

MoP-07-19 [rev1](#)

7<sup>th</sup> Meeting of the Parties of the South Indian Ocean Fisheries Agreement  
(MoP7)  
17-20 November 2020 (online)

Proposal to stabilise the approach for selecting a Chairperson of the  
Meeting of the Parties – Amendments to the Rules of Procedure  
[rev1](#)

*Relates to agenda item: 14.1*

Working paper  Info paper

## Chairperson of the Meeting of the Parties

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### Abstract

This paper proposes amendments to Rule 5 of the SIOFA Rules of Procedure to stabilise the chairing arrangements for the Meeting of the Parties. The proposal has been developed based on constructive intersessional discussions. Ultimately, it proposes an annual, rotational system in reverse alphabetical order, and includes a potential option for trading places within that system. The proposal does not seek to change the balance of rights already enshrined in the Rules of Procedure; rather it seeks to change a process. A tracked changed version of the proposed amendments are also presented as attachments to this paper.

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## Recommendations *(working papers only)*

1. The Meeting of the Parties is invited to adopt the proposed amendments to Rule 5 of the Rules of Procedure

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## Proposal to stabilise the approach for selecting a Chairperson of the Meeting of the Parties – Amendments to the Rules of Procedure

The Chairperson of the Meeting of the Parties is an important role. The Chairperson facilitates the work of the Meeting of the Parties and assists it to meet the objectives of the Southern Indian Ocean Fisheries Agreement. However, in recent year it has been difficult for SIOFA to confirm a chairperson. This is a common problem in small organisations.

To address this, the Meeting of the Parties have held informal consultations since June 2020, including through a working group, to determine the best way to address this issue. Discussions have been constructive with a clear focus on finding a solution to this issue. Initially, five options were canvassed. Through the feedback process, it was clear that two options received the broadest support: a compulsory, annual, rotational system (with review period); and a variation on this option that permitted Contracting Parties to bilaterally agree to swap places in the rotational system.

Support between these two options was relatively even. Accordingly, I have not chosen between the two, but rather presented both here to enable discussions and resolution within the MOP. This proposal is made with full appreciation for the challenges of sourcing suitable chairs from within small delegations to SIOFA (which is the case across the board). However, I remain optimistic that we can work in good faith together, despite the limitations for a virtual meeting platform, to ensure we have stability and certainty moving forward.

If the new process is accepted, the rotational order would be:

Year	Chairperson	Vice Chairperson
Conclusion of MOP 7 (2020) to Conclusion of MOP 8 (2021)	Thailand	Seychelles
Conclusion of MOP 8 (2021) to Conclusion of MOP 9 (2022)	Seychelles	Mauritius
Conclusion of MOP 9 (2022) to Conclusion of MOP 10 (2023)	Mauritius	Korea
Conclusion of MOP 10 (2023) to Conclusion of MOP 11 (2024)	Korea	Japan
Conclusion of MOP 11 (2024) to Conclusion of MOP 12 (2025)	Japan	France (Territories)
Conclusion of MOP 12 (2025) to Conclusion of MOP 13 (2026)	France (Territories)	EU

Conclusion of MOP 13 (2026) to Conclusion of MOP 14 (2027)	EU	Cook Islands
Conclusion of MOP 14 (2027) to Conclusion of MOP 15 (2028)	Cook Islands	China
Conclusion of MOP 15 (2028) to Conclusion of MOP 16 (2029)	China	Australia
Conclusion of MOP 16 (2029) to Conclusion of MOP 17 (2030)	Australia	Thailand

The text proposal is provided below, along with a tracked changed version of the proposal presented as an attachment.

The SIOFA budget currently includes financial assistance for developing States, including developing State Chairs, but this could be expanded to provide assistance for the MOP Chair to travel irrespective of which Contacting Party has nominated them.

#### Scientific Committee Chair

I have also given consideration to whether the ROP should be amended to reflect the new trial approach of an independent Scientific Committee Chair. As this approach is only a trial at this stage until MOP 8 (2021), I propose that it is premature to amend the Rules of Procedure. The intersessional decision taken in 2020 to trial an independent SC Chair includes reflects a decision to take certain actions at variance with the Rules of Procedure. Given the Meeting of the Parties will decide at its 8th ordinary meeting whether to continue with an independent SC Chairperson, the Meeting of the Parties should also review at that time whether further changes are required to the Rules of Procedure. I note that if the MOP decides to permanently use an independent SC Chair, then it would be necessary to modify the Rules of Procedure.

#### Proposal to amend Rule 5 of the ROP

##### **Part III – Chairperson and Vice-Chairperson**

##### **Rule 5 – Elections**

[New para 1] From the adoption the report of the the conclusion of the seventh Meeting of the Parties, candidates for the office of the Chairperson shall in succession be proposed by the Contracting Parties in the reverse order of their names arranged alphabetically in the English language, commencing with Thailand. From the conclusion of the seventh Meeting of the Parties, candidates for the office of the Vice-Chairperson shall in succession be proposed by the Contracting Parties in the reverse order of their names arranged alphabetically in the English language, commencing with Seychelles. The taking of offices of the Chairperson and Vice-Chairperson by the proposed candidates shall be subject to the confirmation of the Meeting of the Parties. The term of the Chairperson and Vice-Chairperson shall be one year. The Chairperson and Vice-Chairperson shall be from different Contracting Parties.

[new para 1bis] [Notwithstanding paragraph 1, Contracting Parties may, by bilateral agreement, trade places in the rotational system provided the Chairperson and Vice-Chairperson are from different Contracting Parties in any given year. Such agreement shall be notified to the Meeting of the Parties in writing prior to the confirmation of the candidate by the Meeting of the Parties, and prior to the start of that Contracting Party's term in the rotation. It shall not be possible to trade places during a term that has already commenced.]

Revised and renumbered subsequent paras:

2. ~~1. Subsidiary bodies of the Meeting of the Parties shall elect a their~~ Chairperson and Vice-Chairperson ~~of the Meeting of the Parties~~ from among the representatives, alternate representatives and advisers of the Contracting Parties, each of whom shall serve for a maximum of two years and shall be eligible for re-election for one additional term of two years. The Chairperson and Vice-Chairperson shall be from different Contracting Parties and the Chairperson shall be from a different Contracting Party to the Chairperson of the Meeting of the Parties unless otherwise decided by the Meeting of the Parties.
3. ~~2. The Chairperson and Vice-Chairperson shall take office at the conclusion of the meeting at which they are elected, with the exception of the first ordinary Meeting of the Parties where they will take office immediately upon their election.~~
4. ~~3. While holding that office, a person who is elected as~~ Chairperson, ~~despite even when~~ remaining designated as the representative of a Contracting Party, shall not perform the duties of a representative, alternate representative, expert or adviser of a Contracting Party.
5. ~~4. Whenever the Chairperson is unable to act, the Vice-Chairperson shall exercise the powers and duties of the Chairperson. The Vice-Chairperson shall act as Chairperson until the Chairperson resumes his or her duties. Whilst acting as Chairperson at a meeting, the Vice-Chairperson will not act as representative, alternate representative, expert or adviser of a Contracting Party.~~
6. ~~5. In the event that the office of Chairperson of the Meeting of the Parties falls vacant due to resignation or permanent inability to act, the Vice-Chairperson shall act as Chairperson until the conclusion of the next ordinary meeting. At the conclusion of the meeting, the Vice-Chairperson acting as Chairperson shall take office as Chairperson for a term of one year, and a new Vice-Chairperson shall assume that office for a term of one year, in accordance with the annual rotation process set out in paragraph 1 of this rule. Meeting of the Parties on which occasion a new Chairperson shall be elected.~~
7. In the event that the office of Chairperson of a subsidiary body falls vacant due to resignation or permanent inability to act, the Vice-Chairperson shall act as Chairperson until the next ordinary meeting of that body, on which occasion a new Chairperson shall be elected.
8. The Meeting of the Parties shall review the process in 2026 and again once each Contracting Party has assumed the role of Chairperson at least once.

Rule 21(3): Except as otherwise provided in the Agreement or specific provision made in these Rules of Procedure, these Rules of Procedure apply, mutatis mutandis, to the proceedings of subsidiary bodies.

**Commented [RK1]:** I suggest addressing the Seychelles' comment in this way in order to allow the rotational system for MoP Chairperson to operate as planned i.e. a CP should not chair a subsidiary body when it is their turn to chair the MoP. However, given we are a small organisation, I also suggest we don't preclude this from occurring in case CP can perform both roles and the MOP is satisfied with this

