



SIOFA | APSOI

Southern Indian Ocean Fisheries Agreement
Accord relatif aux Pêches dans le Sud de l'Océan Indien

Report of the Third Meeting of the
Compliance Committee of the
Southern Indian Ocean Fisheries
Agreement

(SIOFA)

Pearle Beach Resort & Spa conference
centre,

Flic en Flac, Mauritius

27 – 29 June 2019

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Agenda Item 1 – Opening of the session

1.1 Opening Statement from the Chair

1. The Chair, Mr. Dominique Person, opened the meeting and welcomed all delegates (Annex A) and thanked Mauritius for hosting. The Chair also opened the floor for all delegations to introduce their representatives (Annex B).

1.2 Opening statement from the SIOFA Executive Secretary

2. The Executive Secretary welcomed delegates and thanked Mauritius for hosting as well as the hotel and support staff for assisting with meeting preparations.

1.3 Welcome to observers

3. The Chair welcomed CCAMLR, SIOFA, China, and Chinese Taipei as observers to the meeting, and invited each to introduce their representatives (Annex B).

Agenda Item 2 – Administrative arrangements

2.1 Adoption of the agenda

4. The Chair presented the Agenda outlined in CC3-Doc01_Rev3. No comments were received on the agenda, and the agenda was accepted by the Compliance Committee (Annex C).

2.2 Confirmation of meeting documents

5. The Executive Secretary advised that the list of meeting documents is presented in CC3-Doc02 (Annex D) and the table of agenda items and related papers is presented in CC3-Doc03 (Annex E).

2.3 Appointment of rapporteurs

6. The Executive Secretary nominated Jana Aker from the Northwest Atlantic Fisheries Organization (NAFO) Secretariat as lead rapporteur. The Executive Secretary also noted that Ms. Aker will be conducting capacity building rapporteur training with two Mauritian representatives during the meeting with support from the FAO ABNJ Deep Seas Project.
7. The Compliance Committee acknowledged the FAOs generous contribution.
8. The Compliance Committee agreed to appoint Jana Aker as Lead Rapporteur.

2.4 Practical arrangements for the meeting

9. The Executive Secretary provided an overview of practical arrangements for the meeting.

Agenda Item 3 – SIOFA Compliance Monitoring Scheme

10. The Chair opened this agenda item by requesting an explanation from those Parties who have not submitted their compliance reports to the Secretariat. The Compliance Committee NOTED the explanation from Mauritius that their report is being prepared, but requires higher level approvals, so will take a few weeks before it is available. The Compliance Committee also NOTED the explanation from Comoros that other internal issues caused a delay in the reporting, and that they are working to provide the report by 15 July 2019. The Republic of Korea was not present at the meeting to provide an explanation.
11. The Compliance Committee expressed its strong concerns with the failure of some Parties to provide their Compliance Reports and recommends that the MoP considers assisting these CCPs in fulfilling this essential requirement, including by translating the Compliance template in French.

12. The SIOFA Secretariat presented CC3-Doc09 which provides a table of SIOFA CMM and agreement obligations and noted that this document was prepared in accordance with the CMM 2018/11 Paragraph 27.a. Contracting Parties thanked the Secretariat for preparing this document and noted that it was a useful reference tool that should be maintained and updated as necessary.
13. The SIOFA Secretariat presented CC3-Doc10_Rev1 the Draft SIOFA Compliance Report (dSCR). The Secretariat walked through the items under each country and completed the column *2018 Compliance status proposed by CC* following discussions of the Compliance Committee. During this review, the Compliance Committee agreed to a two-level approach of addressing the delay in the submission of information to the Secretariat. If the required information was submitted to the Secretariat, but not within the deadlines, the Party would be considered Compliant with the obligation to submit information but non-compliant with the deadlines for submission. The Secretariat noted that the provisions outlined in CMM 2018/11 Annex I may need to be reviewed in light of this decision. **The Compliance Committee REQUESTED the Secretariat to present the report by CMM in the future.**
14. The Compliance Committee adopted a provisional SIOFA Compliance Report (pSCR). A summary of decisions by country is outlined below. **The Compliance Committee agreed to forward the pSCR outlined in MoP6-WP03 to the MoP for its consideration**
15. Australia: The Secretariat, based on its initial assessment, suggested a preliminary compliance status for Australia were compliant with all Conservation and Management Measures relevant to their fishery. Australia noted that, although it was not identified in the dSCR, they were in compliance in the submission of the entry and exit reports in accordance with CMM 2018/10 Paragraph 14, there was delay in submitting some of the reports to the Secretariat. **The Compliance Committee agreed that Australia was compliant with the Conservation and Management Measures except for the timeliness of submitting the entry/exit reports.**
16. Cook Islands: The Secretariat, based on its initial assessment, suggested a preliminary compliance status for the Cook Islands were not compliant with the data submission requirements outlined in CMM 2018/02 Paragraphs 4, 5, 6, 7, and 14, and CMM 2018/10 Paragraph 14. **The Compliance Committee agreed that if the Cook Islands provided the missing data to the Secretariat, that they would be compliant with the provision of the data required, but not compliant in relation to the timelines for submitting the data.** The Cook Islands clarified that the data had in fact been submitted to the secretariat in relation to CMM 2018/02 Paragraphs 4,5,7 requirements and were deemed compliant. In relation to CMM 2018/10 Paragraph 14, the Cook Islands has issued a directive to its flagged vessels to rectify the requirements of this measure. The Cook Islands made an intervention in relation to the submission of data on a tow basis in accordance with CMM 2018/02 Paragraph 6. Cook Islands stated that the data are available, however, regret that they are unable to submit the data to the Secretariat until such time as data confidentiality can be assured. Contracting Parties thanked the Cook Islands for the clarification and noted that data security will be discussed during the Meeting of the Parties.
17. The European Union: The Secretariat, based on its initial assessment, suggested a preliminary compliance status for the European Union was “not compliant” with the requirements outlined in CMM 2018/01 Paragraphs 9.1(a)(i), and 9.3 in relation to the use of number of vessels as a permitted metric for assessing fishing effort under the CMM. The European Union indicated that it did not agree with the Secretariats interpretation that the measure did not permit the use of vessel numbers as an effort limit and that it should be assessed as “compliant” with these obligations. One CCP supported the view that vessel numbers was not an appropriate metric for assessing fishing effort.

18. Australia shared the European Union's view on the Secretariats interpretation, however, Australia then made an intervention in relation to these points.
- a. Australia expressed regret at the need to make a statement on the EU's non-compliance with CMM 2018/01 (Interim management of bottom fishing). Before delivering its statement, Australia noted the strength of its relationship with the EU and the difficulty it experienced in having to make a statement about non-compliance by the EU, which Australia considers a friend. Australia noted that the delivery of its statement reflected the strength of Australia's concerns at the issues involved, and considered the delivery of its statement to be both urgent and necessary.
 - b. In delivering its statement, Australia expressed its view that the EU should be found non-compliant with respect to paragraph 9(1)(a)(i) of CMM 2018/01 because the EU had not notified the required measures. Australia recalled that paragraph 9(1)(a)(i) (read in conjunction with paragraph 9(2)) requires Contracting Parties to establish and notify annual catch and/or effort limits that do not exceed the average annual level 'in active years over a representative period for which reliable data exists'. Australia observed that the EU had not notified any effort limits, nor had it notified a corresponding reference period. In this regard, Australia recalled that the deficiency in the EU's notified measures was discussed at the fourth meeting of the Scientific Committee.
 - c. Australia further recalled that notification of measures under paragraph 9(1)(a)(i) is a precondition for authorising bottom fishing under paragraph 10 of CMM 2018/01. Australia expressed its view that, as the EU had not met this precondition, the EU should not have authorized vessels to bottom fish in the SIOFA Area.
 - d. Australia considered that the EU would also be non-compliant with paragraph 9(3) of CMM 2018/01 if the EU could not explain when it provided the relevant notifications required under that paragraph. Australia sought clarification from the EU as to when and how the EU provided notification that Spain had limited effort to a maximum of two vessels, noting that the EU's 2017 notification referred to one vessel only.
 - e. Australia recalled the obligation under CMM 2018/01 paragraph 18(e) on CCPs to update their Bottom Fishing Impact Assessments (BFIA) when a substantial change in the fishery has occurred, such that it is likely that the risk or impacts of the fishery may have changed. Australia observed that a substantial change in the relevant fishery occurred in May 2018 and noted that the EU did not submit a revised BFIA until June 2019, notwithstanding the clear guidance contained in the BFIA Standard. In Australia's view, this was a case of critical non-compliance. In support of its view, Australia set out a timeline of events, which it considered further demonstrated the lack of compliance with respect to the EU's failure to notify and disclose adequate measures and to update the BFIA when a substantial change occurred.
19. The European Union provided a statement in response to the intervention from Australia.
- a. The EU is concerned that despite the progress made in its first year of application, the CMS, of which the EU was co-proponent, has not allowed the full assessment of CCPs against some obligations both because some key measures are not clear and are open to interpretation but also because of procedural inconsistencies.

- b. The EU strongly contested the considerations by one Member regarding the EU status of compliance. The EU rebutted point by point its assessment as not sound, legally unfounded and procedurally misleading. The EU regretted that the CC had to use so much of its time to discuss those issues instead of addressing other pressing matters.
 - c. The EU reiterated that they have no doubts about its compliance with the CMMs and the Agreement.
 - d. The EU remained committed to work with others towards developing and implementing a clearer and more effective legal framework for the sustainable management of SIOFA marine living resources.
20. Australia responded that they rejected the suggestion that they had misinterpreted the law.
- 21. As the Compliance Committee was divided on the assessment leading to the compliance status of the European Union, it agreed that the European Union status on CMM 2018/01 Paragraphs 9.1(a)(i), and 9.3 would be assessed as “not assessed”. Australia while agreeing to this status, indicated that in its’ view, there was no ambiguity in the relevant paragraphs of the CMM. The EU indicated that they remain of the view that those provisions are currently not clear, remained open to interpretation, and that a suggestion for clarifying those provisions in the future was submitted by the EU in its proposal for amending CMM 2018/01.**
- 22. On the issue raised in relation to CMM 2018/01 paragraph 18(e), the Compliance Committee agreed that this item should be included in the SIOFA Compliance Report next year.**
23. The Secretariat also reported that the European Union was compliant with the submission of the entry and exit reports in accordance with CMM 2018/10 Paragraph 14 but noted that the reports were received quite late. **The Compliance Committee agreed that the European Union was compliant with the reporting requirements, but not compliant with the timeliness of submitting the entry/exit reports.**
24. France (on behalf of its Indian Ocean Territories): The Secretariat, based on its initial assessment, suggested a preliminary compliance status for France (on behalf of its Indian Ocean Territories) non-compliant with the submission of the entry and exit reports in accordance with CMM 2018/10 Paragraph 14. France (on behalf of its Indian Ocean Territories) explained that, even if all the reports were sent on time, due to an error to the automatic alert, one of the field of the reports was missing, that this error has been corrected and that messages were now send in conformity. **The Compliance Committee agreed that France (on behalf of its Indian Ocean Territories) was compliant with this measure, and all other Conservation and Management Measures relevant to their fishing activities.**
25. Japan: The Secretariat, based on its initial assessment, suggested a preliminary compliance status for Japan was non-compliant with the data submission outlined in CMM 2018/02 Paragraph 5. Japan agreed to submit the haul by haul data in the near future. **The Compliance Committee agreed that is not compliant with this measure.** The Secretariat, based on its initial assessment, suggested a preliminary compliance status for Japan was non-compliant in relation to the requirement outlined in CMM 2018/09 Paragraph 10. Japan clarified that the issue with labelling requirements has now been resolved with the fishing vessels. **The Compliance Committee concluded that Japan is not compliant with this measure.**
26. Republic of Korea: The Secretariat noted that the Republic of Korea did not submit their compliance report and that it was difficult to suggest a preliminary compliance status without this information. **The Compliance Committee agreed that the Republic of Korea would be**

considered critically non-compliant with the submission requirements outlined in CMM 2018/11 Paragraph 12.

27. Mauritius: The Secretariat noted that Mauritius did not submit their compliance report and that it was difficult to suggest a preliminary compliance status without this information. **The Compliance Committee agreed that Mauritius would be considered critically non-compliant with the submission requirements outlined in CMM 2018/11 Paragraph 12.**
28. Mauritius stated that they claim historical rights on the Saya de Malha banks and has been carrying out fishing activities since the 1950's. Mauritius considers that the resources fished in that area are under its management, and that some CCPs were of the views that species caught in the Saya de Malha banks by the Mauritian flagged vessels are in the SIOFA Agreement Area and should be reported until Mauritius legally proves the contrary.
29. Australia noted that this issue was on the Agenda for the sixth meeting of the Parties, and that it would have more to say at that time. For the purposes of the Compliance Committee, Australia indicated that its views had not changed since the fifth Meeting of the Parties - Australia does not acquiesce to Mauritius' claim to historic rights over the Saya de Malha bank. Australia reiterated its view that it is clear that vessels flagged to Mauritius are fishing in the Agreement Area and that this fishing needs to be reported and managed under SIOFAs rules.
30. The European Union reminded that this same discussion took place last year and that Mauritius had indicated that they would provide intersessionally information to support its claims, which was not provided. The EU reiterated that it did not agree with the claims of Mauritius and expressed its expectation that additional discussion and additional information could be provided to the Meeting of the Parties.
31. Seychelles: The Secretariat, based on its initial assessment, suggested a preliminary compliance status for Seychelles was non-compliant with the data submission requirements outlined in CMM 2018/06 Paragraph 31, CMM 2017/08 Paragraph 2, and CMM 2018/09 Paragraph 2. Seychelles reported that they have now provided this information to the Secretariat, which was acknowledged by the Secretariat. **The Compliance Committee agreed that Seychelles is compliance with the submission requirements outlined in CMM 2018/06 Paragraph 31, CMM 2017/08 Paragraph 2, and CMM 2018/09 Paragraph 2 but non-compliant in relation to the timelines for submitting the information.**
32. Thailand: The Secretariat, based on its initial assessment, suggested a preliminary compliance status for Thailand was non-compliant with the data reporting requirement outlined in 2018/02 Paragraph 5. Thailand clarified that the historical data provided were as close as possible to the annex of the Conservation and Management Measure in accordance with Paragraph 10. **The Compliance Committee thanked Thailand for their explanation and considered Thailand Compliant with all relevant Conservation and Management Measures.** Thailand also presented CC3-Doc11 the Thailand Implementation of SIOFA CMMs 2019. Contracting Parties thanked Thailand for the submission of this additional information. The Compliance Committee agreed that the implementation report is no longer required to be submitted with the adoption of the Compliance Monitoring Scheme.
33. Comoros: The Secretariat noted that Comoros did not submit their compliance report and that it was difficult to suggest a preliminary compliance status without this information. Comoros stated that as they were a new cooperating non-Contracting Party, they were not familiar with the reporting process, and were working to have the report submitted by 15 July 2019. **The Compliance Committee agreed that the Comoros would be considered critically non-compliant with the submission requirements outlined in CMM 2018/11 Paragraph 12.**

34. The Compliance Committee highlighted that the compliance report submissions are a requirement, even for Parties that have not fished in the SIOFA Agreement Area.
35. The Compliance Committee RECOMMENDS that the following issues are clarified intersessionally: VME requirements of CMM 2018/01 paragraph 34 (VMS requirements); relevance of defining a procedure allowing an evaluation of the degree of non-compliance, in particular with data related provisions, as well as monitoring progress towards compliance (i.e. if a Party has submitted 5% or 99% of the required data they will be assessed as non-compliant); importance of the timelines of the submissions of reports to the Secretariat to allow for processing; relevance to separate the compliance to the measure and to the timeliness confidentiality measures of data submitted to the Secretariat; and interpretation on the role of the flag State versus port State in reference to CMM 2018/09 Paragraph 6;
36. The Compliance Committee commended the Secretariat for their work on compiling the Compliance Report. Australia highlighted that the submissions by Thailand and France (on behalf of its Indian Ocean Territories) were very detailed and noted that going forward the Parties could use these submissions as guidance for future reporting.

Agenda Item 4 – New or Amended Conservation and Management Measures (CMMs)

4.1 Proposals for amendments to Conservation and Management Measures (CMMs)

4.1.1 CMM 2018/01 Interim Management of Bottom Fishing

37. The European Union presented MoP6-Prop04_Rev1 outlining a proposal for amending Conservation and Management Measure for the Interim Management of Bottom Fishing in the Agreement Area. The European Union indicated their preference to defer detailed discussions in the proposal but wanted to ensure that Contracting Parties were aware of the revision of the proposal. Several Contracting Parties thanked the European Union for the proposal were supportive of their efforts but noted that they will provide comments in the margins of the meeting. The European Union thanked Contracting Parties for their cooperation. **The Compliance Committee agreed that the European Union, in collaboration with other Contracting Parties, would continue work on the proposal outlined in MoP6-Prop04_Rev1, with the aim of presenting a revision of this proposal to the Meeting of the Parties.**
38. Japan presented MoP6-Prop17 outlining a proposal to amend CMM 2018/01 Interim Management of Bottom Fishing. Japan highlighted specifically the insertion of a time frame to paragraphs 9(a)(i) and 9(a)(ii) and noted that the current timeframe in the proposal (indicated as [X]) is open for discussion but suggested 15 years. Contracting Parties thanked Japan for the proposal and offered their support. **The Compliance Committee agreed to forward the proposal outlined in MoP6-Prop17 to the Meeting of the Parties for further discussion.**
39. Australia presented MoP6-Prop19, a summary document outlining a proposal for a new suite of bottom fishing measures, as presented in MoP6-Prop14 (General Rules for the Management of Bottom Fishing in the Agreement Area), MoP6-Prop15 (CMM for Management of Demersal Stocks in the Agreement Area) and MoP6-Prop16 (CMM for the Prevention of Significant Adverse Impacts on VMEs in the Agreement Area). Australia noted their preference for having the detailed discussions on these proposals during the Meeting of the Parties but wanted Contracting Parties to be aware of the proposals and provide an opportunity to receive feedback on them before the Meeting of the Parties. Several Contracting Parties thanked Australia for the proposal were supportive of their efforts but noted that they will provide comments in the margins of the meeting. were supportive of their efforts **The Compliance Committee agreed to forward the proposals (MoP6Prop19, MoP6-**

Prop14, MoP6-Prop15, and MoP6-Prop 16) to the Meeting of the Parties for further discussion.

4.1.2 CMM 2018/02 Data Standards

40. The European Union presented MoP6-Prop05 outlining a proposal for amending Conservation and Management Measure for the Collection, Reporting, Verification and Exchange of Data relating to fishing activities in the Agreement Area (Data Standards). The European Union highlighted that the proposal is to provide clarification on the role of the scientific observers onboard vessels operating in SIOFA, to provide a new template for the observer report and a new template for an observer data collection form, and to have a commitment for the development of a framework for observers. Contracting Parties thanked the European Union for their efforts on this proposal. One Contracting Party queried whether this was already covered by the submission templates presented at the Scientific Committee, and the Secretariat confirmed that these were different. Contracting Parties agreed to work with the European Union in the margins of the meeting to facilitate a revision of the proposal. **The Compliance Committee agreed that the European Union, in collaboration with other Contracting Parties, would continue work on the proposal outlined in MoP6-Prop05, with the aim of presenting a revision of this proposal to the Meeting of the Parties.**

4.1.3 CMM 2017/07 Vessel Authorisation

41. Thailand presented MoP6-Prop02 outlining a proposal for an amendment of CMM 2017/07 for Using VSAT to Communicate. Thailand highlighted that the current wording of the measure restricts type satellite communication that can be used (INMARSAT). Thailand noted that there are many types of satellite communication available (e.g. VSAT) and the proposal is meant to be inclusive of all types. Contracting Parties thanked Thailand for the proposal. **The Compliance Committee agreed to forward the proposal outlined in MoP6-Prop02 to the Meeting of the Parties for adoption.**

4.1.4 CMM 2018/10 Monitoring

42. The SIOFA Secretariat presented MoP6-Prop11 a proposal for amending CMM 2010/10 Monitoring. The Secretariat highlighted the need for clarification on the activity information provided in the notification of Entry to and on Exit from the Area. Contracting Parties thanked the Secretariat for their proposal but sought clarification on the need for the change and the potential administrative burden that would be created with the additional fields. Contracting Parties discussed a suggestion of having one field for activities and indicate intended and confirmed activities in the same field and updated the proposal accordingly. **The Compliance Committee agreed to forward the proposal outlined in MoP6-Prop11_Rev1 (Annex F) to the Meeting of the Parties for adoption.**

4.2 Proposals for new Conservation and Management Measures (CMMs)

4.2.1 High Seas Boarding Inspection

43. Australia presented MoP6-Prop01 outlining a proposal by Australia and the European Union for a Conservation and Management Measure for High Seas Boarding and Inspection Procedures for the Southern Indian Ocean Fisheries Agreement. Australia explained that the discussions on this item started at the Meeting of the Parties in 2017, and that the current proposal aimed to address some of the concerns that were raised by Parties in previous meetings and intersessionally. Contracting Parties thanked Australia and the European Union for their efforts on this proposal and highlighted the importance of this issue but reiterated concerns pertaining to the use of force and carrying of arms by inspectors during boarding and inspections. Contracting Parties had submitted comments on the draft proposal prior to the

start of the meeting and agreed to work in the margins of this meeting to further develop the proposal. Following a working session, Australia presented the revision of the proposal outlined in MoP6-Prop01_Rev1 but noted that the Compliance Committee has not had time to review the changes. **The Compliance Committee agreed to defer the discussion on the proposal outlined in MoP6-Prop01_Rev1 (Annex G) to the Meeting of the Parties for further discussion.**

4.2.2 Establishment of VMS in SIOFA

44. The European Union presented MoP6-Prop06 outlining a proposal for a Conservation and Management Measure for the establishment of the Vessel Monitoring System (VMS) in the SIOFA. The European Union noted that this proposal was meant to serve as a more complete framework covering all key aspects of SIOFA VMS and highlighted that Annex 5 of the proposal is not intended for inclusion in the Conservation and Management Measure, should it be adopted. Contracting Parties thanked the European Union for the proposal and agreed that the issue of VMS is very important in SIOFA but highlighted that many aspects of the proposal that require further clarification including the data transmission model (direct to Secretariat or through flag State Fisheries Monitoring Centre), data management and storage (internal at the Secretariat or contracted to a service provider), data confidentiality, budget implications, human resources, etc. Contracting Parties agreed to work with the European Union to address the issues raised. **The Compliance Committee agreed to defer the discussion on the proposal outlined in MoP6-Prop06 to the Meeting of the Parties for further discussion.**

4.2.3 Framework for Scientific Research

45. The European Union presented MoP6-Prop07 outlining a proposal to establish a Framework for Scientific Research and Fisheries-based research in the SIOFA Area. Contracting Parties thanked the European Union for their proposal and supported the spirit of the proposal. Contracting Parties did raise concerns regarding the potential for the Conservation and Management Measure to inhibit research that is currently being completed in the SIOFA Agreement Area, the role of the Meeting of the Parties in the approval of research activities, and the level of inclusion of the Scientific Committee on the proposal. The European Union expressed that some of the concerns had been addressed in the proposal wording and offered to have discussions in the margins to clarify these concerns. Contracting Parties agreed to work with the European Union to continue to develop the proposal. **The Compliance Committee agreed to defer the discussion on the proposal outlined in MoP6-Prop07 to the Meeting of the Parties for further discussion.**

4.2.4 Framework for New and Exploratory Fisheries

46. The European Union presented MoP6-Prop08 outlining a proposal to establish a Framework for New and Exploratory Fisheries in the SIOFA Area. The European Union noted that at the Fifth Meeting of the Parties, it was agreed to work toward a proposal for research, new and exploratory fisheries and that this proposal seeks to separate fisheries research from new and exploratory fisheries and proposing the framework as part of the IWG discussions on new fisheries. Contracting Parties thanked the European Union for the proposal. Some Contracting Parties expressed concerns relating to the overlap with the work of the working group that is addressing this issue, clarity on definitions for existing fishery and footprint, congruency with the existing framework, the criteria for defining a new fishery, etc. The European Union thanked the Contracting Parties for their comments. **The Compliance Committee agreed to forward the proposal outlined in MoP6-Prop08 to the Meeting of the Parties for further discussion.**

4.2.5 Proposal on Sharks

47. The European Union presented MoP6-Prop09 outlining a proposal for a Conservation and Management Measure on Sharks Caught in Association with Fisheries Managed by SIOFA. The European Union noted that this proposal is meant to fill in a gap as there is no current management measure for sharks in SIOFA, and other Regional Fisheries Management Organizations (RFMOs) neighbouring SIOFA have such management measures in place. One Contracting Party thanked the European Union for their proposal and noted that they would be able to support the management measure for sharks in SIOFA but would not be able to support the measures relating to a ban on shark finning, and suggested to collect related information first of all. Other concerns, including a definition of deep sea sharks and possible related compliance issues, and seeking assurance that the high levels of mortality for these species would be reduced under this measure, were raised by Contracting Parties during the discussions and the European Union worked in the margins of the meeting with Contracting Parties and presented a revision of the proposal in MoP6-Prop09_Rev1. Contracting Parties thanked the European Union for their efforts on this proposal but maintained some concerns and agreed to defer the discussions to the Meeting of the Parties. **The Compliance Committee agreed to defer the proposal outlined in MoP6-Prop09_Rev1 (Annex H) to the Meeting of the Parties for further discussion.**

4.2.6 Mitigation of seabird bycatch

48. The European Union presented MoP6-Prop10 outlining a proposal for a Conservation and Management Measure on Mitigation of Seabird Bycatch in Fisheries Managed by SIOFA. The European Union noted that there is currently no framework for the mitigation of seabird bycatch in SIOFA, and that this proposal was intended to fill this gap in the measures. Contracting Parties thanked the European Union for the proposal and were supportive of the proposal moving forward. Some Contracting Parties requested that the proposal be amended to incorporate any remaining advice of the Scientific Committee, including in particular temporal closures and noted that adjacent bodies have such measures in place, further analyses of specific gear impacts, etc. Contracting Parties agreed to work with the European Union in the margins of this meeting to further refine the proposal to be presented to the Meeting of the Parties. **The Compliance Committee agreed that the European Union, in collaboration with other Contracting Parties, would continue work on the proposal outlined in MoP6-Prop10_Rev1 (Annex I), with the aim of presenting a revision of this proposal to the Meeting of the Parties.**

4.2.7 Management of Toothfish (*Dissostichus eleginoides*)

49. Australia presented MoP6-Prop13 outlining a proposal for a CMM for *Dissostichus eleginoides* on Williams Ridge and Del Cano Rise in the Agreement Area. Australia noted the need to ensure complementary management of the stock that straddles the Exclusive Economic Zone of Australia, the CCAMLR Convention Area, and the Agreement Area. Australia requested to defer specific discussions on this proposal to the Meeting of the Parties. **The Compliance Committee agreed to forward the proposal outlined in MoP6-Prop13 to the Meeting of the Parties for further discussion.**

4.2.8 General rules for Bottom Fishing

50. The Compliance Committee agreed to forward the discussion of MoP6-Prop14 to the Meeting of the Parties, as described in Agenda Item 4.1.1.

4.2.9 Management of Demersal Stocks

51. The Compliance Committee agreed to forward the discussion of MoP6-Prop15 to the Meeting of the Parties, as described in Agenda Item 4.1.1.

4.2.10 Prevention of Significant Adverse Impact on VMEs

52. The Compliance Committee agreed to forward the discussion of MoP6-Prop16 to the Meeting of the Parties, as described in Agenda Item 4.1.1.

4.2.11 Suite of Bottom Fishing Measures (Support paper for 4.2.8, 4.2.9 and 4.2.10)

53. The Compliance Committee agreed to forward the discussion of MoP6-Prop19 to the Meeting of the Parties, as described in Agenda Item 4.1.1.

4.2.12 PAEWG ToR or new CMM

54. France (on behalf of its Indian Ocean Territories) presented MoP6-Prop18 which outlines a proposed Amendment to the Terms of Reference of the PAEWG but highlighted that this proposal will be discussed in further detail during the Meeting of the Parties. **The Compliance Committee agreed to forward the proposal outlined in MoP6-Prop18 to the Meeting of the Parties for further discussion.**

Agenda Item 5 – Listing of IUU vessels

5.1 Draft SIOFA IUU List

47. The Executive Secretary reported that Parties have the possibility to transmit to the Secretariat information on vessels presumed to have engaged in IUU fishing activities in the Agreement Area at least 90 days before each ordinary Meeting. No information was received by the Secretariat, therefore there is no draft SIOFA IUU List at this time.

5.2 Current SIOFA IUU Vessel List

55. The Executive Secretary presented CC3-Doc07 the current SIOFA IUU Vessel List compiled following the special procedure for cross listing provided in CMM2018/06 and noted that some vessel details within the list had been updated and presented in CC3-Doc12. Since this update further information had been received from the European Union and circulated to Parties on 24 June 2019. The information provided highlighted the difficulties of maintaining an accurate and up to date IUU list, as there are differences in the lists across RFMOs and it is difficult to determine which list is the most accurate. Contracting Parties noted that the RFMO that originally listed the vessel should be the main source of information, but the Secretariat shared that in their experience, this is not always possible to identify the original listing organisation or determine which lists provided the most accurate information, and that verification can be very time consuming. **The Compliance Committee noted that due to lack of time, neither the current IUU vessel list, nor the updated list in CC3-Doc12 were reviewed in line with CMM 2018/06.**
56. Contracting Parties thanked the Secretariat for sharing their concerns with this measure, and discussed suggestions of developing two lists, one specific to SIOFA and one cross referenced list, or links to the other RFMO IUU lists. Contracting Parties agreed to reflect further on the problems discussed. The EU suggested that a possible way forward would be that the Secretariat would split the IUU list in two parts, 1. The SIOFA IUU Vessel List, and 2. The cross listed IUU Vessel List, and that CCPs would provide intersessionally and relevant information in relation to the second list that would allow the Secretariat to undertake verification with the original listing RFMO. Chinese Taipei suggested that links could be used in place of the suggested cross listed IUU Vessel List.

57. The Chair reflected that there was a need for this discussion to continue among Contracting Parties noting the various options and implications that have been suggested. Contracting Parties would need to continue to work with the Secretariat on this issue.

5.3 SIOFA website IUU Vessel List

58. The Secretariat presented the current SIOFA IUU List webpage for information to the Compliance Committee, and they thanked the Secretariat for their work on the development of the webpage.

Agenda Item 6 – Sightings of vessels reported to the Secretariat

59. The Compliance Committee NOTED document CC3-Doc08, a report of sightings of vessels suspected to be without nationality reported to the SIOFA Secretariat by the Cook Islands. The Compliance Committee NOTED five of the vessels were flagged to Chinese Taipei and are on the IOTC vessel registry and based on information provided to the Compliance Committee, were fishing in accordance with the framework of the Indian Ocean Tuna Commission (IOTC). The Compliance Committee noted that the other two vessels on that list were flagged to Malaysia and are also on the IOTC vessel registry. Contracting Parties thanked the Cook Islands for the report. The Compliance Committee noted that it is helpful to have validated information to facilitate further investigation of the vessels prior to the Compliance Committee Meeting, and requested the Secretariat to liaise with Malaysian Authorities to inquire about the presence and activities of their two flagged vessels in the SIOFA Agreement Area,

Agenda Item 7 – Port inspections reports (CMM 2017/08 Port Inspection)

60. The SIOFA Secretariat provided the verbal update under this agenda item that no port inspections reports have been received, except for one report from a Japanese vessel landing in a South African port. Japan noted that they suspected that the report seemed to be sent to the SIOFA Secretariat by the South African port authorities in error and confirmed that the vessel in question was not fishing in the SIOFA Agreement Area in relation to the port inspection report concerned. **The Compliance Committee agreed that inspection reports submitted by non CCPs should be taken into account and that it would be beneficial for the Secretariat to prepare a meeting document for this agenda item going forward providing a summary of the port inspections received.**

Agenda Item 8 – Entry/Exit reports (CMM 2018/10 Monitoring)

61. The Secretariat presented CC3-Doc06 outlining the status of entry and exit reports received at the Secretariat noting that this is an information paper being provided in accordance with CMM 2018/10. The Secretariat noted that this paper was finalized 20 days prior to the Meeting of the Parties, and since that time, more reports have been received, as reflected in the discussions under Agenda Item 3.

Agenda Item 9 – CCAMLR's Catch Documentation Scheme (CDS)

62. The Chair introduced Bonney Webb from the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) Secretariat who presented (Annex J) on the CCAMLR Catch Documentation Scheme (CDS) specifically in relation to toothfish (*Dissostichus spp.*). Ms. Webb also walked the Compliance Committee through the CDS tool that is available on the CCAMLR website. The Compliance Committee thanked Ms. Webb for her presentation and applauded the work of CCAMLR on the CDS. Ms. Webb thanked the Compliance Committee

for the opportunity to present the CDS and stated that CCAMLR Secretariat staff are available if Parties had any further questions relating to the CDS.

Agenda Item 10 – Election of a future CC Chairperson and Vice Chairperson

63. Seychelles reported that they were approached in the margins of the meeting with proposals for Mr. Johnny Louys to stand as a candidate for the Chairperson in accordance with SIOFA Rules of Procedure – Rule 5. Contracting Parties provided their unanimous support for this nomination and thanked Seychelles and Mr. Johnny Louys for the offer.
64. There was no nomination for Vice Chairperson and the Compliance Committee reflected that they are still seeking nomination.

Agenda Item 11 – Any Other Business

65. Nothing was discussed under this agenda item.

Agenda Item 12 – Adoption of the report

66. The report was adopted by the Compliance Committee. Mauritius expressed reservations on paragraphs 29 and 30.
67. The Compliance Committee acknowledged with appreciation that it was Mr. Dominique Person's final meeting with SIOFA and thanked him for his dedication and contribution to moving the work of the Compliance Committee forward from its inception.

Agenda Item 13 – Close of the meeting

68. The Chair closed the meeting at 20:45 on 29 June 2019.

List of Annexes

Annex A	Chairman's Speech
Annex B	List of Participants
Annex C	Agenda (CC3-Doc01_Rev3)
Annex D	List of Meeting Documents (CC3-Doc02)
Annex E	Table of agenda items and related papers (CC3-Doc03)
Annex F	MoP_Prop11_Rev1 Proposal for amending CMM 2010/10 Monitoring
Annex G	MoP_Prop01_Rev1 High Seas Boarding Inspection
Annex H	MoP_Prop09_Rev1 Proposal on Sharks
Annex I	MoP_Prop10_Rev1 Proposal on Seabirds
Annex J	Presentation from CCAMLR