

REPUBLIC OF PANAMA
PANAMA WATER RESOURCES AUTHORITY
RESOLUTION ADM / ARAP N ° 051
(From October 05, 2021)

That adopts the conservation and management measures of the South Pacific Regional Fisheries Management Organization (SRPFMO).

THE GENERAL ADMINISTRATOR

in use of their legal powers,

CONSIDERING:

That Law 44 of November 23, 2006, creates the Panama Water Resources Authority, hereinafter "the Authority", as the governing entity of the State to ensure compliance and application of national laws and policies on fishing and aquaculture.

That according to numerals 2 and 3 of Article 4 of Law 44 of 2006, the Authority has among its functions, to regulate, promote and apply the measures and technical and administrative processes for the national, sustainable and responsible use of aquatic resources, in order to protect the national aquatic heritage and to contribute to the protection of the environment, and to comply with and enforce the international agreements and conventions to which the Panamanian State is a signatory in matters of its competence.

That numeral 15 of Article 21 of Law 44 of 2006, provides that it is the function of the General Administrator of the Authority, to adopt the measures that it deems appropriate for the organization and operation of the fishing and aquaculture sector.

That the participation of the Republic of Panama as a Cooperating Member, not a Contracting Party before the South Pacific Regional Fisheries Management Organization (SRPFMO), was approved for the first time at the annual meeting of the Organization held from January 27 to 31, 2014 in Manta, Ecuador and has been renewed every year until today.

That the SRPFMO Convention area of application, hereinafter "the Convention area", encompasses all the waters of the South Pacific Ocean.

That the Agreement on the Application of the Provisions of the Convention of the United Nations on Maritime Law of December 10, 1982, relative to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, adopted in New York, on August 4, 1995 and approved by the Republic of Panama through Law 64 of October 29, 2008, in Article 18 on the duties of the flag State establishes in its numeral 1 that every State whose vessels fish on the high seas, it will adopt the necessary measures so that they comply with the subregional or regional conservation and management measures and do not carry out any activity that may be detrimental to the effectiveness of those measures.

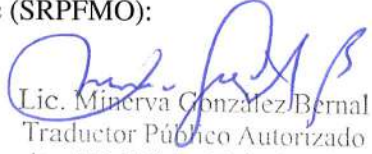
That Article 1 of Law 204 of March 18, 2021, which regulates fishing and aquaculture in the Republic of Panama and dictates other provisions, establishes that the scope of application of said Law also applies in marine areas located beyond from the jurisdiction of Panama to all nationals or foreigners aboard a Panamanian vessel and to all Panamanian flag vessels engaged in fishing, activities related to fishing or related activities.

That the Authority recognizes that the vessels that appear registered in the SRPFMO Regional Ship Registry, under the Panama chapter, are those authorized to carry out activities related to fishing in the Convention area, in accordance with the measures of management and conservation established by said Organization.

That in order to be in accordance with the measures of the South Pacific Regional Fisheries Management Organization (SRPFMO), this Authority considers it essential to adopt the conservation and management measures issued by it, which will be mandatory; in consequence.

RESOLVES:

Article 1. Adopt in all its contributions the following conservation and management measures of the Regional Organization for Fisheries Management of the South Pacific (SRPFMO):


Lic. Minerva González Bernal
Traductor Público Autorizado
Resuelto: TP 572 de 24 de Octubre 2005
Inglés al Español y Viceversa
Panamá, Rep. de Panamá.

12/30/2021

Action No.	Title	Entry into Force
01-2021	<i>Trachurus murphyi</i>	May 6th, 2021
02-2021	Standards for data collection, notification, verification and exchange	May 6th, 2021
03-2021	Bottom fishing in the SPRFMO Convention area	May 6th, 2021
03-2021	Deep Sea Species in the SPRFMO Convention Area	May 6th, 2021
04-2020	Establishment of a list of vessels that have allegedly carried out IUU fishing activities in the SPRFMO Convention area	May 20th, 2021
05-2021	Establishment of the Commission's registry of vessels authorized to fish in the SPRFMO Convention area	May 6th, 2021
06-2020	Establishment of the Vessel Monitoring System in the SPRFMO Convention Area	May 20th, 2021
07-2021	Minimum inspection standards in port	May 6th, 2021
08-2019	Gillnets in the SPRFMO Convention Area	April 28th, 2019
09-2017	Minimizing Incidental Catch of Seabirds in the SPRFMO Convention Area	April 23rd, 2017
10-2020	Establishment of a compliance and monitoring scheme in the SPRFMO Convention Area (Annex 2 - under development)	May 20th, 2020
11-2015	Boarding and inspection procedures in the SPRFMO Convention area	May 13th, 2015
12-2020	Regulation of transshipment and other transfer activities	May 20th, 2020
13-2021	Management of new and exploratory fisheries in the SPRFMO Convention area	May 6th, 2021
14a-2019	Exploratory Toothfish Fishing by New Zealand Flag Vessels in the SPRFMO Convention Area	April 28th, 2019
14b-2021	Exploratory Potas Fishery in the SPRFMO Convention Area (entered into force on July 1, 2021)	May 6th, 2021
14d-2020	Exploratory survey of toothfish by Chilean flag vessels in the SPRFMO Area of Conception	May 20th, 2020
14e-2021	Exploratory fishing for toothfish by vessels flying the flag of the European Union in the SPRFMO Convention area (as amended by Decision 11-2021)	May 6th, 2021
15-2016	Ships without nationality in the SPRFMO Convention area	April 29th, 2016
16-2021	The SPRFMO Observer Program	May 6th, 2021
17-2019	Fishing Gear and Marine Plastic Pollution in the SPRFMO Convention Area	April 28th, 2019
18-2020	Management of the giant flying squid fishery	May 20th, 2020
19-2021	Labeling and identification of fishing vessels. Entry into force on January 1, 2023.	May 6th, 2021

Article 2. The conservation and management measures adopted by means of this resolution, as well as any other measure adopted by the South Pacific Fisheries Commission (SPRFMO) are mandatory for all nationals or foreigners on board. a Panamanian vessel and any Panamanian flag vessel engaged in fishing, fishing-related activities or related activities operating in the Convention area.

Article 3. Any measure adopted by the Regional Organization for Management Fisheries of the South Pacific (SPRIMO) in the future, that modifies or replace any management and conservation measure in force, will be considered adopted automatically by the Republic of Panama.

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Article 4. Only vessels that have a fishing license with authorization to fish in the Convention area and are duly registered in the regional registry of SPRFMO vessels are authorized to carry out fishing activities in that area.

Article 5. The Authority is the institution with exclusive competence in the Republic of Panama to carry out the registration of vessels with the Organization and communicate the changes suffered by these conservation and management measures.

Article 6. Failure to comply with the conservation and management measures adopted through the presentation, resolution will be sanctioned in accordance with the provisions of Law 204 of March 2021

Article 7. This resolution will come into force as of its promulgation in the Official Gazette.

LEGAL BASIS: Law 44 of November 23, 2006, Executive Decree 131 of April 14, 2020, Law 204 of March 18, 2021.

LET IT BE PUBLISHED AND ENFORCED.

[SIGNATURE]

FLOR TORRIJOS ORO
General Administrator


[stamp]
Republic of Panama
General Secretary's Office
Water Resources Authority

[stamp]
PANAMA WATER RESOURCES AUTHORITY

True copy to the original

[signature]

General Secretary Date: 11/10/21


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12130/2021