientific perspective, and may have hindered the industry beyond what is biologically necessary. The Review Panel does not suggest discarding SPRFMO's previous efforts but recommends that the Commission explore a range of management options to meet the objectives of the Convention. If it is found that the industry cannot operate effectively within the Convention's objectives, this should be determined after exploring alternatives, not based on one management regime alone.
129. The Review Panel recommends that the Commission, in collaboration with the SC, consider alternative approaches to managing the deepwater fishery over the next 3 to 5 years. This would allow the Commission to reconcile the sector's future with the Convention's objectives and provide time to resolve unresolved issues, such as the definition of significant adverse impacts on VMEs. The Panel stresses that this should be a constructive effort to explore new management approaches. The Review Panel does not foresee significant risks if CMM 03 remains in its current form, but the Commission must assess whether this is truly the best course of action.
130. Regarding the stocks, the Panel notes that despite multiple species being targeted in the deepwater fishery, only the orange roughy stock has a stock assessment and is managed under a TAC. Given the current fishing effort, the Panel does not consider it urgent to prioritise catch limits for other species. However, the Commission could consider establishing triggers to implement higher management levels if fishing effort significantly increases. The Review Panel also recommends that the Commission adopt a harvest strategy approach for these stocks, with alfonsino stock assessment as the next priority.

3.4.5. Exploratory Fisheries

131. Article 22 of the Convention establishes a comprehensive framework for managing new or exploratory fisheries, emphasising the need for cautious preliminary conservation and management measures to ensure their sustainability. Specifically, it mandates that any fishery that has not been fished for ten years or more may only be opened when the Commission has adopted appropriate measures to protect the marine ecosystem and associated species from the potential adverse impacts of fishing activities. Additionally, the article requires that the development of new fishery resources must be approached in a precautionary manner until sufficient data is available to implement detailed management measures.

132. CMM 13: Management of New and Exploratory Fisheries in the SPRFMO Convention Area¹⁹ outlines the governance structure for managing new and exploratory fisheries within the SPRFMO Convention Area. It ensures that adequate information is available to assess the long-term viability of these fisheries, facilitates the development of management advice, and evaluates the potential impacts on target stocks as well as non-target and associated species. This framework promotes a precautionary, step-by-step approach to resource development.
133. There are currently five active exploratory fisheries:
- a. CMM 14a-2022: Exploratory Fishing for Toothfish by New Zealand-flagged vessels in the SPRFMO Convention Area
 - b. CMM 14b-2024: Exploratory Trap Fishery in the SPRFMO Convention Area
 - c. CMM 14e-2024: Exploratory Fishing for Toothfish by the European Union in the SPRFMO Convention Area
 - d. CMM 14f-2024: Exploratory Fishing for Toothfish by Australia in the SPRFMO Convention Area
 - e. CMM 14g-2024: Exploratory Hapuku Fishery by the Cook Islands in the SPRFMO Convention Area
134. Based on responses to questionnaires and interviews, the effectiveness of the Commission's exploratory fisheries framework is generally viewed positively by participants. Most respondents rated the framework as either very effective or moderately effective. However, concerns have been raised about the proliferation of new fisheries, particularly for toothfish, with insufficient attention to their cumulative impacts. While the framework is considered precautionary and adaptable to new scientific insights, respondents noted that the provisions for transitioning these fisheries into established fisheries remain unclear.
135. The Review Panel observes that the SC has dedicated significant attention to all exploratory fishing proposals and has made notable progress in refining procedures for assessing compliance with the provisions outlined in CMM 13. Based on the SC's recommendations, the Commission is well-informed to make decisions, and the precautionary approach appears to have been effectively applied.
136. However, while the SC's workplan includes tasks related to individual exploratory fisheries, there has been limited assessment of the cumulative impacts on both target stocks and the broader ecosystem. Given the multiple exploratory fisheries for

¹⁹ <https://sprfmo.int/fisheries/conservation-and-management-measures/cmm-13-exploratory-fisheries/>

toothfish, the Panel recommends that the SC evaluates these fisheries cumulatively and provides informed guidance to the Commission accordingly.

137. CCAMLR's extensive experience in assessing and managing toothfish could be invaluable in this context. Although the current toothfish exploratory fisheries align with CCAMLR standards, cooperation between the two organisations could be strengthened to better support SPRFMO's future management of this fishery once it is fully established. SPRFMO could explore further input and participation in the CCAMLR stock assessment process, as well as implement management measures that align with CCAMLR's Decision Rules. This could be achieved by reviewing and operationalising the SPRFMO-CCAMLR Memorandum of Understanding.
138. Finally, the Commission has not yet discussed the application of Article 28 of CMM 13, which states that "once an exploratory fishery has been fished for ten years pursuant to this CMM, any further fishing in that fishery shall be undertaken only in accordance with a CMM adopted by the Commission in accordance with paragraph 26 to manage that fishery as an established fishery". There is no evidence of discussions or planning by the Commission or its subsidiary bodies regarding the implementation of this provision. Furthermore, it is unclear how one toothfish exploratory fishery, which is approaching the ten-year limit, will affect the newer toothfish fisheries.

3.4.6. Conclusions

139. In summary, the Review Panel found:
 - a. *General Positive Direction for the Jack Mackerel Fishery:* The direction SPRFMO has taken with respect to the jack mackerel fishery is generally positive. The progress made in rebuilding the stock is commendable, largely due to the cooperative efforts of SPRFMO Members, effective stock assessments, and science-based decision-making. There is, however, a gap in information regarding the fishery's ecosystem impacts. The Commission should prioritize analysing the bycatch and adopt appropriate measures, if necessary.
 - b. *The Squid Fishery is Insufficiently Managed:* Despite notable improvements in recent years, including the introduction of effort limits and enhanced observer coverage, the management of the jumbo flying squid fishery remains inadequate. Significant gaps in data collection, stock assessment, and bycatch management persist. The absence of specific catch limits and the insufficient observer coverage raise concerns about the adequacy of stock monitoring and the long-term sustainability of the fishery.
 - c. *Alternative Options for the Deepwater Fishery Should Be Explored:* The current management framework, particularly under CMM 03, has been met with

dissatisfaction due to its complexity and the difficulties it presents for the fishing industry. The Review Panel recommends that the Commission explore alternative approaches to managing this fishery. A more flexible and adaptive management strategy should be developed, taking into account both biological sustainability and the economic viability of the sector. The Review Panel emphasizes the need for a constructive process to explore new management options, with the aim of finding a balanced approach that satisfies both conservation objectives and industry needs.

- d. *The Commission Must Be Ready to Address the Next Stages of Development in Exploratory Fisheries:* SPRFMO's framework for managing exploratory fisheries has been effective in applying a precautionary approach, with the SC playing a key role in assessing the risks and providing advice. However, some exploratory fisheries are approaching the ten-year limit for exploratory fishing. The Commission must be prepared to address the next stage of these fisheries' development, including transitioning them into fully established fisheries. In addition, the Commission should consider the cumulative impacts of these fisheries as well as engaging with CCAMLR, to share knowledge and align management approaches regarding toothfish.
- e. *A Harvest Strategy Approach for All Fisheries Aligns with SPRFMO Objectives:* The Review Panel strongly supports the adoption of a harvest strategy approach for all SPRFMO targeted fisheries. A well-defined harvest strategy provides a framework for consistent decision-making and the application of the precautionary approach across different fisheries. This approach would help ensure that management measures are designed with clear objectives, supported by scientific evidence, and adaptable to changing conditions.

3.4.7. Findings and Recommendations

Rec.	Finding	Recommendation
10.	Jack mackerel – Lack of cooperation regarding fisheries in adjacent areas under national jurisdiction risks undermining management effectiveness.	Continue discussions and actions toward full cooperation with the jack mackerel fishery occurring in adjacent national jurisdictions. The Commission should explore ways to incentivise improved cooperation and compatibility.
11.	Jack mackerel – The impact of the jack mackerel fishery on other fish stocks and the broader ecosystem, including potential risks to protected species, remains insufficiently evaluated.	Undertake analysis of the jack mackerel fishery’s impact on other fish stocks and the broader ecosystem. Provide scientific recommendations based on these reviews and adopt relevant management decisions as necessary, with particular attention to chub mackerel, protected species and species of concern.
12.	Squid – Ongoing gaps in stock assessments indicate that further action is needed to implement effective management of the fishery according to the provisions of the SPRFMO Convention.	To ensure effective and timely management of the squid fishery, it is essential to execute all tasks related to squid as outlined in the SC’s Multiannual Workplan, which should be integrated into the broader Business Plan. This includes prioritising the development of management strategy evaluations (MSE) and harvest control rules (HCR), ensuring that work is directed and resourced in a more thoughtful and strategic manner, as part of an overall effort to achieve SPRFMO’s long-term objectives. The Commission shall also consider alternative options if the stock assessment cannot be completed or if it is not suitable for management purposes.
13.	Squid – There are considerable uncertainties in the stock assessments, partly due to insufficient data.	Participants of the fishery, including Members with squid fisheries in areas under national jurisdiction, should fully cooperate with the Commission and the SC through data sharing to facilitate the assessment.
14.	Squid – Although there have been improvements in observer coverage since the introduction of CMM 18, current levels remain inadequate, hindering the collection of essential data for assessing both the squid fishery and its ecological impact.	Increase the observer coverage rate to generate relevant data that supports the SC’s work, addressing both the targeted squid fishery and its potential impact on associated species.

Rec.	Finding	Recommendation
15.	Squid – The uncertainties surrounding current fishing capacity highlight the need for precautionary measures. The existing effort limits are viewed as too high, and further strengthening of these limitations is crucial for safeguarding the long-term sustainability of the squid fishery.	Given the uncertainties regarding the current fishing capacity, consider further precautionary measures, including strengthening fishing effort limitations.
16.	Squid – The progress made in the squid fishery has largely relied on voluntary contributions from Members and Observers, underscoring the need for sustained funding and resources to engage scientists with the necessary expertise.	The Commission should ensure adequate funding and resources, including financial support, to involve scientists from academic institutions with relevant expertise. Additionally, Members and Observers should be encouraged to maintain their cooperation through both in-kind and financial contributions.
17.	Deepwater – CMM 03 is not fit for purpose, considering its complexity and the unintended consequences on the relevant fishing industry. This measure could be constructed in alternative ways that meet the Convention’s objectives.	Investigate alternative approaches to managing these fisheries to explore whether it is possible to maintain a viable fishery in a way that is consistent with the Convention’s objective.
18.	Deepwater – In terms of stocks, there is no urgency to prioritise catch limits for other deepwater species given effort is so low.	With respect to all other fish species captured by paragraph 11 of CMM 03a, implement an operational trigger which, if met, would activate the development of more specific fisheries management measures, for example, catch limits.
19.	Exploratory Fisheries – There is no evidence of discussions or planning by the Commission or its subsidiary bodies regarding the application of Article 28 of CMM 13. This article specifies that exploratory fisheries fished for ten years must transition to established fisheries under an adopted conservation and management measure.	The Commission and its relevant subsidiary bodies should initiate discussions to clarify how to apply Article 28 of CMM 13. This includes identifying fisheries approaching the ten-year mark and establishing a framework for transitioning them into established fisheries.

Rec.	Finding	Recommendation
20.	Exploratory Fisheries – While the SC has focused on individual exploratory fisheries, there has been a limited assessment of the potential cumulative impacts on both target stocks and the broader ecosystem, particularly concerning toothfish fisheries.	The SC should conduct review of the cumulative impacts of exploratory fisheries on both target stocks and the broader ecosystem.
21.	Exploratory Fisheries – There is a significant opportunity to enhance cooperation with relevant adjacent RFMOs to better inform the management of exploratory fisheries as they become established.	The Commission should work to strengthen cooperation with adjacent RFMOs, particularly regarding the management of toothfish fisheries. Engaging with CCAMLR can provide valuable insights and support for the effective management of these fisheries and the process to transition these into established fisheries.
22.	All fisheries - The absence of a uniform approach to harvest strategies across SPRFMO's fisheries hampers the consistent application of the precautionary principle.	To ensure the consistent application of the precautionary principle, the Commission should adopt a defined harvest strategy approach for all SPRFMO fisheries. This approach will provide a clear framework for decision-making, ensuring that measures are based on scientific advice, aligned with the Convention objectives, and adaptable to changing conditions.

3.5. Improving Engagement

140. One of SPRFMO's key strengths is its diversity—culturally, politically, and geographically.
141. International organisations are made up of national interests working towards a common goal, and SPRFMO is no different. For SPRFMO to succeed, it must offer value to all of its Members. Inclusive participation is essential, as it enhances the overall effectiveness of the Commission. By encouraging broad engagement, SPRFMO can foster greater buy-in in both decision-making processes and the implementation of those decisions.
142. The Review Panel believes that inclusive participation is crucial for SPRFMO's continued success. While the foundational elements for this are in place, the evidence indicates that some Members face long-standing barriers that hinder their ability to participate on equal terms with others. These barriers are significant challenges for international organisations and addressing them is essential to ensuring that all Members can engage in a truly equitable manner. A key issue for SPRFMO has been its reliance on English as the working language, which has posed particular challenges for many Members. This issue is further compounded by capacity constraints within SPRFMO: many developing Members would be able to participate more effectively if they could do so in their native languages.

3.5.1. English as the Sole Working Language

143. The Review Panel found that language barriers continue to hinder equitable participation in SPRFMO, particularly for Spanish-speaking Members, who represent more than 35 % of the Commissions' Members and CNCs. This issue, identified in PR1, persists today, with Ecuador raising the matter on several occasions (see COMM12-Prop03²⁰).
144. The host of the annual meeting ordinarily provides interpretation. Many respondents expressed appreciation for this offer. However, the absence of guaranteed interpretation creates unease for delegations reliant on it, especially during complex discussions. Additionally, although interpretation is available at annual meetings and in the FAC and CTC, there is no interpretation during SC meetings, nor are documents typically translated into Spanish. Furthermore, no intersessional work is conducted in Spanish.
145. The Review Panel also notes that the Secretariat has only one Spanish-speaking employee, which limits the ability of certain delegations to interact effectively with the

²⁰ <https://sprfmo.int/assets/Meetings/01-COMM/12th-Commission-2024/Proposals/COMM12-Prop03-Proposal-for-a-Decision-on-a-WG-for-the-use-of-Spanish-and-English-ECU.pdf>

Secretariat. This situation poses a risk, especially for developing members who require capacity building support. Successive Final Compliance Reports show that a number of Spanish-speaking developing States Members have repeated compliance issues that may be driven by capacity issues engaging in the SPRFMO framework.

146. Almost all respondents, except one, acknowledged that the reliance on English as the working language negatively affects participation. It is clear that the language barrier has frustrated some delegations in their efforts to play a more active role, take on leadership positions, and advocate for their national interests through proposals.
147. The Review Panel views these barriers as significant and exacerbated over time, particularly given that two of the Commission's main fisheries and areas of environmental concern are located adjacent to Latin America. The Panel believes the language issue involving Spanish is distinct from other languages spoken by SPRFMO Members.
148. While many Members are willing to resolve this issue, concerns about affordability and practicalities remain. The Review Panel agrees that these issues are solvable and that the Commission should take proactive steps to increase participation and resolve these structural inequities. Efforts to increase participation should be welcomed, with discussions on resourcing and function. The Review Panel believes that implementation can be scalable and adjusted over time. A potential starting point could include:
 - a. Requiring simultaneous English-Spanish interpretation for all Commission, CTC, FAC, and SC meetings (excluding revised documents presented during meetings).
 - b. Translating all proposals and working papers into Spanish (excluding information papers, with translation for decision-related documents only).
 - c. Translating all meeting reports into Spanish within a specified timeframe after meetings.
 - d. Translating all circulars into Spanish.
 - e. Implementing Spanish language requirements within the Secretariat, including minimum staff competency and language allowances.
 - f. Amending Regulations 10 and 4(5) of the Rules of Procedure²¹ to provide more time between proposal submission and posting for translation, and adjusting Regulation 11 to ensure Spanish reports are distributed after the meeting date.
149. Technology could support this transition, with tools like online compliance platforms enabling members to respond in both languages, enhancing the efficiency of the compliance process. Additionally, the Commission might look to multilateral

²¹ <https://sprfmo.int/assets/Basic-Documents/Rules-of-Procedure-31Mar20.pdf>

organisations such as CCAMLR, IOTC, IATTC, and the Antarctic Treaty System for inspiration on best practices for multilingual operations.

150. Finally, the Commission could consider creative funding solutions, such as requiring simultaneous interpretation at all meetings as a condition of hosting, equipping virtual platforms with translation functions, and partnering with universities across Latin America for translation support. Leveraging existing Developing States funding allocations for translation and interpretation could also support this transition.

3.5.2. Special Requirements of Developing States

151. The Review Panel reviewed the Commission's approach to supporting developing States, which comprise 53% of SPRFMO's Members and CNCPs. Article 19 of the Convention recognises the special requirements of Developing States and provides for the establishment of a fund to support them. However, the scope of both the Article and the fund is broad and somewhat undefined.
152. The Commission has established a fund under the Financial Regulations, which allocates NZD 35,000 annually. To date, the fund has primarily been used to support participation in meetings, covering a limited number of participants each year. This is likely due to travel caps and the timing of requests. As of 30 June 2024, the fund balance was NZD 173,588.
153. Questionnaire responses indicated that respondents had no significant issues with the Commission's support for developing States. Many noted the existence of the Developing States Fund, and others referenced other mechanisms through which developing States' interests are considered: the budget formula set out in the Financial Regulation²², the corresponding schedule of contributions, allocations decisions following criteria set out in Article 21 of the Convention, and derogations for observer programme requirements under CMM 16-2024: Establishing the SPRFMO Observer Programme²³ and CMM 18-2024: Management of the Jumbo Flying Squid Fishery²⁴.
154. Despite these contributions, the Review Panel is concerned that the requirements of Developing States, as envisioned in Article 19, are not fully recognised. The language barriers identified above, ongoing issues in the compliance process, and the limited uptake of the Developing States Fund suggest that access to this support may be a challenge. This warrants further attention from the Commission.

²² <https://sprfmo.int/assets/Basic-Documents/Financial-Regulations-2022-7Mar22-v2.pdf>

²³ <https://sprfmo.int/assets/Fisheries/Conservation-and-Management-Measures/2024-CMMs/CMM-16-2024-Observer-Programme-1Mar2024.pdf>

²⁴ <https://sprfmo.int/assets/Fisheries/Conservation-and-Management-Measures/2024-CMMs/CMM-18-2024-Squid-1Mar2024.pdf>

155. Since the last Performance Review, SPRFMO has initiated two intersessional processes to address developing States' capacity-building needs: the Working Group on Identification of Capacity Building Needs and the Working Group on Accessibility for Capacity Building. Both were suspended due to lack of participation. While the reasons for this are unclear, possibly due to language barriers or time constraints, the Review Panel advises the Commission to avoid repeating the same mistakes and to ensure that any future efforts are structured for success.
156. The Review Panel does not want to pre-empt the challenges or solutions related to implementing Article 19. However, it recommends that the Commission develop a plan to implement Article 19, with regular discussions on barriers and opportunities at each Commission meeting. This plan should focus on addressing obstacles and fostering inclusivity, rather than simply tracking donor contributions.
157. Given the Commission's responsibility to recognise the special requirements of developing States, the Review Panel recommends that the Executive Secretary raise this matter in introductory calls with Members to identify additional opportunities to implement Article 19 of the Convention more effectively.

3.5.3. Transparency of SPRFMO Meetings

158. The Review Panel briefly comments on the transparency of SPRFMO meetings. Generally, respondents expressed that meetings are open and transparent, with observers having the opportunity to participate. One observer even described SPRFMO as one of the most open and transparent RFMOs. Some respondents also suggested that hybrid meetings could enhance accessibility and transparency, particularly for both participation and environmental reasons. The Review Panel acknowledges SPRFMO's frequent use of electronic meetings, though the Review Panel (and some respondents) consider this is overdone.
159. In the Review Panel's view, while hybrid meetings can be valuable, particularly for accessibility, there is no substitute for face-to-face meetings, especially given the nature of the discussions within SPRFMO. Hybrid options could be considered in 'listening only' mode, as has been implemented by other RFMOs, to improve accessibility where it is practical and cost-effective. However, the Review Panel considers this a low priority at this stage, with other issues requiring more immediate attention and budget priority.

3.5.4. Conclusions

160. In summary, the Review Panel found the following key points:

- a. *Language Barriers*: Native Spanish-speaking Members face significant barriers to full participation due to language issues. The Panel recommends providing language support, including interpretation and translation, to ensure equitable participation.
- b. *Special Requirements for Developing States*: The Panel found that the needs of Developing States under Article 19 are not fully addressed. More structured planning and support are required to ensure these needs are met effectively.
- c. *Transparency*: SPRFMO is generally transparent, with open meetings and good observer participation. While electronic meetings have improved accessibility, the Panel believes face-to-face meetings should remain the priority, with hybrid options considered where practical.

3.5.5. Findings and Recommendations

Rec.	Finding	Recommendation
23.	The exclusive use of English as a Working Language is inhibiting some Members from fully contributing to the Commission’s work, and this issue has been exacerbated over time.	The Commission should prioritise addressing barriers to participation by considering elevating Spanish to the status of at least a Working Language. This implementation can be scalable in both time and scope. The Commission could explore various options to fund interpretation and translation, such as partnerships with other institutions, formalising interpretation as a condition of hosting meetings, utilising the Developing States fund, and identifying additional options through the FAC workplan.
24.	While measures exist to recognise the Special Requirements of Developing States, there is evidence suggesting that Article 19 is not being fulfilled as envisaged. This issue should be reconsidered and addressed in a manner different from previous attempts.	The Commission should maintain a continuous and diligent focus on fulfilling Article 19 of the Convention. This includes ensuring that the Developing States Fund is appropriately utilised, and that CMMs consider the special requirements of Developing States. To ensure full implementation of Article 19, the Commission should develop a comprehensive plan for Article 19 and ensure it is discussed annually. The first iteration of this plan could be informed by bilateral consultations led by the new Executive Secretary in 2025.

4. Conclusions

161. In conclusion, the Review Panel finds that SPRFMO has made commendable progress since its establishment. However, as the organisation moves beyond its foundational years, it faces a pivotal moment where strategic decisions must be made to define its future direction. The Review Panel strongly emphasises the need for SPRFMO to focus on the five key findings included in this report to ensure that it can effectively address emerging challenges in fisheries management.
162. Ultimately, the Review Panel believes that SPRFMO's success in the next 5 to 10 years will depend on its ability to address these strategic issues and create a unified vision for its future. The Panel remains optimistic that with the right planning and investments SPRFMO can continue to lead by example in the global fisheries management community.