

Report of the 10th Meeting of the Parties to the Southern Indian Ocean Fisheries Agreement (SIOFA)

Ravenala Attitude Hotel, Turtle Bay, Balaclava, Mauritius / Hybrid Format

3 – 7 July 2023

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Agenda item 1 – Opening of the meeting

1. The SIOFA Chair, Dr Dhanandjay Kawol (Mauritius), opened the meeting at 5:20 a.m. UTC and welcomed all delegates. The meeting was held in a hybrid format, with delegates attending in-person in Turtle Bay, Balaclava, Mauritius, at the Ravenala Attitude Hotel, or via videoconference.

1.1. Opening statements

- 2. The Chair invited The Hon. Sudheer Maudhoo, Minister of Blue Economy, Marine Resources, Fisheries and Shipping of the Republic of Mauritius, to make a welcoming statement (Annex A).
- 3. The Chair made an opening statement (Annex B).
- 4. The Chair opened the floor for delegation introductions. The list of participants is available in Annex C.

1.2. Practical arrangements for the meeting

5. The Executive Secretary explained the practical arrangements for the meeting.

1.3. Admission of observers

6. The Meeting of the Parties (MoP) welcomed Comoros and India as Cooperating Non-Contracting Parties (CNCPs), and Madagascar, the United States of America, the Deep-Sea Conservation Coalition (DSCC), the Joint Commission of the Seychelles-Mauritius Joint Management Area (JMA), the Southern Indian Ocean Deepsea Fishers Association (SIODFA), and the United Nations Food and Agriculture Organization (FAO) Deep sea Fisheries (DSF) Project as Observers.

1.4. Status of the Southern Indian Ocean Fisheries Agreement

 The FAO is the Depositary of the Agreement. The Executive Secretary provided an update on the Status of the Agreement in MoP-10-INFO-08 (Annex D), which confirms that there are 10 Contracting Parties, 1 Participating Fishing Entity and 5 signatories, including 2 Cooperating non-Contracting Parties.

8. The Meeting of the Parties NOTED the Status of the Agreement.

1.5. Participation in decision-making

- 9. The Chair reminded the MoP that in accordance with Rule 14 of the Rules of Procedure, a contributor to the budget of the Meeting of the Parties, who at the time of the meeting is in arrears and that amount is equal to or exceeds the amount of contributions due from it for the preceding two full years or more, may not participate in the taking of decisions.
- 10. The Executive Secretary reported that all Contracting Parties and Participating Fishing Entities have paid their contribution for 2023. Therefore, all Contracting Parties and Participating Fishing Entities were entitled to participate in the taking of decisions during this meeting.

Agenda item 2 – Administrative arrangements

2.1. Adoption of the agenda

11. The Secretariat presented the revised provisional agenda (MoP-10-ADM-05 rev1). The MoP agreed to consider two additional items, a letter from the JMA and a document prepared by the Secretariat on streamlining the process for the submission of Working Papers to the MoP and Compliance Committee (CC) (MoP-10-26), under agenda item 16 – Any other business. The agenda was adopted by the MoP (Annex E).

2.2. Confirmation of meeting documents

- 12. The Executive Secretary advised that all meeting documents were available on the website and that the list of meeting documents is presented in MoP-10-ADM-09-rev7 (Annex F).
- 13. The European Union (EU) noted that MoP-10-12, MoP-10-INFO-06, MoP-10-INFO-07, MoP-10-INFO-09, MoP-10-INFO-10, and MoP-10-INFO-12 had been designated as restricted documents. The EU considered that the content of these documents did not necessitate their being restricted and proposed that, in the interest of transparency, these papers be made publicly available.
- 14. The MoP agreed to make MoP-10-12, MoP-10-INFO-06, MoP-10-INFO-07, MoP-10-INFO-09, and MoP-10-INFO-10 publicly available.

2.3. Appointment of rapporteurs

15. The MoP agreed to appoint Mr Alexander Meyer (Urban Connections, Tokyo) as rapporteur.

Agenda item 3 – Intersessional Decision-Making

3.1. Review of intersessional decisions taken since MoP9

- 16. The Chair noted that, in accordance with Rule 13(12) of the Rules of Procedure, if any decision is taken intersessionally, the Executive Secretary shall include an agenda item on decisions taken at the following Meeting of the Parties. As outlined in MoP-10-INFO-02, no intersessional decisions have been taken since the ninth Meeting of the Parties.
- 17. The MoP NOTED that no intersessional decisions have been taken since the ninth Meeting of the Parties.

Agenda item 4 – Report of the SIOFA Performance Review Panel

- The Chair of the SIOFA Performance Review Panel, Ms Fuensanta Candela Castillo, presented MoP-10-01, the 1st SIOFA Performance Review Report, for review and feedback by the MoP.
- 19. The MoP expressed its appreciation to the SIOFA Performance Review Panel for its hard work and depth of analysis, and its gratitude to the EU for funding this important work.
- 20. The MoP reviewed the recommendations from the SIOFA 1st Performance Review, while also taking into consideration the recommendations of the 7th Compliance Committee

(CC7) and the 1st Extraordinary Meeting of the Scientific Committee (SC-EXTRA1) as described in the CC7 Report and the SC-EXTRA1 Report, respectively.

- 21. The MoP developed and ADOPTED an implementation plan that includes the MoP's decision for each recommendation and the level of priority, the implementing party(ies)/body(ies), and the proposed timeline for the recommendations endorsed by MoP (Annex G).
- 22. The MoP ACCEPTED the 1st SIOFA Performance Review Report.
- 23. The DSCC welcomed many of the recommendations made by the Performance Review Panel, particularly Recommendations numbers 2, 4–5, 10–12, 16, and 38, and supported the recommendation that SIOFA conduct performance reviews on a regular basis. The DSCC expressed concern about some of the findings and encouraged SIOFA to identify mechanisms for ensuring the implementation of the Panel's recommendations. The DSCC highlighted, in particular, the need to minimise shark bycatch, enhance monitoring of shark species of concern, prohibit the use of wire traces, introduce a permanent SIOFAwide bottom fishing measure that incorporates the United Nations General Assembly (UNGA) Resolution requirements, prohibit fishing for toothfish outside the established management areas until measures are established, implement precautionary measures

on alfonsino in light of the data uncertainties identified in the SC8 Report, protect the Saya de Malha Bank by developing appropriate controls to avoid significant adverse impacts (SAIs) and implementing an interim prohibition on bottom fishing until then, and ensure that the seagrass beds are not damaged by fisheries operating in the high seas. The DSCC also expressed disappointment at a missed opportunity to review SIOFA's performance against its international obligations under the UNGA Resolutions.

- 24. Regarding Recommendation number 14 of the Performance Review, SIODFA stated that allocation policies are long and well established in many RFMOs and expressed the view that it is not too early to start a process to assess the potential benefits and applicability of methods of allocation in the management of SIOFA's fisheries and the characteristics that could be assigned to such allocations, noting that experience elsewhere shows to expect at least 3 years of negotiations to reach the required compromises and agreement on practices. SIODFA also drew the MoP's attention to the Report of the Areas Beyond National Jurisdiction Deep Sea Fisheries Rights-Based Management Workshop held by FAO and the Global Environment Facility (GEF) on 10–12 April 2019.
- 25. The FAO stated that many of the recommendations that have been made by the Performance Review Panel and endorsed by the MoP are aligned with the activities of the FAO DSF Project, and expressed its readiness to collaborate with and support SIOFA in areas such as capacity building, stock assessment, and observer training.

Agenda item 5 – Compliance Committee (CC) and report of the CC7

5.1. Presentation of the report of the 7th Compliance Committee

- 26. The Compliance Committee Chair, Mr Ichiro Nomura (Japan), presented a summary of the report of the seventh meeting of the Compliance Committee (CC7), which was held in a hybrid format, in Turtle Bay, Balaclava, Mauritius and online, on 28–30 June 2023. The CC7 report is available as MoP-10-29.
- 27. The MoP reviewed the CC7 report.
- 28. The MoP NOTED paragraph 20 of the CC7 report and considered the provisional Compliance Report (pSCR; MoP-10-27) under agenda item 5.2.
- 29. The MoP NOTED paragraphs 25–26 of the CC7 report regarding the CCP Compliance Report (CCR) template and held further discussions under agenda item 5.3.
- 30. The MoP NOTED paragraph 31 of the CC7 report regarding the proposal to amend CMM 2019/10 (Monitoring) and held further discussions under agenda item 9.
- 31. The MoP NOTED paragraphs 37–38 of the CC7 report regarding the development of new management areas and held further discussions under agenda item 9.
- 32. The MoP NOTED paragraph 39 of the CC7 report regarding the need to seek the advice of the SC on an appropriate toothfish catch limit for the Del Cano Rise area if it is extended and held further discussions under agenda item 9.
- 33. The MoP NOTED paragraph 40 of the CC7 report, REQUESTED the SC to provide advice on an appropriate toothfish catch limit for the proposed Southern Indian Ridge management area as well as harmonisation of toothfish management measures across the Agreement Area, and REQUESTED the Compliance Committee to consider the SC's advice when discussing the establishment of this management area at its next meeting.
- 34. The MoP NOTED paragraph 47 of the CC7 report regarding the proposal for a CMM for the establishment of a SIOFA Vessel Monitoring System (VMS) and held further discussions under agenda item 10.
- 35. Regarding paragraph 50 of the CC7 report, the MoP NOTED the translations of the High Seas Boarding and Inspection (HSBI) Questionnaire into the respective languages of

some CCPs (Chinese, French, Japanese, official Thai language, Spanish, and traditional Chinese).

- 36. The MoP NOTED paragraph 53 of the CC7 report regarding the IMULA 1655 MTR and the IMULA 1783 MTR, and held further discussions under agenda item 5.4.
- 37. The MoP NOTED paragraph 55 regarding the retention of the IMULA 1844 MTR on the draft IUU vessel list for the Compliance Committee's consideration at CC8, and held further discussions under agenda item 5.4.
- 38. The MoP NOTED paragraph 58 of the CC7 report regarding the current SIOFA IUU vessel list, and that the Compliance Committee had not made any recommendations to remove any vessel from the current IUU vessel list.
- 39. The MoP NOTED paragraph 59 of the CC7 report regarding the list of cross-listed IUU vessels from other RFMOs, and that the Compliance Committee had not made any recommendations to the MoP to remove any vessel from the cross-list but had requested the Secretariat to list one vessel, which had been listed twice under two names, ZHI MING and FREEDOM 7, only under the name FREEDOM 7.
- 40. The MoP NOTED paragraph 60 of the CC7 report regarding the provisional SIOFA IUU Vessel List and the recommendation to include the vessels from the provisional IUU vessel list (MoP-10-28) to the SIOFA IUU vessel list, and held further discussions under agenda item 5.4.
- 41. The MoP NOTED paragraph 61 of the CC7 report stating that there were no reports of sightings of vessels without nationality to the Secretariat.
- 42. The MoP NOTED paragraph 62 of the CC7 report stating that there were no reports of sightings of fishing by vessels flagged to non-CCPs to the Secretariat.
- 43. The MoP NOTED paragraph 64 of the CC7 report regarding the port inspections report.
- 44. The MoP NOTED paragraph 68 of the CC7 report regarding entry/exit notifications.
- 45. The MoP NOTED paragraphs 77–78 of the CC7 report and ENDORSED the recommendation to make pictures of vessels on the Record of Authorised Vessels publicly available, and to consider amending CMM 2022/07 (Vessels Authorisation) at MoP11 so as to remove the cross-reference to 2a)i) of CMM 2016/03 (Data Confidentiality) and provide a more appropriate definition or reference for which vessel information can be made publicly available.
- 46. The MoP deferred its review of paragraphs 79–99 of the CC7 report regarding the Compliance Committee's discussions on the SIOFA Performance Review Panel Report to agenda item 5.6.
- 47. The MoP NOTED paragraph 102 of the CC7 report and that the Compliance Committee did not have all the elements it needed to make the determination requested by the SC regarding the temporal scope of paragraph 18 of CMM 2021/15 (Management of Demersal Stocks). The MoP REQUESTED the SC to provide advice on whether depredation, local depletion, and the spatial distribution of tagging are issues that need to be addressed in the Del Cano Rise area.
- 48. The MoP NOTED paragraph 104 of the CC7 report regarding the proposal to amend CMM 2022/02 (Data Standards) and held further discussions under agenda item 9.
- 49. The MoP NOTED paragraph 106 of the CC7 report regarding Comoros' request for renewal of CNCP status and held further discussions under agenda item 13.2.
- 50. The MoP NOTED paragraph 108 of the CC7 report regarding India's request for renewal of CNCP status and held further discussions under agenda item 13.2.
- 51. The MoP NOTED paragraph **112** of the CC7 report regarding the election of the Compliance Committee Chair and held further discussions under agenda item **14**.

5.2. SIOFA Compliance Report (SCR)

- 52. The Chair noted that under paragraph 22 of CMM 2020/11 (Compliance Monitoring Scheme), the MoP is annually required to consider the pSCR and any comments from CCPs on their respective sections of the pSCR. The MoP shall adopt by consensus a Final SIOFA Compliance Report (fSCR) at its ordinary meeting in accordance with Article 8 of the Agreement and Rule 12 of the Rules of Procedure. The fSCR shall be based on the template at Annex III of CMM 2020/11 and shall include the elements listed in paragraphs 22(a)-(g) of CMM 2020/11.
- 53. The Secretariat presented the pSCR adopted by the Compliance Committee, as described in MoP-10-27, and outlined the decisions of the CC7 on the provisional compliance status for each CCP, for review by the MoP.
- 54. Regarding the assessment of its obligation against paragraph 31 of CMM 2022/06 and 2018/06 (IUU Vessel List), India noted that it provided the required information during the Compliance Committee meeting and asked that this be reflected in the SIOFA Compliance Report.
- 55. The MoP requested that, in future, the Secretariat take a more consistent approach to noting whether or not follow up responsive or corrective action is needed, such as recording 'no further action required' rather than leaving cells blank.
- 56. The MoP ADOPTED the final SIOFA Compliance Report outlined in Annex H.

5.3. Compliance Report template

57. The MoP recalled the discussion of the Compliance Committee and AGREED to continue to discuss and develop a new template with due regard to the two templates described in CC-07-03 intersessionally and REQUESTED the Secretariat to lead the intersessional discussions. The MoP AGREED that the next compliance assessment would be conducted using the existing template, while CCPs continue to discuss and develop a new template.

5.4. Listing of IUU fishing vessels

- 58. The Compliance Officer, Mr Johnny Louys, presented the Provisional IUU Vessel List (MoP-10-28) that was adopted by the Compliance Committee and noted there were two vessels on that list, the IMULA 1655 MTR and the IMULA 1783 MTR, for consideration by the MoP.
- 59. Regarding the IMULA 1655 MTR and IMULA 1783 MTR, some CCPs were of the view that no evidence has been presented of either vessel engaging in activities under paragraph 5 of CMM 2022/06 (IUU Vessel List) that would lead to the presumption that they have carried out IUU fishing in the Agreement Area. Other CCPs were of the view that it is the responsibility of the flag State to prove that a vessel suspected of IUU fishing has not done so, that Sri Lanka has not provided such evidence, such as logbooks certified by an authorisation officer, any inspection reports or sales notes, or any cross-check against the vessels' logbooks, despite being requested to do so since MoP9, and that therefore the conditions for removal of these vessels from the provisional IUU vessel list as provided in paragraphs 14 and 15 of CMM 2022/06 have not been met.
- 60. The MoP was unable to reach consensus to include the IMULA 1655 MTR and the IMULA 1783 MTR on the final SIOFA IUU Vessel List.
- 61. The MoP NOTED that, in accordance with paragraphs 14 and 15 of CMM 2022/06, the IMULA 1655 MTR and the IMULA 1783 MTR would remain on the Provisional SIOFA IUU Vessel List.
- 62. Australia stated that it is necessary for the MoP to have a clear procedure to follow and expressed its view that the Compliance Committee did not follow the correct procedure

in placing the IMULA 1655 MTR and IMULA 1783 MTR on the provisional IUU vessel list, as the conditions for the inclusion of these vessels on the list, as stipulated in paragraph 5 of CMM 2022/06, have not been satisfied, which has made it difficult for the MoP to ensure fair and due process and which should not be repeated in future.

- 63. Some CCPs disagreed with the statement made by Australia that the Compliance Committee did not follow the correct procedure and that the criteria of paragraph 5 of CMM 2022/06 were not met.
- 64. The MoP REQUESTED the Secretariat to continue to communicate with Sri Lanka and to encourage it to provide the requested information, such as inspection reports, landing or sales notes, to demonstrate that the IMULA 1655 MTR and IMULA 1783 MTR did not engage in fishing for SIOFA resources.
- 65. The MoP NOTED that the Compliance Committee had considered the IMULA 1844 MTR, a Sri Lankan-flagged vessel that was on the draft IUU vessel list. The MoP NOTED that the vessel has been prosecuted and sanctioned by the Sri Lankan authorities, and that the Compliance Committee has requested the Secretariat to obtain further information from Sri Lanka to enable it to determine whether or not they are of adequate severity and consequently whether or not the vessel could be removed from the draft IUU vessel list in accordance with paragraph 14 of CMM 2022/06 (IUU Vessel List). The MoP AGREED to retain the vessel on the draft IUU vessel list for its consideration at CC8.
- 66. The MoP AGREED not to remove any vessel from the current SIOFA IUU Vessel List.
- 67. The MoP ADOPTED the SIOFA IUU Vessel List outlined in Annex I.
- 5.5. Recommendations from the Compliance Committee on current and new SIOFA CMMs
- 68. The MoP considered the recommendations from the Compliance Committee on current and new SIOFA CMMs under agenda items 9 and 10, respectively.
- 5.6. Other recommendations from the Compliance Committee
- 69. The MoP NOTED paragraphs 82, 84, 88, 90, 95–98 of the CC7 report regarding the Compliance Committee's recommendations on the SIOFA Panel Review Report and took them into consideration when reviewing the SIOFA Performance Review Report and its recommendations under agenda item 4.
- 70. Following its review, the MoP ADOPTED the CC7 report.

Agenda item 6 – Scientific Committee (SC) and Report of the SC8

6.1. Presentation of the report of the 8th Scientific Committee annual meeting

71. The Scientific Committee (SC) Chair, Mr Alistair Dunn, presented a summary of the report of the eighth Scientific Committee meeting (SC8), which was held in a hybrid format in the Spanish Institute of Oceanography in Santa Cruz de Tenerife, Spain and online, on 22– 31 March 2023, with funding from the EU. The SC8 report is available as MoP-10-17.

6.2. Recommendations from SC8

- 72. The MoP reviewed the advice and recommendations of the SC8 report.
- 6.2.1. Harvest Strategies
- 73. The MoP ENDORSED the recommendation in paragraph 166 of the SC8 report to establish a process for regular dialogue between the MoP and the SC for the development of harvest strategies, held in conjunction with either the MoP or SC meetings.
- 74. The DSCC welcomed the progress that SIOFA has made towards the development of harvest strategies but urged it to take a precautionary approach to catch limits prior to adoption of those harvest strategies. The DSCC also highlighted the fact that the SIOFA

Performance Review Panel had recommended that SIOFA confer high priority to the improvement of stock assessments in order to reduce uncertainty as a necessary basis for the adoption of harvest strategies.

- 75. The MoP ENDORSED the recommendation in paragraph 171 of the SC8 report and REQUESTED the advice of the SC on additional SIOFA species that would be amenable to the development of monitoring programmes and harvest strategies.
- 76. The MoP NOTED the recommendations in paragraph 173 of the SC8 report and AGREED to develop harvest strategies for orange roughy and toothfish as a first step, and then subsequently consider developing harvest strategies for alfonsino and other primary SIOFA species. The MoP REQUESTED the SC to continue to work to develop harvest strategies in conjunction with workshops held with the MoP.
- 77. The MoP ENDORSED the recommendations in paragraph 176 of the SC8 report regarding interim stock-specific reference points for orange roughy and alfonsino.
- 78. The MoP ENDORSED the recommendations in paragraph 177 of the SC8 report regarding interim reference points for toothfish.
- 79. The MoP ENDORSED the recommendations in paragraph 178 of the SC8 report regarding candidate Harvest Control Rules for interim management, notably:
 - a. Maintain catches at present levels (unless there is evidence of a marked downward trend in the resource) until sufficient further informative data becomes available for meaningful improvements to the existing assessments. Where not previously defined for specific stocks, the SC recommends the present level be defined as the average (mean) of the 5 year period 2018–2022. For orange roughy, SC7 agreed that recent levels referred to the average of the last six years of that assessment (2015–2020).
 - b. Implementing an F_{status-quo} harvest strategy, which varies catches up or down in proportion to the results from continued collection of some measure or index of abundance.
 - c. Implementing a harvest strategy based primarily on some multiple of a proxy value of F_{MSY} or B_{MSY} , while noting that other proxies or proxy values may be appropriate for some stocks, for instance those in the CCAMLR decision rules for toothfish.
- 80. The MoP NOTED paragraph 179 of the SC8 report and REQUESTED that SC9 hold discussions on the development of generalised approaches for stock maintenance and rebuilding approaches (if needed) and present the outcomes of its discussions to MoP11.
- 81. The MoP ENDORSED the recommendations in paragraph 180 of the SC8 report that the MoP consider additional objectives such as bycatch, fisheries impacts, benthic impacts, etc., as part of its harvest strategies. The MoP REQUESTED that the SC provide advice based on the objectives set by the MoP.
- 82. The MoP ENDORSED the recommendations in paragraph 182 of the SC8 report regarding the process for the setting of management objectives.
- 83. The MoP ENDORSED the recommendation in paragraph 183 of the SC8 report that the SC consider a wide range of options for stock monitoring programmes; prepare a table (e.g., as shown in Table 2 of the SC8 Report), with the scientific uncertainty, relative costs, and applicability by stock/fishery of the various options; and present this to the MoP for the MoP to decide on the appropriate monitoring programme for each stock.
- 84. As recommended in paragraph 184 of the SC8 report, the MoP NOTED that Table 2 of the SC8 Report is only an example that has been included for illustration purposes and

that the specific rows and species will likely differ following the SC's discussions and scientific evaluations at SC9.

- 85. The MoP NOTED the recommendation in paragraph 185 of the SC8 report and REQUESTED the SC evaluate the different stock assessment options, based on the level of data available, for all species that are potential candidates for harvest strategies.
- 86. The MoP NOTED the recommendations in paragraph 186 of the SC8 report and REQUESTED the SC determine potential performance indicators for each of the management objectives once the MoP has decided on the management objectives.
- 87. The MoP ENDORSED the recommendations in paragraph 187 of the SC8 report regarding the approach for the development of harvest strategies and the timeline for the implementation of preassessments, assessments, management objectives and implementation of harvest strategies proposed by the Workshop (SC8 Report, Annex G).
- 88. The MoP ENDORSED the recommendations in paragraph 188 of the SC8 report regarding the timeline for the proposal, adoption and use of final Harvest Strategies.
- 89. The MoP ENDORSED the recommendation in paragraph 189 of the SC8 report regarding the inclusion of responses to exceptional circumstances, such as dropout or breakout rules, in the proposed timeline for the implementation of pre-assessments, assessments, management objectives and implementation of harvest strategies and AGREED to consider what such responses might be.
- 90. The MoP ENDORSED the recommendation in paragraph 193 of the SC8 report to hold a joint MoP-SC workshop on harvest strategy pre-assessment in 2024 and discussed the duration and timing of the meeting under agenda item 15.
- 91. The MoP AGREED to hold a joint MoP-SC intersessional workshop to define management objectives, based on which the SC would develop its scientific advice. The MoP REQUESTED the Chair and the SC to draft the agenda and Terms of Reference for the intersessional workshop. The MoP discussed the timing of the meeting under agenda item 15.
- 92. The MoP NOTED paragraph 194 of the SC8 report and adopted the draft objectives and Terms of Reference for the joint MoP-SC workshop on harvest strategy pre-assessment (SC8 Report, Annex H).
- 93. The MoP ENDORSED the recommendation in paragraph 196 of the SC8 report and AGREED to have an agenda item on harvest strategies at its next annual meeting and invite the Pacific Community (SPC) or other experts to give an overview of harvest strategies and appropriate software tools (such as the SPC AMPLE Shiny App or other similar HCR tool) at the next MoP-SC joint meeting. The MoP TASKED the Secretariat to make the necessary arrangements.
- 94. The MoP NOTED paragraph 197 of the SC8 report and REQUESTED the SC to develop interim ad-hoc harvest control rules that could be used for managing stocks, including for example, harvest control rules that adjust any future catch limits based on trends in CPUE or other stock status indicators.
- 95. The MoP noted paragraph 199 of the SC8 report and AGREED that, for the primary SIOFA target species, CCPs should include in their national reports nominal CPUE data for these species, to enable the identification of potential trends in years when no assessment is being undertaken.
- 96. The MoP NOTED paragraph 201 of the SC8 report and ENDORSED a stock assessment schedule whereby only one of the three main SIOFA target stocks are subject to a stock assessment in any given year and other species are subject to a stock assessment, as

required, in years where no stock assessment of the three main SIOFA target stocks is being conducted.

- 97. The MoP NOTED paragraph 202 of the SC8 report and held further discussions under agenda item 9.
- 98. The MoP NOTED paragraph 203 of the SC8 report and considered it alongside the related recommendation of the Compliance Committee under agenda item 5.1.
- 6.2.2. Deepwater sharks
- 99. The MoP considered the recommendations in paragraph 230 of the SC8 report. The MoP ENDORSED the need to implement measures to ensure Portuguese dogfish is sustainably managed. The MoP NOTED the recommendation to introduce a catch limit for Portuguese dogfish in Subarea 2. The MoP could not reach consensus on the mandatory use of nylon traces or prohibiting the use of wire traces for demersal longlines. The MoP held further discussions on measures for ensuring the sustainable management of Portuguese dogfish as part of its consideration of Australia's proposal to amend CMM 2022/12 under agenda item 9.
- 100. The DSCC welcomed the advice of the SC to try to address high levels of shark bycatch, expressed support for a catch limit in Subarea 2, and pointed out that other RFMOs have had success in mitigating shark bycatch by avoiding the use of wire traces that are normally used to target sharks.
- 101. The MoP ENDORSED the recommendation in paragraph 232 of the SC8 report regarding the setting of an interim catch limit, based on the average bycatch over the previous 5 years (2018–2022) of Portuguese dogfish in Subarea 2, which was 767.6 t.
- 102. The MoP NOTED the recommendation in paragraph 234 of the SC8 report that the first encounter move-on distance be increased to 5 nm in the voluntary move-on rule implemented by the EU (Spain) for the Spanish longline vessel operating in Subarea 2, and held further discussions as part of its consideration of Australia's proposal to amend CMM 2022/12 (Sharks) under agenda item 9.
- 103. The MoP ENDORSED the recommendation in paragraph 235 of the SC8 report that as a precautionary measure, catches of *Centrophorus granulosus*, *Dalatias licha* and *Deania calceus* be managed until the SC can conduct further analysis to determine the sustainable catch and NOTED that the interim management measures proposed to apply to Portuguese dogfish (SC8 Report, paragraphs 230–234) would also reduce the fishing mortality of these three species, which are caught in association with Portuguese dogfish.
- 104. The MoP ENDORSED the recommendation in paragraph 237 of the SC8 report that analyses should be conducted to evaluate these interim measures' effectiveness, such as Monte-Carlo simulations and a catch-by-distance CPUE depletion analysis, and that once these analyses are completed, the interim measures could be adjusted accordingly.
- 105. The MoP ENDORSED the recommendation in paragraph 238 of the SC8 report that collection of biological data, particularly aging data, for Portuguese dogfish be enhanced with the aim of conducting a preliminary quantitative assessment at SC9 and a formal quantitative assessment at SC10 for determining trends in biomass and the sustainable level of Portuguese dogfish catch.
- 106. The MoP NOTED the recommendation in paragraph 241 of the SC8 report regarding the inclusion of 12,000 euros in the SC budget as travel funds for a study onboard a trawl vessel to analyse deep-sea shark bycatch and collect deep-sea shark data and held further discussions under agenda item 6.4.

- 107. The MoP ENDORSED the recommendation in paragraph 246 of the SC8 report and REQUESTED the SC to develop a tagging programme for the consideration of the MoP for skates caught alive and with a high probability of survival on longline vessels and NOTED, as advised by the SC, that in the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), skates are cut off at the roller but practices among vessels operating in SIOFA may differ and need to be considered accordingly.
- 108. Regarding the recommendation in paragraph 247 of the SC8 report, the SC Chair was asked to explain why the proposed move-on rule, which is based on the rule in CCAMLR, had a different trigger level to the one in CCAMLR. He explained that the SC was not able to compare the proposed trigger level to the 1 tonne trigger level in CCAMLR, nor to determine the appropriateness of the proposed trigger level, as the relevant catch information has not been compiled.
- 109. The MoP NOTED the recommendation in paragraph 247 of the SC8 report and considered the application of a potential 5 nm move-on rule for limiting bycatch of skates. In relation to the trigger threshold, the MoP AGREED that the same trigger threshold as in CCAMLR Conservation Measure 33-03, i.e., 1 tonne of skates in any one haul or set, should be applied.
- 110. The MoP NOTED the recommendation in paragraphs 250 and 252 of the SC8 report to update the list of species at high risk and of concern in CMM 2022/12 (Sharks) and held further discussions as part of its consideration of Australia's proposal to amend CMM 2022/12 under agenda item 9.
- 6.2.3. Update of the interim SIOFA bottom fishing footprint
- 111. To facilitate the MoP review of the recommendations in paragraphs 92–95 of the SC8 report, the Science Officer presented the updated bottom fishing footprint (MoP-10-12).
- 112. The MoP NOTED the recommendation in paragraph 92 of the SC8 report and ADOPTED the updated bottom fishing footprint (MoP-10-12) in place of the interim footprint adopted at MoP9.
- 113. The MoP NOTED the recommendation in paragraph 93 of the SC8 report and INSTRUCTED the Secretariat to be the repository of the footprint, to provide it to CCPs on a request-basis and to utilise it, if required, for compliance purposes, accompanied by full documentation of the procedure for creating the footprint.
- 114. The MoP ENDORSED the recommendation in paragraph 94 of the SC8 report that the data layer of the footprint, along with the SIOFA Subareas, should be made available in the SIOFA Secretariat GitHub account (https://github.com/SIOFASecretariat).
- 115. The MoP NOTED the recommendation in paragraph 95 of the SC8 report and AGREED to initiate an intersessional process to discuss the implications of the bottom fishing footprint, including for CMM 2020/01 (Interim Management of Bottom Fishing) and how new fishing should be considered.
- 116. The EU reminded the MoP that it had previously presented proposals for a framework for new and exploratory fisheries at MoP6 (MoP6-Prop08) and SC5 (SC-05-25), and suggested that it may consider presenting a revised version of the proposal for MoP consideration.
- 117. The DSCC strongly supported the immediate adoption of the bottom fishing footprint and urged the MoP to negotiate and implement a new and exploratory fishing protocol as soon as possible.
- 6.2.4. Publication of SIOFA reports
- 118. The MoP NOTED the recommendation in paragraph 83 of the SC8 report, ENDORSED the SIOFA ecosystem summary (MoP-10-10), and REQUESTED the Secretariat to make a public version of it, with confidential information removed, available on the SIOFA

website.

- 119. The MoP NOTED the recommendation in paragraph 84 of the SC8 report, ENDORSED the SIOFA fisheries Overview (MoP-10-11 rev1), and REQUESTED the Secretariat to make a public version of it, with confidential information removed, available on the SIOFA website.
- 120. The MoP thanked the SC and the Secretariat for preparing such a comprehensive fisheries overview, which enhances the visibility and transparency of SIOFA's activities.
- 121. The MoP NOTED that the SIOFA fisheries Overview is highly useful for illustrating the current status of SIOFA's fisheries and for setting the context for the MoP discussions, and AGREED to request the Secretariat to present it at the beginning of future Meetings of the Parties.
- 122. The MoP NOTED the recommendation in paragraph 85 of the SC8 report and REQUESTED the SC to develop a fisheries summary for common mora (*Mora moro*).
- 123. The MoP NOTED the recommendation in paragraph 129 of the SC8 report, ENDORSED the fishery summary for orange roughy (MoP-10-09), and REQUESTED the Secretariat to make a public version of it, with confidential information removed, available on the SIOFA website.
- 6.2.5. Conservation and Management Measures
- 6.2.5.1. Amendment to CMM 2020/01 (Interim Bottom Fishing Measures Monitoring) annex 1 (VME taxa list)
- 124. The MoP NOTED the recommendation in paragraph 287 of the SC8 report to edit CMM 2020/01 and held further discussions under agenda item 9.
- 6.2.5.2. Amendment to CMM 2022/02 (Data Standards) annex A and annex B
- 125. The MoP NOTED the recommendation in paragraph **316** of the SC8 report to amend CMM 2022/02 and held further discussions under agenda item **9**.
- 6.2.5.3. Amendment to CMM 2022/12 (Sharks), annex 1 (Deep-sea sharks list)
- 126. The MoP discussed amendments to annex 1 of CMM 2022/12 under agenda item 9.
- 6.2.6. Other SC recommendations for the attention of the MoP10
- 127. Regarding paragraph 106 of the SC8 report, the MoP NOTED the initiative by the Secretariat to make abstracts of restricted papers publicly available this year and NOTED that the Secretariat has made available on the public website the abstracts for restricted papers from all previous SC and scientific working group meetings.
- 128. The MoP NOTED the recommendation in paragraph 154 of the SC8 report and discussed management regulations for the areas outside Del Cano Rise and Williams Ridge as part of its consideration of Australia's proposal to amend CMM 2021/15 (Management of Demersal Stocks).
- 129. The MoP ENDORSED, for the purpose of prioritising scientific work, the revised interim definitions of primary species, secondary species, and Endangered, Threatened or Protected (ETP species) recommended by the SC in paragraph 206 of the SC8 report.
- 130. The MoP ENDORSED the definitions of target, targeted species, and bycatch (retained bycatch and discarded bycatch) for SIOFA use for SC planning and prioritisation recommended by the SC in paragraph 207 of the SC8 report.
- 131. The MoP ENDORSED the recommendation in paragraph 208 of the SC8 report that each fishery should be considered separately as some species can be a target species in one fishery and discarded bycatch in another.
- 132. Regarding paragraph 209 of the SC8 report, the MoP NOTED the categorisation of species as nominated by CCPs (at SC8) for their fisheries and as described in Annex I of the SC8 report, while noting that these species categorisations listed are preliminary

and are likely to be updated by SC as it prioritises its workplan.

- 133. In response to a request for clarification regarding paragraph 270 of the SC8 report, the SC Chair explained that the recommendation in that paragraph was for SIOFA to obtain catch associated with the Indian Ocean Tuna Commission (IOTC) in the SIOFA Area through a data exchange mechanism with the IOTC, rather than for vessels on the IOTC Record of Authorised Vessels to report such data directly to SIOFA.
- 134. The MoP NOTED the recommendation in paragraph 270 of the SC8 report, and NOTED that there is catch associated with the IOTC in the SIOFA Area and that such data should be requested and submitted to SIOFA.
- 135. Regarding paragraph 271 of the SC8 report, the MoP NOTED the significant catch in cells that are both in exclusive economic zones (EEZs) and in SIOFA, the need to consider this catch information for any future assessment of oilfish in the SIOFA Area, and the SC request that the Secretariat add this information to the oilfish fishery summaries.
- 136. The MoP NOTED the recommendation in paragraph 275 of the SC8 report to amend the typographic errors in CMM 2020/01 (Interim Management of Bottom Fishing) Annex 1 and held further discussions under agenda item 9.
- 137. The MoP NOTED the recommendation in paragraph 276 and 288 of the SC8 report regarding potential management options for providing protection for vulnerable marine ecosystems (VMEs), and discussed the table of different VME management options available, as summarized in Annex L of the SC8 report. The MoP REQUESTED the SC to discuss management options for preventing SAIs on VMEs with a focus on the precautionary approach, spatial management measures, move-on rules, and identifying risks for determining appropriate measures.
- 138. The MoP ENDORSED the recommendation in paragraph 277 of the SC8 report that proposals for exploratory fishing both inside and outside of the current fishing footprint should provide information on VMEs and environmental data.
- 139. The MoP NOTED the recommendation in paragraph 283 of the SC8 report that presence/absence data for all VME taxa should be recorded in the vessel logbooks (in addition to the observer data) as a first step to collect all information on VME taxa encountered by fishing vessels, specifically, the recording of VME taxa at the finest taxonomic level possible and the quantity caught, including zero catches.
- 140. The MoP NOTED the recommendation in paragraph 284 of the SC8 report and encouraged CCPs to conduct trial collections of photographs of all sessile invertebrate occurrences (one picture per occurrence in each haul) by their Scientific Observers for a 3-year trial period, for consideration by the SC after the trial period.
- 141. The MoP NOTED the recommendation in paragraph 287 of the SC8 report that coral taxa be recorded as alive or dead and held further discussions under agenda item 9.
- 142. The MoP NOTED the request in paragraph 289 of the SC8 report that the MoP consider revisions to either CMM 2020/01 (Interim Management of Bottom Fishing) or CMM 2022/02 (Data Standards) that would ensure that vessel reported VME indicator taxa captures and Observer data reports are consistent with the provisions for longline VME encounters in CMM 2020/01 that require VME encounters to be recorded by longline segment rather than by entire haul. The MoP REQUESTED the SC to provide further advice on potential management options for resolving the issue, specifically what potential amendments would be required to CMM 2020/01 or to CMM 2022/02, and what the implications of such amendments would be for scientific work and data collection onboard vessels.
- 143. As recommended in paragraph 327 of the SC8 report, the MoP NOTED that the Monaco

Exploration expedition had observed a fleet of Sri Lankan gillnetters east of Saya de Malha Bank.

- 144. The MoP ENDORSED the recommendations in paragraphs 337 of the SC8 report to continue with the new combined SC format going forward and to establish two Vice-Chair positions.
- 145. Regarding paragraph 340 of the SC8 report, the MoP NOTED that the creation of the Science Officer position and the appointment of Dr Marco Milardi have greatly contributed to progressing the work of the SC.
- 146. The MoP NOTED the recommendation in paragraph 363 of the SC8 report regarding the extension of the current SC Chair's term and held further discussions under agenda item 14.1.

6.3. Report of the first extraordinary meeting of the SC

- 147. The SC Chair outlined MoP-10-16, which provided the report of the 1st Extraordinary Meeting of the SC (SC-EXTRA1). The meeting was held on 1 June 2023 through video conference for the purpose of considering the report of the SIOFA 1st Performance Review and providing advice to the MoP on the Performance Review Panel recommendations.
- 148. The MoP NOTED the recommendations of SC-EXTRA1 and took them into consideration when reviewing the SIOFA Performance Review Report and its recommendations under agenda item 4.

6.4. Prioritized medium-term Scientific Committee workplan and budget

- 149. The SC Chair presented MoP-10-13 rev1, which provided the draft SC medium-term workplan for 2023-2026, along with project priority scores assigned by CCPs.
- 150. The MoP discussed the funding of scientific work and engagement of CCPs in advancing the scientific work of SIOFA.
- 151. One CCP called on CCPs to invest more in scientific work that is necessary for informing the management of the fisheries that they are engaged in, rather than such work being funded exclusively by the SIOFA budget. This CCP expressed concern about the long-term viability and sustainability of the SIOFA budget, noting that a significant amount of the scientific work of SIOFA is currently funded by voluntary contributions from CCPs.
- 152. Another CCP pointed out that the advancement of scientific work related to the management of SIOFA fisheries is a shared responsibility of all CCPs. This CCP further noted that the SIOFA Agreement is fundamentally flawed and is inconsistent with the Fish Stocks Agreement Article 5(b), as it is discriminatory and diminishes the necessary assistance Small Island Developing States should receive to effectively participate in its fishery. Article 24.2 of the Fish Stocks Agreement does not make assistance to States conditional, and this CCP strongly recommended that the MoP agree to revise the Agreement, to remove all references that limit the consideration of the special requirements of developing States to those 'bordering the Area' of the SIOFA Agreement. This CCP stated that it will undertake work intersessionally and provide a paper for consideration at MoP11.
- 153. The MoP reviewed and revised the draft SC workplan.
- 154. The MoP ENDORSED the SC Workplan as outlined in MoP-10-13 rev1.
- 6.5. Discussion on public data definition and limitation, recommendation from SC8
- 155. Regarding paragraph 100 of the SC8 report, the MoP NOTED the advice of the SC that no changes are required on the definition of public domain catch and effort data, but that the confidentiality rules about species reported only by one vessel prevents

publicly displaying catch and effort data and that the SC agreed that, when tabulating single species, total catches can be displayed as a three-year rolling average. The MoP further NOTED the SC's advice that, in terms of the geographical resolution, finer scale data display (e.g., 1x1 degree resolution) is unlikely to be a problem for fisheries that operate on mobile fish stocks but not feasible for fisheries related with spatial features. The MoP also NOTED the SC's advice that data available to SIOFA that could be disseminated into the public domain in accordance with the current CMM 2016/03 (Data Confidentiality) could follow the same approach as WCPFC, whereby a "trimmed" database is made available to the public domain.

156. Following its review, the MoP ADOPTED the report of the 8th meeting of the Scientific Committee.

Agenda item 7 – Data access and dissemination

7.1. Summary report on the data submission (31 May 2022)

- 157. The Data Officer presented MoP-10-INFO-01 regarding the data submitted by CCPs in 2022 (for 2021 fishing activities) according to the requirements of CMM 2022/02 on Data Standards.
- 158. The MoP NOTED information paper MoP-10-INFO-01.

7.2. Data access and dissemination

7.2.1. New Data section of the SIOFA website

159. The Data Officer explained that the Secretariat has been working with a consultant to develop a new data section on the SIOFA website and provided a preview of the new section. The section includes a data process flowchart showing how data are processed into the database, how data requests are made, and how data are released; subsections where allowed users can generate data reports on annual catch data, annual effort data, and SIOFA data availability, resolution and datasets process status. The Data Officer invited CCPs to explore the new data section and share any feedback they may have.

Agenda item 8 – Interim bottom fishing measures

8.1. States or fishing entities that became CCPs before the MOP in 2017 – revision to measures established under paragraph 10 of CMM 2020/01

8.2. States or fishing entities that became CCPs after the MOP in 2017 – approval of measures pursuant to paragraph 28 of CMM 2020/01

- 160. The MoP NOTED that no interim bottom fishing measures were submitted under agenda items 8.1. and 8.2.
- 161. The Data Officer reminded the MoP that a summary of CCPs' interim bottom fishing measures is available on the Management section of the SIOFA website, in the Interim Bottom Fishing Measures subsection.
- 162. Mauritius, Seychelles, and the Joint Commission reiterated their concerns that bottom trawling in the JMA seriously impacts on the sedentary species, corals and seagrass on the seabed or in the subsoil, and urged the MoP to integrate their concerns in SIOFA's bottom fishing measures.

Agenda item 9 – Review and amendment of Conservation Management Measures (CMMs) currently in force

163. Australia presented MoP-10-21 rev4, which proposed amending CMM 2022/12 (Sharks) to align it with the recommendations by the SC (paragraphs 230–234, SC8 Report) and to

update Annex 1 to reflect the results of the updated chondrichthyan environmental risk assessment (paragraph 250, SC8 Report), with the aim of improving the management of deepwater sharks and reducing catches in the SIOFA Area. Australia explained that this was a revised version of the proposal that it presented to the Compliance Committee, which the Compliance Committee had reviewed and provided feedback on.

- 164. The MoP reviewed the proposal and ADOPTED the amendments to CMM 2022/12 (Annex S).
- 165. The MoP tasked SC9 to provide further advice on fishing gear options to mitigate the ongoing impact of SIOFA fisheries on vulnerable deepwater sharks.
- 166. The MoP further tasked SC9 to provide definitions of leader and wire and other leader types for longline gear, and advice on the application of move-on rules for demersal longline and trawl fisheries to protect vulnerable deepwater sharks.
- 167. The DSCC expressed its support for a precautionary catch limit in Subarea 2, one which truly reflects sharks' status as bycatch. The DSCC urged the MoP to recall the significant successes other RFMOs have had by avoiding the use of wire traces and to prohibit the use of wire traces consistent with the precautionary approach.
- 168. Australia presented MoP-10-19 rev2, which proposed amending CMM 2021/15 (Management of Demersal Stocks) based on the recommendations from SC8 (paragraphs 141–155, SC8 Report), specifically to improve the management of toothfish stocks, including adding the area of toothfish fishing outside the Del Cano Rise management area and establishing observer and reporting requirements for it, articulating the area of each management zone and fixing the inconsistency in reporting the coordinates specified for Williams Ridge identified by the SC, and developing the use of the CCAMLR trend analysis rules. Australia explained that this was a revised version of the proposal that it presented to the Compliance Committee, which the Compliance Committee had reviewed and provided feedback on.
- 169. The MoP reviewed the proposal and ADOPTED the amendments to CMM 2021/15 (Annex J) including the extension of the Del Cano Rise management area.
- 170. The MoP NOTED that over the last two years, the majority of toothfish has been taken in an area not subject to catch limits outside the Del Cano Rise and William's Ridge management areas and NOTED the SC's work on the spatial definition of a new management area, referred to as the South Indian Ridge.
- 171. The MoP AGREED to defer agreement of the South Indian Ridge management area until the SC has provided advice on an appropriate catch limit for this area, and on the possibility of harmonising the management regimes applicable in the existing and future management areas.
- 172. The MoP REQUESTED the SC to develop a CPUE by analogy assessment of Del Cano Rise and the South Indian Ridge and to consider how CCAMLR trend analysis rules (https://fishdocs.ccamlr.org/TrendAnalysis_2020.pdf) might be applied in the SIOFA Area, including the South Indian Ridge.
- 173. The United States expressed its appreciation to Australia for preparing the proposal to amend CMM 2021/15 and looked forward to the SC providing advice on appropriate toothfish catch limits for the extended Del Cano Rise management area and the South Indian Ridge area at SC9.
- 174. The Science Officer presented MoP-10-18, which proposed technical edits to CMM 2020/01 (interim management of bottom fishing) to correct typographical errors in the names of VME indicator taxa reported in Annex 1 as identified by the SC.
- 175. The MoP ADOPTED the amendments to CMM 2020/01 (Annex K).

- 176. The Data Officer presented MoP-10-20 rev1, which proposed amending CMM 2022/02 (Data Standards) to improve VME bycatch information and recording by the crew in Annex A and by the observers in Annex B.
- 177. The MoP ADOPTED the proposed amendments to Annexes A and B of CMM 2022/02 (Annex L).
- 178. The EU presented MoP-10-15 rev3, which proposed amending CMM 2019/10 (Monitoring) to align SIOFA's rules on transhipment with the Voluntary Guidelines for Transshipment agreed at the 35th session of the FAO Committee on Fisheries in September 2022. The EU explained that this was a revised version of the proposal that it presented to the Compliance Committee, which the Compliance Committee had reviewed, expressed general support for, and provided feedback on. The EU noted that the Compliance Committee had agreed to forward the proposal to the MoP for its consideration and further work, with a view to adopting a revised CMM at MoP10.
- 179. The MoP ADOPTED amendments to CMM 2019/10 (Annex M).
- 180. The MoP AGREED that in paragraph 1 of CMM 2019/10 'engaged in fishing operations for' and 'fishing for' has the same meaning as 'targeting'.
- 181. Many CCPs believed that this interpretation should be extended to all CMMs. Some CCPs disagreed with that view.
- 182. The MoP AGREED to hold discussions towards defining standards for electronic monitoring in the future.
- 183. The DSCC expressed concern with the decision of the MoP to remove the requirement to place observers onboard and replace them with electronic monitoring, especially without adopting standards for electronic monitoring.

Agenda item 10 - New Conservation and Management Measures (CMMs)

- 184. The EU presented its proposal, in MoP-10-14 Rev3, for a CMM for the establishment of a SIOFA Vessel Monitoring System (VMS). The EU explained that it presented previous versions of the proposal at MoP8 (MoP-08-16_rev1) and at MoP6 and MoP7, and that the current proposal reflects MoP8's endorsement of a hybrid approach and comments received from other CCPs on the earlier versions of the proposal. The EU noted that the Compliance Committee had agreed to forward the proposal to the MoP for its consideration and further work, with a view to adopting a CMM for the establishment of a SIOFA VMS at MoP10.
- 185. Alongside the proposal for the establishment of a new CMM, the EU also presented, in the same paper, a proposal for the establishment of an intersessional working group to develop detailed Standards, Specifications and Procedures (SSPs) for data formats and transmission, data confidentiality and security requirements, etc., noting the agreement of MoP8 to hold an intersessional working process among interested CCPs for further discussions of the technical details of the proposed VMS.
- 186. The MoP ADOPTED the new CMM for the establishment of a SIOFA VMS (Annex N).
- 187. The MoP ENDORSED the establishment of an intersessional working group to define SSPs for the SIOFA VMS, including further discussion on the term 'unique vessel identifier' in paragraph 1 of the CMM.

Agenda item 11 – Secretariat administration

188. The Executive Secretary presented a meeting document (MoP-10-06 rev2) proposing to amend the SIOFA staff regulations, in particular Regulation 8, specifically clarification of the calculation of pension fund contributions and insurance premiums for internationally recruited employees not eligible for the French social security system, and Regulation 10,

specifically the separation from service and how it should be applied to cases where a staff member remains with the organisation but on a different type of contract and/or position.

189. The MoP reviewed the proposal and adopted the amendments to the SIOFA staff regulations (Annex O).

11.1. Report on the Secretariat activities (since MoP9)

- 190. The Executive Secretary presented a report (MoP-10-INFO-03 rev1) on staff resources and Secretariat activities prepared in accordance with Rule 8.1(f) and 8.1(g).
- 191. The MoP NOTED the report on the Secretariat activities in MoP-10-INFO-03 rev1.
- 192. The MoP expressed its gratitude to the Secretariat for the considerable amount of work it has done over the past year and the high quality of that work, particularly in light of the Secretariat's small size. The MoP also appreciated the comprehensiveness of the report.
- 193. The MoP expressed its thanks to France Territories for its continued support to the Secretariat.

11.1.1. New premises for the Secretariat

- 194. The Executive Secretary presented a report (MoP-10-INFO-14) on the progress made to date on the establishment of a new premises for the Secretariat, with an updated timeline and photos.
- 195. France Territories explained that with the SIOFA Secretariat moving to a new government building in La Réunion, the current hosting Memorandum of Understanding (MoU) between SIOFA and the Government of the French Republic for financing of the Secretariat headquarters' running costs, which was signed in 2016 and specifies how France covers the organisation's running costs, will need to be updated to cover the new expenses linked to the relocation of the headquarters. France Territories presented a proposed MoU between SIOFA and the Government of the French Republic for financing of the Secretariat headquarters' running costs (MoP-10-25).
- 196. The MoP AGREED to authorise and request the Executive Secretary to sign the MoU with the Government of the French Republic, on behalf of SIOFA.
- 197. The MoP welcomed the progress made on establishing the new premises for the Secretariat and looked forward to the completion of this work. The MoP expressed its appreciation for France Territories' generosity in making the building available and its voluntary contribution to support the renovation work.

11.2. Financial status

11.2.1. Update on the 2020 fraud

- 198. The Executive Secretary informed the MoP that China continues to work with the Secretariat and the Polish authorities to recover the funds for its 2019 and 2020 contributions and remit them to SIOFA.
- 199. China reiterated its commitment to work closely with the Secretariat and the Polish authorities to resolve the situation, explaining that, because of the case's unprecedented nature, it involves many complex judicial requirements. China informed the MoP that it has initiated various domestic judicial processes to meet these requirements, that all necessary documents are expected to be issued within this year, that it will notify the Secretariat once it has been able to recover the funds, and that it will remit the funds to the Secretariat as soon as possible afterwards. China thanked the MoP once again for its continued kind understanding.

11.2.2. Financial report

200. The Executive Secretary presented a report on financial resources (outlined in MoP-10-INFO-04) to the MoP with an overview of the budget position, annual financial statements and any funds held in reserve, in accordance with Regulation 9.1 of the Financial Regulations and Rule 8(1)(f) of the Rules of Procedure.

201. The MoP NOTED the Report on Financial Resources provided by the Secretariat in MoP-10-INFO-04.

11.2.3. External Auditor report

- 202. The external auditor, Mr Arnaud Fayol, confirmed that, in all material respects, SIOFA's financial position as at 31 December 2022 and its financial performance for the year then ended are in compliance with SIOFA Financial Regulations.
- 203. The MoP NOTED the annual financial statements and the Auditor's report presented in MoP-10-INFO-05.

11.2.4. External Auditor appointment for next 3 years

- 204. The Executive Secretary presented MoP-10-07, which provided an update on the procurement process for the selection of an independent external auditor. He explained that the current external auditor, Mr Arnaud Fayol, is due to complete his three-year term on 31 December 2023, that the Secretariat initiated the process of selecting an independent external auditor (SIOFA circular 2023-16) in accordance with Article 11.1 of Financial Regulations, and that the Secretariat received one offer from the current external auditor. The Executive Secretary invited the MoP to consider Mr Fayol's offer to serve as SIOFA's external auditor for the next three years.
- 205. The MoP AGREED to renew the current SIOFA auditor for an additional three-year term.
- 206. France Territories noted an error in the auditor letter that indicated that the external auditor's travel expenses for SIOFA work would be covered by the French delegation budget. France Territories clarified that it has not allocated any such budget and requested the Executive Secretary to correct this error when concluding the actual contract with the external auditor.

11.3. SIOFA Budget

- 207. The Executive Secretary explained that since 2023, a French Bank Livret A account is providing interest of 3% rate at no risk, and that he has already provisioned such an account. The interest generated would alleviate the bank charges that are mostly caused by international transfers.
- 208. The Executive Secretary further presented a proposal to invest a part of the Reserve Funds of the MoP as a means of reducing bank taxes and other expenses and potentially generating a nominal profit to offset other analogous expenses, as described in MoP-10-05.
- 209. The MoP reviewed the proposal for investment and DECIDED not to adopt it.
- **11.3.1.** Mid-year budget tracking paper with the actual expenditure
- 210. The Executive Secretary presented the 2023 mid-year budget report (outlined in Annex 2 of MoP-10-INFO-04).
- 211. The MoP NOTED the mid-year budget report provided in MoP-10-INFO-04.
- 11.3.2. Provisional 2024 budget and 2025 forecast budget
- 212. The Executive Secretary presented the draft SIOFA 2024 budget in MoP-10-04 rev2. CCPs requested clarifications and modifications to the draft 2023 budget, and the MoP incorporated those changes in the 2024 budget as outlined in Annex P.
- 213. The MoP AGREED to renew the contract of the Data Officer for two years.
- 214. The MoP AGREED to renew the contract of the Science Officer for two years.
- 215. Information on the 2025 and 2026 forecast budgets are available in MoP-10-04 rev2.
- **11.3.3.** Adoption of the budget
- 216. The MoP ADOPTED the 2024 budget (Annex P), in accordance with Financial Regulation

3.7.

217. The Cook Islands notified the MoP of its intention to seek a re-evaluation of the calculation of CCPs' contributions, pointing out that its fleet has been reduced by half.

Agenda item 12 – Cooperation with other RFMOs, international bodies and other relevant matters

- 218. The Compliance Officer presented MoP-10-23, which described ongoing efforts by the SIOFA Secretariat to engage with the Indian Ocean Commission (IOC) on potential collaboration between the two organisations, following the submission of a Letter of Intent from IOC to SIOFA, proposing cooperation between the two organisations through the Ecofish Program, at last year's Compliance Committee meeting.
- 219. The MoP expressed disappointment that no progress has been made since MoP9 and that the IOC has not reciprocated the Secretariat's efforts to engage with it. The MoP REQUESTED the Secretariat to continue to try to engage with IOC on potential collaboration.
- 220. The Compliance Officer presented an invitation from the International Monitoring, Control, and Surveillance (IMCS) Network to consider and approve SIOFA's membership and observer status in the Network (MoP-10-24). The invitation highlighted the aligned objectives of SIOFA and the IMCS Network to combat IUU fishing and the potential benefits of SIOFA's engagement in the Network, such as enhanced collaboration, knowledge-sharing, and capacity development in the fisheries monitoring, control, and surveillance (MCS) community.
- 221. The MoP AGREED to accept the invitation for SIOFA's membership in the IMCS Network.

12.1. Southwest Indian Ocean Fisheries Commission (SWIOFC)

- 222. The Secretariat reported that the Science Officer attended the SWIOFC Scientific Committee 11 annual meeting. Further details are available in MoP-10-INFO-03 rev1.
- 223. The Science Officer highlighted the SWIOFC cooperation with the Ecosystem Approach to Fisheries (EAF)-Nansen Programme and data collection and assessment of selected stocks as topics of shared interest and potential engagement between SIOFA and SWIOFC.

12.2. Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR)

- 224. The Secretariat reported that the Science Officer attended the CCAMLR 41st Scientific Committee meeting and the Third Special Meeting of the Commission for the Conservation of Antarctic Marine Living Resources. Further details are available in MoP-10-INFO-03 rev1.
- 225. The Science Officer noted that the data exchange process established between SIOFA and CCAMLR became operational this year.
- 226. The MoP reaffirmed the importance of SIOFA's cooperation with CCAMLR and REQUESTED the Secretariat to continue to engage with CCAMLR and attend its meetings in person for matters of particular interest to SIOFA.

12.3. Indian Ocean Tuna Commission (IOTC)

- 227. The Compliance Officer presented two proposed Instruments, a Cooperation Arrangement and a Letter of Understanding to enable cooperation between SIOFA and the IOTC (MoP-10-22). He explained that the Instruments were drafted by the Secretariat, as tasked by MoP9, based on intersessional discussions with the IOTC and exchanges with CCPs.
- 228. The MoP AGREED that a Cooperation Arrangement would be the appropriate

Instrument for cooperation between SIOFA and the IOTC.

- 229. The MoP reviewed the proposed Cooperation Arrangement and made some revisions, as outlined in MoP-10-22 rev1 (Annex Q).
- 230. The MoP requested the Secretariat to send the amended Cooperation Arrangement, as outlined in MoP-10-22 rev1 (Annex Q), back to the IOTC for its consideration. The MoP requested the Secretariat to liaise with the IOTC and CCPs to finalise the Cooperation Arrangement as soon as possible in the intersessional period.
- 231. The MoP reaffirmed the importance of SIOFA's cooperation with the IOTC and REQUESTED the Secretariat to attend its meetings in person for matters of particular interest to SIOFA.

12.4. Food and Agriculture Organisation (FAO) Area Beyond National Jurisdiction (ABNJ) Deep-Sea Fisheries Project, phase II

- 232. The FAO presented MoP-10-INFO-13, which provided an overview of the DSF Project, particularly 2022-2023 past activities and 2023-2024 upcoming activities relevant to SIOFA. The FAO DSF Project (2022-2027) follows on from the ABNJ Deep-Sea Project (2014-2019). The project is global in scope and will collaborate with and support regional activities that lead to the project's objective: to ensure that DSF in the ABNJ are managed under an ecosystem approach that maintains demersal fish stocks at levels capable of maximising their sustainable yields and minimising impacts on biodiversity, with a focus on data-limited stocks, deepwater sharks and vulnerable marine ecosystems.
- 233. The MoP welcomed the activities of the DSF Project and noted that the Project would be of great support to SIOFA in many areas. The MoP looked forward to SIOFA's continued constructive engagement with the Project.
- 234. The DSCC encouraged FAO to engage with civil society on the DSF Project.
- 235. The Secretariat reported that the Science Officer attended the review of the implementation of the FAO DSF Guidelines and the FAO DSF Project – Inception Workshop with funding from the FAO DSF Project. Further details are available in MoP-10-INFO-03 rev1.
- 236. MoP-10-INFO-07, which provided a report of the discussions and presentations of the Inception Workshop of the FAO DSF Project, was submitted to the meeting.

12.5. FAO Regional Fishery Body Secretariats' Network (RSN)

- 237. The Secretariat reported that the Science Officer attended the Regional Fishery Body Secretariats' Network (RSN) meeting in Mozambique as well as the Ninth Meeting of the Regional Fishery Body Secretariats' Network (RSN-9) and the Thirty-fifth Session of the Committee on Fisheries (COFI-35). Further details are available in MoP-10-INFO-03 rev1.
- 238. The Science Officer outlined MoP-10-INFO-06, which provided the summary record of the Regional Consultation on the Development of a Coordination Framework among Regional Fishery Bodies in the Indian Ocean.
- 239. The Executive Secretary introduced MoP-10-INFO-11, an FAO publication entitled "A regional framework among regional fishery bodies Scaling up cooperation and coordination towards sustainable fisheries" that aims to consolidate the results of the Regional Consultation on the Development of a Coordination Framework among Regional Fishery Bodies in the Indian Ocean and the results of the Regional Consultation among Regional Fishery Bodies in the Eastern Central Atlantic Ocean, and invited the co-author of the publication, Ms Sarah Fagnani (FAO), to provide additional details.
- 240. The MoP welcomed the FAO's efforts to strengthen cooperation and collaboration among regional fishery bodies.

12.6. FAO Fisheries and Resources Monitoring System (FIRMS)

241. The Secretariat reported that the Science Officer attended two FAO-FIRMS technical working group meetings and the FAO-FIRMS Steering Committee Meeting virtually. Further details are available in MoP-10-INFO-03 rev1.

12.7. South Pacific Regional Fisheries Management Organization (SPRFMO)

242. The Secretariat reported that the Science Officer attended the 10th SPRFMO Scientific Committee meeting virtually. Further details are available in MoP-10-INFO-03 rev1.

Agenda item 13 – Cooperating non-Contracting Parties (CNCPs)

13.1. Granting of CNCP status

243. No applications for the granting of CNCP status were received.

13.2. Renewal of CNCP status

- 244. The MoP acknowledged that Comoros had written to the Secretariat on 18 April 2023 to apply to retain its CNCP status (MoP-10-03).
- 245. The MoP AGREED that Comoros qualifies to retain its CNCP status in 2023. The Meeting of the Parties requested Comoros to continue its active engagement as a SIOFA CNCP.
- 246. Comoros thanked the MoP for renewing its CNCP status and the Secretariat for its support.
- 247. The MoP acknowledged that India had written to the Secretariat on 24 April 2023 to apply to retain its CNCP status (MoP-10-02).
- 248. The MoP AGREED that India qualifies to retain its CNCP status in 2023.
- 249. India thanked the MoP for renewing its CNCP status and the Secretariat for its support.
- 250. India informed the MoP that it has initiated the application process for becoming a SIOFA Contracting Party. India also reiterated its intention to fish for SIOFA fishery resources and to prepare and present a fishing plan to the MoP in the future.

Agenda item 14 – Future Chairing arrangements

- 14.1. Chairperson of the Scientific Committee and co-Chairpersons of the SC
- 251. The MoP AGREED to extend the term of Mr Alistair Dunn as the Chairperson of the SC for two years.
- 252. The MoP thanked Mr Dunn for his hard work and looked forward to the SC making further scientific progress under his continued leadership.
- 253. The MoP AGREED to appoint Dr Pavarot Noranarttragoon (Thailand) as a Vice-Chairperson of the SC.
- 254. The MoP thanked Thailand for the nomination and Dr Noranarttragoon for accepting it.
- 255. The MoP thanked Dr Sebastián Rodríguez Alfaro (EU), whose term as Vice-Chairperson of the SC ended at the conclusion of SC8, for his contributions to advancing the scientific work of SIOFA over the past two years.

14.2. Chairperson and Vice-Chairperson of the Compliance Committee

- 256. The MoP AGREED to appoint Mr Ichiro Nomura (Japan) as the Chairperson of the Compliance Committee.
- 257. The MoP thanked Mr Nomura for serving as the Vice-Chairperson of the Compliance Committee and the Acting Chairperson of CC7, and for accepting the nomination to become the Compliance Committee Chairperson.
- 258. The MoP AGREED to appoint Mrs Meera Koonjul (Mauritius) as the Vice-Chairperson of the Compliance Committee.
- 259. The MoP thanked Mauritius for the nomination and Mrs Koonjul for accepting it.

- 14.3. Chairperson and Vice-Chairperson of the MoP
- 260. The MoP AGREED that Korea would provide a Chairperson and Japan would provide a Vice-Chairperson from the conclusion of the 10th Meeting of the Parties to the conclusion of the 11th Meeting of the Parties. The MoP NOTED that Korea and Japan will provide the names of the Chairperson and the Vice-Chairperson at a later stage.

Agenda item 15 – 2024 meeting arrangements

- 261. The MoP AGREED that the ninth meeting of the SC will take place during the period of 18–27 March 2024.
- 262. Thailand confirmed its intention to host the ninth meeting of the SC in Bangkok.
- 263. The MoP accepted Thailand's offer and thanked Thailand for its generosity.
- 264. The MoP AGREED that the joint MoP-SC workshop on management objectives for harvest strategies will be held virtually in the intersessional period before SC9 with the terms of reference in Annex H of the SC8 Report and co-convened by the SC and MoP Chairs.
- 265. The MoP AGREED that a focused topic on harvest strategies, performance indicators and other aspects related to harvest strategies would be included as part of the agenda for SC9.
- 266. The MoP AGREED that the eighth meeting of the Compliance Committee will take place from 26 to 28 June 2024 and the 11th Meeting of the Parties will take place from 1 to 5 July 2024.
- 267. The MoP AGREED that the joint MoP-SC workshop on development of harvest strategies will take place over two days, with the first taking place virtually in the period between SC9 and CC8, and the second taking place in a hybrid format on 29 June 2024 between CC8 and MoP11, with the costs of the hybrid arrangements being covered by the Reserve Fund.
- 268. Korea offered to host the eighth meeting of the Compliance Committee, the joint MoP-SC workshop on development of harvest strategies, and the 11th Meeting of the Parties.
- 269. The MoP accepted Korea's offer and thanked Korea for its generosity.

Agenda item 16 – Any other business

- 270. China reiterated its intention to bring its authorised squid-fishing fleet in the Northwestern Indian Ocean, adjacent to the Agreement Area, under the management of an RFMO in order to ensure the long-term conservation and sustainable utilisation of fishery resources in this region. China informed the MoP that it implements a range of management measures to ensure appropriate control of these vessels, including licensing, marking, VMS, logbooks, transshipment monitoring, and observer programs. Furthermore, China explained that it has implemented a voluntary three-month fishing moratorium on all Chinese-flagged fishing vessels except tuna long-liners in this region. This voluntary moratorium is also applied in certain regions in the Atlantic Ocean and Pacific Ocean.
- 271. On behalf of the Government of the Republic of Mauritius and the Government of the Republic of the Seychelles, the Mauritius-Seychelles Joint Commission presented a letter, dated 12 June 2023, conveying their strong opposition to bottom trawl fishing by third parties in the JMA as a precautionary approach, and proposed that SIOFA consult with the United Nations Division for Ocean Affairs and the Law of the Sea (DOALOS) regarding bottom trawl fishing on the Saya de Malha Bank in the JMA, specifically for a legal opinion on the legal rights of Mauritius and the Seychelles in relation to the extended continental shelf, and whether other States can continue to conduct bottom trawling in the extended

continental shelf (SIOFA Circular nº 2023/31).

- 272. Some CCPs disagreed with the proposal and stated that DOALOS did not have the competence to review the interpretation of the Agreement. However, these CCPs agreed on the importance of preventing SAIs on VMEs, particularly on the Saya de Malha Bank. These CCPs acknowledged the implementation of the current precautionary approach under CMM 2020/01 (Interim Management of Bottom Fishing) as well as the bottom fishing impact assessments and suggested that it could consider reviewing and updating the CMM in light of progress that SIOFA has made in scientific work related to bottom fishing.
- 273. The Joint Commission expressed its view that DOALOS did have competence to provide views on the particular issue and reiterated that the issue was much more than just reviewing the CMMs related to bottom fishing and made reference to the sovereign rights of Mauritius and Seychelles in the JMA.
- 274. The DSCC reiterated its longstanding concern over the need to protect the Saya de Malha Bank, which is an ecologically important area designated as an ecologically or biologically significant area (EBSA) by the Convention on Biological Diversity (CBD), consistent with the rights of the coastal States. The DSCC also drew the MoP's attention to the adoption of the agreement on marine biodiversity in areas beyond national jurisdiction, as well as the Kunming-Montreal Global Biodiversity Framework and the Leaders' Pledge for Nature, which recognise the importance of protecting marine biodiversity and marine protected areas, set out requirements to be considered in environmental impact assessments, and recognise the value of marine genetic resources.
- 275. The Secretariat presented a proposal for a more streamlined approach towards the submission of Working Papers that are to be considered by both the MoP and the Compliance Committee, as described in MoP-10-26. The Secretariat explained that under the current process, for proposals that are to be discussed by both the MoP and the meeting of the Compliance Committee, CCPs are obliged to submit their proposals to both meetings and observe two different deadlines for these submissions, which may create undue burden for both CCPs and the Secretariat. Under the proposed streamlined approach, Working Papers to be considered by both the MoP and the Compliance Committee would only need to be submitted once and follow a single deadline.
- 276. The MoP considered the proposal and also discussed how to handle late submissions of documents. Based on its discussions, the MoP AGREED to revise the Rules of Procedure as described in Annex R.
- 277. The MoP AGREED that even though it has established rules for how to handle documents that have been submitted after the deadline, the late submission of documents should continue to be the exception, rather than the norm.
- 278. During its discussions, the MoP also touched on the presentation of advice from the SC to the MoP. Noting that the large number of recommendations from the SC and the length of the SC's reports could lead to some recommendations being overlooked, the SC Chair suggested that, in future, he could prepare papers, separate from the SC Report, summarising the scientific advice from each SC meeting and present them to the MoP to facilitate the MoP's ease of understanding and its discussions. The MoP welcomed the SC Chair's suggestion.

Agenda item 17 – Report adoption

279. The MoP thanked the rapporteur for his exemplary work, the interpreters for their great contributions to the success of the meeting, the Secretariat for its excellent organisation of the meeting, and the Chair's leadership in guiding the meeting.

280. The MoP thanked Mauritius for hosting the meeting and for its gracious hospitality.
281. The MoP ADOPTED the report of its 10th ordinary meeting at 1:33 p.m. UTC, 7 July 2023.

Agenda item 18 – Meeting closure

282. The meeting was closed at 1:40 p.m. UTC, 7 July 2023.