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

Report of the Fourth Meeting of the Parties
to the
Southern Indian Ocean Fisheries Agreement
(SIOFA)
Mauritius
26 – 30 June 2017

2017/07/11

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Agenda Item 1 – Opening of the Session

1. The Fourth Meeting of the Parties to the Southern Indian Ocean Fisheries Agreement (SIOFA) was officially opened on 26 June 2017 by the Hon Premdut KOONJOO, Minister of Ocean Economy, Marine Resources, Fisheries and Shipping of the Republic of Mauritius (Annex A).
2. Welcome speeches were provided by the Executive Secretary of SIOFA Mr Jon LANSLEY (Annex B) and by the SIOFA Chairperson Mr Kristofer DU RIETZ (Annex C).

Agenda Item 2 – Presentation of Contracting Parties Delegations

3. All Contracting Parties with the exception of the Seychelles were present at the Meeting. The Meeting of the Parties welcomed the Kingdom of Thailand as a new Contracting Party to SIOFA. Opening statements were given by Contracting Parties. Opening statements delivered by the Cook Islands and the European Union are provided in Annexes D and E.
4. A list of Contracting Parties and Observers in attendance is in Annex F.

Agenda Item 3 – Admission of Observers

5. The Meeting of the Parties welcomed the Deep Sea Conservation Coalition (DSCC), the International Union for the Conservation of Nature (IUCN) and the Southern Indian Ocean Deepsea Fishers Association (SIODFA) as Observers to the Meeting and their opening statements are in Annexes G, H and I respectively.
6. The Meeting of the Parties also welcomed Chinese Taipei as an observer. The representative of Chinese Taipei expressed an aspiration to join SIOFA in time before the Fifth Meeting of the Parties (MoP5).

Agenda Item 4 – Administrative Arrangements

7. The provisional agenda was adopted without amendments (Annex J). Mr V. GEEANE (Mauritius), Mrs C. LIM SHUNG (Mauritius) and Mrs L. WEYNANTS (the European Union) were appointed as rapporteurs. The Meeting of the Parties thanked Mauritius and the EU for this assistance.

Agenda Item 5 – Report of the Second Meeting of the Scientific Committee

8. The Chairperson of the Scientific Committee, Dr Ilona STOBUTZKI gave a presentation of the second meeting of the Scientific Committee, held in La Reunion, from 13-17 March 2017 (Annex K).
9. The Meeting of the Parties noted:
 - a. the overview of SIOFA fisheries (Annex J, SC2 Report) based on the data and information provided in the National Reports to the Scientific Committee and data submitted to the Secretariat;
 - b. that the Scientific Committee had adopted a guide to terminology used in the Scientific Committee Report, as requested by the Third Meeting of the Parties (MoP3) (Annex E, SC2 Report);
 - c. the Scientific Committee discussion on the progress of the development of the SIOFA database and the Scientific Committee request to the Secretariat to finalise the database as soon as possible and generate standard data summaries;
 - d. the Scientific Committee progress on the direction in the Conservation and Management Measure (CMM) 2016/01 to produce maps of where vulnerable marine ecosystems (VMEs) are known to occur, or likely to occur. The Meeting of the Parties noted the Scientific Committee requests to the Secretariat and Parties that would enable this work to be progressed;
 - e. the Scientific Committee had completed the requirements under paragraph 5, CMM 2016/01 in terms of providing recommendations to the Meeting of the Parties on:
 - i. a SIOFA Bottom Fishing Impact Assessment (BFIAS) which takes account of the latest scientific information available;
 - ii. guidelines for evaluating and approving electronic observer programmes for scientific data collection; and
 - iii. standard protocols for future protected areas designation and started to progress maps of where VMEs are known to occur, or likely to occur. The Cook Islands enquired if the Benthic Protected Areas should be closed until the review of these against the protocol of these was completed. The Scientific Committee Chairperson noted that the Scientific Committee had not been asked to provide advice on this question, but noted that the First Meeting of

the Scientific Committee (SC1) recommended the Meeting of the Parties to consider closing the Benthic Protected Areas.

- f. the Scientific Committee intention to continue to discuss with Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) potential collaboration on toothfish stock assessment. The Meeting of the Parties agreed on several requests made by the Scientific Committee, notably to make their fishers aware of the potential capture of tagged toothfish and to provide any information on tag recaptures to the Secretariat, as recommended by the Scientific Committee; and
 - g. that the Scientific Committee requested the Executive Secretary to engage with the FAO ABNJ Deep Seas Project Steering Committee on the specific activities that are likely to contribute to progressing the Scientific Committee work plan.
10. The Scientific Committee requested the Parties to submit tow-by-tow observer and catch and effort data in line with CMM 2016/02 to the Secretariat. Some Parties noted that they needed assurance on the security of the database before providing the data. The Executive Secretary noted CMM 2016/03 provides the standard with respect to data confidentiality and procedures for access and use of the data, that currently the database was secured in a safe only accessible to the Executive Secretary and that the long term solution would be established once the Database Manager was in place.
 11. The Scientific Committee Chairperson clarified that key data gaps will be identified through the proposed working groups. The Cook Islands drew attention to the data and information made available through papers presented to the Scientific Committee meetings by the Cook Islands.
 12. The Meeting of the Parties adopted:
 - a. the Guidelines for evaluating and approving electronic observer programmes for scientific data collection, as recommended by the Scientific Committee (Annex G, SC2 Report);
 - b. the standard protocol for future protected areas designation as recommended by the Scientific Committee (Annex H, SC2 Report). The Meeting of the Parties noted the planned work, led by Australia, to assess the Benthic Protected Areas. The Meeting of the Parties requested that the Scientific Committee consider that there are various management measures possible; and

- c. the SIOFA BFIAS as recommended by the Scientific Committee (Annex I, SC2 Report).
The Meeting of the Parties discussed the development of a definition of 'new fisheries' for the purpose of the BFIAS and agreed that France Territories would lead an intersessional discussion to develop a draft definition for consideration at the next Meeting of the Parties. The Scientific Committee Chairperson noted that absence of the definition would not prevent the Scientific Committee using the BFIAS.
13. The Meeting of the Parties agreed:
- a. that the Scientific Committee Chairperson convene a Stock Assessment Working Group (SAWG), chaired by Japan, to progress the stock assessment work with an initial focus on orange roughy and alfonsino. The SAWG ToR were adopted as recommended by the Scientific Committee with one amendment to the reporting timelines reflecting the proposal to hold a SAWG meeting immediately prior to the next Scientific Committee meeting (Annex L); and
 - b. that the Scientific Committee Chairperson convene an Ecological Risk Assessment Working Group (ERAWG), chaired by Australia, with an initial focus on deep water sharks, as recommended by the Scientific Committee. The Meeting of the Parties adopted ToR for the ERAWG (Annex L, SC2 Report).
14. The Scientific Committee Chairperson clarified that as described in the Scientific Committee ToR, any working group established will conduct its work in line with the Scientific Committee ToR and that this included being open to observers to participate in the discussions but not decision making.
15. The Meeting of the Parties commended the Scientific Committee for the progress that had been made and noted the updated Operational work plan (Annex M, SC2 Report).

Agenda Item 6 – Report of the First Meeting of the Compliance Committee

16. The Chairperson of the Compliance Committee Mr Dominique PERSON introduced the Report from the First Meeting of the Compliance Committee (CC1), held in Flic-en-Flac, Mauritius, from 23-25 June 2017 (CC1 Report).
17. A summary was provided on three draft CMMs discussed and developed at CC1 which covered Port Inspection, Control and Monitoring of SIOFA fishing activities. The draft Port Inspection CMM (Annex I, CC1 Report) was ready for the Meeting of the Parties to

consider for adoption. The draft Control and Monitoring CMMs (Annex G and Annex H, CC1 Report) required further discussion during the Fourth Meeting of the Parties (MoP4).

18. It was noted that two further draft CMMs on At Sea Inspection and Research Vessels (CC-01-08 (02) Rev1 and CC-01-08 (05) Rev1) were proposed which the Compliance Committee did not have time to discuss.

Agenda Item 7 – Draft Arrangement between SIOFA and CCAMLR

19. The Meeting of the Parties adopted the Arrangement (Annex M).
20. The Executive Secretary was requested to transmit this Arrangement to the Executive Secretary of CCAMLR for consideration by the CAMLR Commission.
21. The Meeting of the Parties authorised its Chairperson to sign and enter into this arrangement with CCAMLR, once adopted by the CAMLR Commission.

Agenda Item 8 – Interim Bottom Fishing Measures

22. Contracting Parties disclosed their measures established in accordance with CMM 2016/01 paragraph 9, as described in their respective implementation reports (MoP-04-INFO-02, MoP-04-INFO-04, MoP-04-INFO-05, MoP-04-INFO-06).
23. Mauritius informed that they do not have vessels conducting deep sea bottom fishing and provided a summary of their activities as a port State at Annex N.
24. The Meeting of the Parties discussed the importance of transparency and agreed that these implementation reports should be publicly available.

Agenda Item 9 – Vessel Catch, Effort and Scientific Observer Data

25. The Executive Secretary presented a summary of the catch, effort and scientific observer data that has been submitted to the secretariat in accordance with CMM 2016/02 (MoP-04-13).
26. The Cook Islands noted that a lot of data had been provided for stock assessment purposes which are not captured in this report.
27. It was clarified that all Parties had an obligation to submit a National Report in line with CMM 2016/02 even if to confirm there are no catches, and that non-submission constitutes non-compliance.

Agenda Item 10 – Listing of IUU Vessels

28. The Executive Secretary advised that no Contracting Parties had submitted a list of vessels presumed to be carrying out IUU fishing activities in the SIOFA Area of Application (the Agreement Area) in accordance with CMM 2016/06.
29. Accordingly, there was no Draft IUU Vessel List considered by the Compliance Committee, nor was a provisional IUU Vessel List adopted. Therefore, the Meeting of the Parties did not adopt an IUU Vessel List.

Agenda Item 11 – Technical Edits to Conservation and Management Measures (CMMs)

Currently in Force

30. Australia introduced a number of technical edits on CMMs 2016/01-05 (MoP-04-09). A clarification was given that incidental bycatch refer to unwanted catches.
31. The Meeting of the Parties expressed its gratitude to Australia for the proposal and adopted the revised CMMs. CMMs 2016/03-05 (Annexes Q – S).
The Meeting of the Parties made subsequent edits to CMM 2016/01 and 2016/02 under Agenda Item 12 at Annexes O and P.
32. The Meeting of the Parties discussed the benefit of adopting a ‘technical editing’ procedure that would enable the Secretariat to correct any editorial mistakes in new or amended CMMs adopted during the Meeting of the Parties.
33. The Meeting of the Parties adopted the technical editing process at Annex T.

Agenda Item 12 – New Conservation and Management Measures (CMMs)

34. The three EU proposals which were discussed in detail in the Compliance Committee were adopted ('Establishing a Port Inspection Scheme', 'Monitoring' and 'Control'). In relation to the proposed Monitoring CMM the Meeting of the Parties agreed to include additional provisions to monitor transshipments at sea and to include measures regulating the transfers of material, crew, fuel, *etc.* at sea. The agreed Port Inspection, Control and Monitoring CMMs were adopted at Annexes U to W. Moreover, the Meeting of the Parties noted that transshipment is defined in the Agreement as ‘the unloading of all or any of the fishery resources on board a fishing vessel onto another vessel, whether at sea or in port’.

35. Consequential changes to CMMs 2016-02 'Data Standards' and 2016-07 'Authorisations' were adopted (Annexes P and X respectively).
36. The EU presented the final two proposals outstanding from the Compliance Committee, for research vessels and at sea inspection scheme (CC-01-08 (05) Rev1 and CC-01-08 (02) Rev1). Discussion opened, and given the limited time, and lack of consensus with some aspects, no further progress was made. The EU agreed to withdraw and defer the proposals to the next Meeting of the Parties and lead intersessional consultations with the parties, to develop the proposals further for the next Meeting of the Parties meeting.
37. In relation to the proposed Sea Inspection Scheme CMM, some parties stressed that sea inspection is of fundamental importance to ensuring effective control in the SIOFA area, and that a regime to implement provisions to enable an effective and viable sea inspection scheme should ultimately be adopted by SIOFA. All parties agreed to cooperate with the EU intersessionally to revise the proposal to meet the requirements of the parties, for consideration at the next compliance committee meeting.
38. One party questioned the scope of the regime extending to inspections by cooperating non-Contracting Parties (CNCs). Another party suggested that it was possible to design a scheme that allowed for inspections by cooperating and participating states and fishing entities and to also ensure that such boarding and inspection activities were limited to the vessels of Contracting Parties who consented to this aspect of the scheme.
39. In regard to the proposal for a CMM on fishing research, it was agreed that the draft CMM should be forwarded to the Scientific Committee for consideration with a request for guidance as detailed in paragraph 41. Some parties expressed their concern about the submission of research data to the Secretariat from the view point of intellectual property rights and data confidentiality. Australia expressed strong concern with exempting research vessels from all CMMs and noted the importance of finding a balance between meeting research objectives without undermining CMMs.
40. The Meeting of the Parties requested that the Scientific Committee provides advice and recommendations in relation to the development of the EU's proposal for a CMM to regulate fisheries research in the Agreement Area that was briefly discussed at the 2017 Meeting of the Parties. The objective is to ensure that an appropriate system to

regulate yet encourage fisheries research is adopted in accordance with Article 6 of the Agreement which specifies that parties shall 'develop rules for the collection of scientific data' and 'promote and coordinate research activities'.

41. In particular, advice and recommendations should consider:
 - a. the definition of 'fisheries research' and 'research activities carried out by commercial fishing vessels' which should and can be considered under such a SIOFA management system;
 - b. the type and extent of data which are collected from the Agreement Area during fisheries research activities, which should reasonably be required for submission to SIOFA, to ensure that the needs of the Scientific Committee are met, whilst the principles and regulations concerning data ownership and confidentiality are respected;
 - c. the particular provisions within existing CMMs from which it is reasonable for research vessels to be exempted;
 - d. the recommendations contained in the FAO deep sea guidelines for conducting high seas fisheries research for deep sea fisheries; and
 - e. the appropriate consultation and approval processes to be adopted within SIOFA, in particular the role of the Scientific Committee.
42. Japan proposed an amendment of CMM 2016/01 and the proposal was adopted by the Meeting of the Parties with a slight modification (Annex O).
43. The EU was thanked for their considerable work in tabling and developing the proposed CMMs and is encouraged to continue to work intersessionally on the MCS CMMs.

Agenda Item 13 – Development of a Compliance Monitoring Scheme

44. Australia presented a proposed approach to the development of a Compliance Monitoring Scheme (MoP-04-10). Many Contracting Parties expressed the importance of developing a CMS. The proposal was discussed at length with at least one party expressing an interest in developing an online reporting model.
45. The Meeting of the Parties agreed to work intersessionally, led by Australia, to further consider the strengths and weaknesses of schemes in other RFMOs and develop a best practice proposal for consideration at MoP5.

Agenda Item 14 – Secretariat Administration

14.1 Update on the Status of SIOFA Headquarters Agreement

46. France Territories reported that the SIOFA Headquarters Agreement was currently being considered by Parliament during its exceptional session and expects it to be ratified at beginning of July 2017.

14.2 Report on Staff Resources

47. The Executive Secretary presented a Report on SIOFA Secretariat Staff Resources (MoP-04-11).
48. The Meeting of the Parties agreed that the Executive Secretary's annual increment could be authorized by the Chairperson on the basis of a satisfactory performance appraisal in October 2017. The Chairperson agreed to circulate the summary of the performance appraisal to the Meeting of the Parties consistent with Regulation 5.10 of the Staff Regulation.
49. The recruitment of a Data Manager was discussed. The Meeting of the Parties agreed that the recruitment of a Data Manager should be progressed, that it was a half time role, the position should be based in La Réunion, that the candidates would preferably be fluent in both English and French and that the post shall be advertised internationally including locally in La Reunion, France Metropole and all SIOFA countries.
50. Shortlisting of candidates will be done by both the Executive Secretary and the Chairperson.
51. It was agreed that the SIOFA Chairperson shall convene an interview panel including relevant expertise *i.e.* linguistic, scientific, technical fishery expertise, compliance and one independent suitably qualified person. This approach was welcomed by the Executive Secretary.

14.3 Report on Financial Resources

52. The Executive Secretary presented a Report on SIOFA financial Resources (MoP-04-11 (01)) and provided answers to questions raised. It was explained that the external audit for 2017 (to be presented in 2018) will include the period of 2.5 months the Executive Secretary was in post in 2016 after commencing on 17th October 2016.

53. The Meeting of the Parties requested that the Executive Secretary includes in future Financial Reports contributions received, approved transfers between budget items (and sub-items) including confirmation of no transfers, summary of travel including outcomes and benefits and costs consistent with SIOFA Staff Regulation.
54. The Executive Secretary presented a paper for the selection of an independent external auditor (MoP-04-11 (02)).
55. The Meeting of the Parties did not initially accept the proposal presented by the Executive Secretary because it included the same company providing accounting guidance throughout the year as well as the end of year audit. It was agreed that Crowe Horwath (CH) should be employed to provide accounting and book keeping advice throughout the year, including preparation of financial statements, at a cost of 4,800 EURO (Proposal 1 presented on page 3 of Annex I of MoP-04-11 (02)) and another company would be engaged to provide the end of year audit for which a budget of 5,000 EURO was allocated.
56. The Meeting of the Parties also agreed that the Executive Secretary should explore other options for an auditor to find the most competitive price and authorized the Chairperson to approve an auditor on its behalf.
57. The budget at Annex Y was adopted.

14.4 Report on Secretariat Activities

58. The Meeting of the Parties noted the Report (MoP-04-11).

14.5 SIOFA Logo

59. The Meeting of the Parties adopted the logo at Annex Z.

14.6 Transparency

60. The Executive Secretary presented a paper to clarify Meeting of the Parties position on transparency and how future meeting documents would be distributed (MoP-04-14).
61. It was proposed that distribution of future documents could be achieved using the approach listed in MoP-04-14. The default would be that documents are to be made publicly available unless requested by a Contracting Party in accordance with CMM on Confidentiality.

62. It was noted that documents such as provisional and/or draft IUU Vessel Lists or provisional and/or draft compliance reports should not be publicly accessible.
63. Australia emphasised that National Reports should be written in such a way that they may be shared publicly.
64. The Executive Secretary requested that each Contracting Party identify if a paper needs to be restricted.

14.7 Summary Table of SIOFA Reporting Obligations

65. The Meeting of the Parties attention was drawn to meeting document MoP-04-INFO-03 and were advised that the Secretariat would develop and maintain on the SIOFA website a summary table of SIOFA reporting obligations.

Agenda Item 15 – Election of a Vice Chairperson

66. Due to a change in personnel in Japan the post of Vice Chairperson was now vacant. There were no nominations. The Meeting of the Parties asked the Chairperson of the Meeting of the Parties to continue the search for a Vice Chairperson and agreed that the Meeting of the Parties would take the decision intersessionally if possible.

Agenda Item 16 – Future Meeting Arrangements

67. It was confirmed that Thailand would host both the Second Meeting of the Compliance Committee (CC2) and MoP5, with the dates agreed as 21-23 and 25-29 June 2018, respectively.
68. The Stock Assessment Group and Scientific Committee meetings were provisionally scheduled for 14–17 March 2018 and 18-23 March 2018, subject to confirmation once Contracting Parties had had time to consult their respective scientists. The Executive Secretary requested to be notified by mid-September should these dates not be possible for any Contracting Parties. Should no objection be received by mid-September it would be assumed these dates were acceptable to all Parties.
69. It was agreed that the meeting dates in paragraph 67 would provide indicative dates for the Third Compliance Committee (CC3) and the Sixth Meeting of the Parties (MoP6) in 2019 with the agreement of the host country, Mauritius.

Agenda Item 17 – Any Other Business

70. The Cook Islands made a statement on Benthic Protected Areas (Annex AA).
71. France Territories specified that even if there has been no trawler fishing in the BPAs for the last eleven years, there are historic and current fishing activities by fishing gears other than trawls, notably longliners. France Territories also stressed that any measure regarding conservation or management to be taken in those areas should be based on a recommendation from the Scientific Committee in accordance with the standard Protocol for Future Protected Areas Designation.
72. The Meeting of the Parties agreed to a change in the Compliance Committee ToR. This was agreed and adopted (Annex AB).

Agenda Item 18 – Adoption of the Report

73. The Meeting of the Parties formally adopted the Meeting Report at 21:44 pm on 30 June 2017.

Agenda Item 19 – Close of the Meeting

74. Before closing the meeting, the IUCN Observer made a statement provided at Annex AC.
75. The Chair thanked on behalf of the Meeting of the Parties the interpreters, the support staff provided by Mauritius and the EU for their valuable contributions to the meeting. The meeting was closed the meeting at 21.50 pm on 30 June 2018.

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**MINISTRY OF OCEAN ECONOMY, MARINE RESOURCES,
FISHERIES AND SHIPPING**

SIOFA Fourth Meeting of Parties and First Compliance Committee Meeting

Aanari Hotel – Flic en Flac

23 - 30 JUNE 2017

SPEECH OF HONORABLE MINISTER

Mr Kristofer Du Rietz – Chairperson SIOFA

Mr Jon Lansley – Executive Secretary SIOFA

Distinguished Guests,

Ladies and Gentlemen,

Good Morning

It is a great pleasure for me to be amidst you this morning for the opening ceremony of the Fourth Meeting of Parties of the Southern Indian Ocean Fisheries Agreement (SIOFA). I wish to extend a warm welcome to all our delegates particularly from overseas who have travelled a long way to Mauritius to attend this meeting.

This Meeting is a clear indication of the willingness of all member states to contribute in ensuring the long term conservation and sustainable use of deep sea fisheries resources, other than tuna. It is equally important as it will allow us to review the status of the fisheries resources, coordinate research activities and adopt management and conservation practices.

Ladies and Gentlemen

As you are aware, diversifying economies beyond land-based activities and along coasts is critical to achieving the sustainable development goals and delivering smart, sustainable and

inclusive growth globally. Mauritius is focusing on the ocean economy as a new frontier for development. Indeed, our ocean territory, with its 2.3 million square kilometers, holds huge economic potential. The government of Mauritius is committed to make the ocean economy an important economic pillar. Key sectors, including port infrastructure development, sustainable fisheries and aquaculture, offshore renewable energy, marine ICT and capacity building have been identified for investment opportunities. At the same time, we need to take cognizance that the oceans faces complex and transboundary challenges ranging from climate change to IUU fishing, pollution, overfishing and piracy

In line with government policy of harnessing the full potential of the ocean economy, my ministry is conscious that optimization of the use of marine living resources must extend beyond economic considerations by incorporating environmental, social and conservation issues into the equation to ensure long term sustainability.

However, we recognize that IUU fishing undermines efforts to conserve and manage fish stock in capture fisheries resulting in both short and long term economic and social loss. This has negative impacts on fish stocks, food security and environmental protection.

Ladies and Gentlemen

With a view to combatting IUU fishing and in line with Sustainable Development Goal 14, at national level, my ministry has taken various actions including amongst others:

- Setting up of a National Plan of Action against IUU fishing
- Implementation of the measures earmarked in the NPOA
- Establishing a vessel monitoring system
- Implementation of measures in the port in line with FAO port state measures
- Strengthening of legislations

As you are aware, IUU fishing is global phenomena and international efforts are vital to eliminate this scourge. In this context, we are pleased to note that SIOFA is giving special

consideration to reviewing compliance with measures adopted that are of paramount importance in combatting IUU fishing in the Deep Sea fishery resources in the region.

Moreover, we have to ensure that we use the best available scientific advice for policy-making, taking into account the eco-system and precautionary approach in fisheries management. Scientific advice needs to be clear, easy to understand and should provide all the elements required for sound decisions making.

We are also pleased to note that SIOFA has developed a new linkage and mechanism to foster dialogues among the Contracting Parties. This is indeed a laudable initiative of its kind for all member states. In this endeavor, parties need to assist in monitoring, reviewing, analyzing information pertaining to fishing activities in the deep sea fisheries.

It is commendable to see that our vision to fully realise the economic potential of the Indian Ocean will increasingly depend on the coordinated and inclusive approach towards better harnessing our ocean's wealth and resources that would yield shared benefits for all. I am sure that the meetings will come up with findings which will provide the main directions in which SIOFA member states can best manage their fish stocks.

The oceans are the key to our future. we must do our utmost to unlock their potential. At the same time, we must bear in mind that the oceans are vulnerable. they must be managed and used in a sustainable way that will allow coming generations to benefit from what they have to offer.

I wish you all fruitful deliberations. I now have the pleasure to declare the meeting open.

Thank you for your attention.

Opening Statement of the SIOFA Executive Secretary

Dear Delegates and Observers,

Ladies and Gentlemen,

On behalf of SIOFA Secretariat, it is with great honour that I welcome you all to the fourth Meeting of the Parties of the Southern Indian Ocean Fisheries Agreement.

It is not so long ago that I was awarded the honour of becoming the first Executive Secretary of SIOFA. In the short-time since then I believe a lot has been achieved, not least the addition of a ninth Contracting Party. The Kingdom of Thailand is the newest party to this Agreement and we look forward to working together with them to achieve our common objectives of ensuring long-term sustainable use of SIOFA fishery resources.

The Monitoring Control and Surveillance Control and Management Measures' developed at last week's first Compliance Committee meeting, for consideration and possible adoption by the Meeting of the Parties this week, provide a vital foundation which will significantly contribute towards achieving long-term sustainability of SIOFA resources.

I would like to acknowledge the assistance provided by our Hosts Mauritius which has been essential for ensuring we have all the resources necessary to conduct our meetings.

I would like to thank the staff of this hotel for their hard work in preparing the meeting venue and the prompt assistance provided whenever it has been requested.

Finally, SIOFA Secretariat feels very honoured to have here today the Minister of Ocean Economy, Marine Resources, Fisheries and Shipping who will be doing us the honour of opening the fourth Meeting of the Parties.

Without further ado, I now give the floor to the Chairperson of SIOFA .

Thank you very much

Jon LANSLEY

Opening Statement of the SIOFA Chairperson for the 4th Meeting of the Parties 26 June 2017

I'm deeply honoured to be welcoming you all to the 4th Meeting of the Parties of SIOFA/APSOI.

It has been an important year for SIOFA – the executive secretary has put a fully functional secretariat in place, the Scientific Committee has made serious progress towards the establishment of stock assessments for the Area, the Compliance Committee has agreed on a number of new conservation and management measures and we have a new member – Thailand – on behalf of all Contracting Parties I'm very happy to welcome you to this RFMO.

I believe your membership will greatly contribute to achieving the objectives of SIOFA - to ensure the long-term conservation and sustainable use of the fishery resource in the Area and to promote the sustainable development of fisheries taking into account the needs of developing countries bordering the Area. And in particular least developed countries and SIDS.

Now looking ahead at this week's meeting we have a lot of work to do. This is the moment to continue building the foundations of SIOFA – to put in place the remaining administrative building blocks and agree on a number of indispensable conservation and management measures.

I wish you all success. I do so because I know you all share the same overall objective - the sustainable management of fisheries in the Area bringing long lasting benefits to the marine eco system of the Area and by that bringing lasting benefits to the people living in and around the Southern Indian Ocean. This is not a winner and loser situation. This is a meeting where it should be possible to reach a win-win conclusion for all contracting parties.

I would like to thank Mauritius for hosting this meeting and for providing practical and technical support without which I frankly think it would have been impossible to hold the meeting. Thanks also to the EU for providing additional meeting assistance with a rapporteur.

A big thank you to the chairs and members of the Scientific and Compliance Committees. You worked very hard and the result of your work is the foundation of this organisation.

I would also like to take the opportunity to thank our new executive secretary Jon Lansley who is putting all this together – not only organising the meetings but also all the other tasks as defined by the SIOFA agreement and its associated main documents. Practically alone and far far away from home and family I hope we can agree that he is doing a sterling job.

And finally a very special thanks you to his excellency the honourable Premdutt Koonjoo, Minister of Ocean Economy, Marine Resources, Fisheries and Shipping of the Republic of Mauritius. You are honouring us with your presence Sir! With your personal commitment to sustainable blue economy development and fisheries management you are an inspiration for us all.

Mr Kristofer DU REITZ

Cook Islands Opening Statement for SIOFA IV MOP

Thank you Chair

The Cook Islands would like to extend our sincere thanks to the government of Mauritius for hosting this meeting of the parties. Indeed it is a peaceful and pleasant island on which to address the business of this RFMO, and we are thoroughly enjoying our stay.

We would also like to take this opportunity to extend a warm welcome to the delegation from Thailand. We look forward to working with you on matters of mutual interest within the SIOFA framework and extend an open invitation to contact us at any time for consultations on any matter related to SIOFA.

I think Chair we will start by addressing an issue that caused us some disquiet and then move on to more positive aspects.

Chair in 2016 we were disappointed by the indecent haste with which some felt the need to pursue measures which were then rushed through in such a way that the Cook Islands did not get a chance to agree to all parts of measures; and indeed we found instances of CMMs that were agreed during the part of the meeting given over to the agreement of the meeting record, while we were absent, which included language that was contrary to positions explicitly expressed by the Cook Islands during the normal course of plenary.

I will not delve further in this forum with regards the ethicality of such actions by the Meeting of the Parties once the Cook Islands delegation and the chair of SIOFA had left the meeting when it ran overtime, but I will say this:

The nature of a small administration from a small Island State is that we are often double and triple booked for competing priorities requiring one person to be many places at once. This is the cornerstone of why the principle of avoiding a disproportionate burden onto Small Island Developing States was developed, and which the Cook Islands believes may have been overlooked in some of last year's proceedings.

To say we were disappointed by some of the actions of the Meeting of the Parties III would be to understate the matter, and we continue to maintain that we have valid grounds for strenuous objection in the way events transpired. In fact we did strenuously object to the Chair immediately we learned what had occurred and registered the position that we did not agree with the CMMs before the CMMs were deemed to be in force. We continue to have the same reservations.

Having said that, in the interests of conciliation and cooperation we are prepared to leave our concerns on record in this Meeting of the Parties IV; move forward with what we have now and work together to even further improve the CMMs that were put in place in 2016.

The Cook Islands is a major fishing stakeholder in trawl fisheries in the Agreement Area. Our fleet have been in this fishery for many years and have developed advanced standards of systemized compliance designed to maximise the potential for the precautionary sustainable use of our target resources. We have been recognised for this leadership of cooperation between government and industry by the FAO, which in turn has led to continuing cooperation between the FAO ABNJ Deep Sea Project and the

Cook Islands to pioneer emerging best practice models for the effective management of the ABNJ fishery in the SIOFA area.

In the framing of CMMs we are concerned that some of these measures as they are currently introduced, while not specifically driving our work backwards, do not go far enough in terms of the standards and protocols required to ensure a sustainable and compliant fishery; for example in the introduction of Move-on rules in preference to the spatial closures of Benthic Protected Areas which are in place for the Cook Islands fleet.

The Scientific Committee has already recommended that these BPAs be given a strong place in the management of bottom trawling. We believe the logical place for the gazetting of BPAs is within the Bottom Trawling measure CMM2016-01 as part of a coherent precautionary and holistic management framework, rather than in a separate measure, and we encourage parties to consider this as the best outcome, based on the recommendation of the Scientific Committee that these areas be given some force.

We further encourage and invite parties interested in proposing CCMs that we are open to dialog with those parties to check that what is proposed does not interfere with the long established systems of our fleet which are already in place and very often established in direct consultation with FAO.

Chair we note Australia's schedule of suggested changes to CMMs and thank them for the diligence. However we also note that we see them as a mixture of technical edits and substantive wording changes which could amend the meaning or operation of particular paragraphs.

Our view is that these, and other, edits are necessary due to the rushed nature of the proceedings at SIOFA III; and having said that we believe these changes require the consensus of parties in order to be accepted.

The Cook Islands would like to flag at the outset of this fourth meeting that we have some suggested edits that we will also introduce into the dialog as we work through Australia's schedule of suggested edits for consideration by the parties, and ask that the other parties also come back to meet us in the spirit of conciliation and cooperation.

Chair we also note that there are outstanding administrative matters in the formation of this RFMO that need addressing in regards to the legal personality and administrative function of SIOFA. While we appreciate the sterling efforts of the Executive Secretary and the progress he has achieved in a sole charge situation, we are concerned that SIOFA, which is intended to be a diplomatic entity, has not yet achieved the diplomatic status required, including the official diplomatic status and protection afforded to the Executive Secretary and any staff subsequently employed.

We desire that this matter be discussed in this meeting, perhaps to include advice from France as to how we may advance these outstanding matters. Perhaps a personal assistant for the Executive Secretary as an advertised in-country hire should be considered to assist Mr Lansley in navigating the French Bureaucracy and to assist him in the organization of meetings among other things.

Chair we see this as a higher priority than the appointment of a Data Manager, and while we remain prepared to consider the options in hiring a Data Manager or Data Consultant, we are happy that we are managing Cook Islands data effectively at the national level and contributing the data to assist in the work of stock assessment and for scientific committee, and that this is enough for now. It's not that we are opposed to the appointment of a Data Manager, for us it is a question of timing, and a step that may not be necessary this year. We do however, remain open to dialog on this matter.

If I may chair I would like to share the Cook Islands vision for this RFMO:

- For us the primary purpose is to establish a cooperative organisation to implement precautionary sustainable management of resources through equal and equitable consultation.
- Chair we do not regard SIOFA as an enforcement or policing organisation, but rather a diplomatic organisation which operates by consensus and where the views of all parties is equally respected.
- Our approach to compliance is consultative and based on systemising compliance in the daily operations of vessels.

Chair we have already achieved this with our Indian Ocean fleet, and we have no need to police our Indian Ocean industry because they do the right thing as a matter of operational reality and contribute at the highest level to the scientific analysis required by SIOFA.

We also apply this principle with our domestic fisheries within our own EEZ, and this has resulted in a large fleet of Chinese longliners being MSC certified in the Cook Islands EEZ; the first Chinese fleet of vessels in the world to achieve MSC status and something that both China and the Cook Islands points to as a significant milestone in the management of international fishing effort. We achieved this not by heavy policing, but by working with the fleet to systemise compliance in daily operations. We are pleased with this outcome which is already into its 3rd year of certification.

Indeed Chair, the People's Republic of China recognises the Cook Islands as an independent sovereign nation and we enjoy a cooperative and friendly relationship based on equality and mutual respect. This is further reflected in the joint effort which resulted in MSC certification for their longliners fishing in our EEZ; and also in our co-sponsorship of a CMM at the West and Central Pacific Fisheries Commission which was successful in banning High Seas Transshipment in the high seas pocket on our Eastern border.

In closing Chair I just want to talk about the commitment that the Cook Islands has to precautionary and sustainable management. Among our neighbors in the Pacific, our fishing footprint is very conservative. With our friend and neighbor French Polynesia we offer a large contiguous area in the Pacific Ocean which is lightly fished for reasons of conservation of the resource, while all around us, and even directly on our maritime borders, we see heavy fishing effort in industrial scale commercial fishing.

We are proactive in the management of resources and are bound by the precautionary principle enshrined in our Marine Resources Act. To us the Ocean is a living, breathing and thinking entity with a soul, and this was recently made public to the world when our Prime Minister issued a call at the UN Oceans Conference in New York to assign the rights of person to the entire ocean.

This simple request underlines our attitude to the management of fisheries. For us, the Ocean has inalienable rights and we must treat it as we would treat a person, with respect and dignity and with the least possible harm. I am happy to say we also work this way with our industry in the Indian Ocean and we encourage the Parties here present to consider this in the way we frame CMMs. It is always in our minds as we represent our small nation in international forums.

Thank you Chair we wish all parties the best success in the work ahead of us this week.

EU Opening speech for the 4th Session of the South Indian Ocean Fisheries Agreement

Mister Chairman,

Distinguished Delegates,

Ladies and Gentlemen.

The EU Delegation is once again very happy to participate in the SIOFA Meeting of the Parties.

We would like to thank the Executive Secretary for the hard and competent work dedicated to the preparation of this event and for the support to delegations during the meeting. We extend our thanks to Mauritius for facilitating the organisation of this meeting.

I would also like to present our warmest welcome to Thailand that recently became a SIOFA Contracting Party and is participating as a full member for the first time in the Meeting of the Parties.

It is important to acknowledge here the first Compliance Committee that took place immediately before this Meeting of the Parties. Following the work of the Compliance Committee, we believe that the priority for the fourth Meeting of the Parties is to progress on the adoption of core Conservation and Management Measures on Monitoring Control and Surveillance. Following decisions made at the first SIOFA meeting, the EU prepared these Monitoring Control and Surveillance measures, which have already been deferred twice in previous Meeting of the Parties due to a lack of time and to allow full discussions and adoption of other priorities necessary to make SIOFA an active RFMO. We believe it is now time to address these MCS measures and adopt, at least progressively some of them, to better regulate fisheries in the Southern Indian Ocean and to make SIOFA more operative.

We should also engage in discussing and pave the way to develop a Compliance Monitoring System that is an important management tool, to contribute to ensuring good compliance within this organisation.

We are also backing the objectives of the recommendations made by the Scientific Committee. In fact, the European Union strongly supports the adoption of conservation measures based on best available scientific information, aiming for the sustainable exploitation of the natural resources.

The EU supports full transparency regarding access to the scientific documents submitted to the Scientific Committee for analysis and discussion with due respect for the SIOFA confidentially requirements.

SIOFA has still to grow in terms of knowledge of its fishing activities and there is lots of information and data needed. In this context, very likely, some non-members of SIOFA have fishing interest and activities in the area that we should also be aware of. They are obviously invited to become members of our organisation as soon as possible.

It is against this background that the EU will approach the work in the Meeting of the Parties and we look forward to working with all representatives towards the shared goal of ensuring that the objectives of SIOFA are fulfilled.

Thank you for your attention.

The Southern Indian Ocean Fisheries Agreement (SIOFA)
4th Meeting of the Parties, Flic en Flac, Mauritius, 26-30 June 2017

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Fourth Meeting of the Commission of the South Indian Ocean Fisheries Agreement

Flic en Flac, Mauritius

26-30 June 2017

DSCC Intervention 26 June 2017

Thank you Mr Chair and good morning delegates

This intervention is given on behalf of the Deep Sea Conservation Coalition (DSCC), which represents over 70 NGOs. We firstly thank the Mauritian government and delegation for its hospitality and for providing us with this beautiful day. We also welcome Minister Koonjoo's address this morning and in particular his warning that we must leave future generations with a sustainable environment. We also welcome Thailand's accession and look forward to working with Thailand.

Mr Chairman, first and foremost, we are concerned to have seen restrictions on the availability of documents in the leadup to this meeting.

The Rio+20 Outcome Document *Future We Want*¹ states the need for institutions at all levels that are effective, transparent, accountable and democratic, and underscores that broad public participation and access to information and judicial and administrative proceedings are essential to the promotion of sustainable development.² Just last month at the United Nations Oceans Conference in the Call to Action, all States committed to work in concert with all stakeholders to conserve and sustainably use the oceans, seas, and marine resources for sustainable development, including by engagement with NGOs and other relevant actors. And in last year's Fish Stocks Agreement Review Conference, the outcome document reflects a need to improve the transparency of RFMO/As, both in terms of decision-making that incorporates the precautionary approach and the best scientific information available and by providing reasonable participation for intergovernmental and nongovernmental organizations through the organizations' arrangements' rules and procedures. Transparency was emphasised by the United Nations General Assembly in last year's Sustainable Fisheries resolution, including that RFMOs should improve transparency and to ensure that their decision-making processes are fair and transparent.

Mr Chairman, the Almaty Guidelines of the Aarhus Convention, which reflects best practice in transparency in international organizations, note that public participation generally contributes to the quality of decision-making on environmental matters in international forums by bringing different opinions and expertise to the process and increasing transparency and accountability.³

¹ The Future We Want. 2012. A/RES/66/288. At <https://sustainabledevelopment.un.org/futurewewant.html>. Para 10.

² The Future We Want para 43.

³ Almaty Guidelines para. 28.

The Almaty Guidelines emphasised that participation in the meetings of international forums, including their subsidiary bodies and other groups should be allowed at all relevant stages of the decision-making process, unless there is a reasonable basis to exclude such participation according to transparent and clearly stated standards that are made available, if possible, in advance.⁴ Participation should include access to all documents relevant to the decision-making process produced for the meetings, circulation of written statements and the ability to speak at meetings, without prejudice to the ability of international forums to prioritize their business and apply their rules of procedure.⁵

Mr Chair, turning to the measures before this Commission and specifically CMM 2016/01. We note the objective of that measure being to promote the sustainable management of deep-sea fisheries resources in the Agreement Area, including target fish stocks and non-target species, and to protect the marine ecosystem, including inter alia, the prevention of significant adverse impacts on vulnerable marine ecosystems. We also note the recommendation that all Contracting Parties note the advice from the first meeting of the Scientific Committee in relation to Benthic Protected Areas. That includes assessment of the scientific basis for benthic protected areas (BPAs) for the purpose of developing criteria for future definition and assessment of BPAs.

The UNGA held a bottom fishing review last year, and made a number of recommendations. These are directed specifically at RFMOs and States engaging in bottom fishing.

We welcome Australia's call to protect the deep sea and note that last year's resolution Reaffirmed the importance of paragraphs 80 to 90 of resolution 61/105, paragraphs 113 to 127 of resolution 64/72 and paragraphs 121 to 136 of resolution 66/68 addressing the impacts of bottom fishing on vulnerable marine ecosystems and the long-term sustainability of deep-sea fish stocks and the actions called for in those resolutions, and emphasized the need for full implementation by all States and relevant regional fisheries management organizations and arrangements of their commitments under those paragraphs on an urgent basis- UNGA 71/123 (2016).⁶

Mr Chairman, we look forward to a productive meeting.

Thank you

⁴ Almaty Guidelines para. 29.

⁵ Almaty Guidelines para. 34.

⁶ Some of the specific calls were that: (para 180 of resolution 71/123)

(a) to use the full set of criteria in the Guidelines to identify where VMES occur or are likely to occur as well as for assessing significant adverse impacts (SAIs);

(b) to ensure that impact assessments, including for cumulative impacts, are:

- conducted consistently with the Guidelines, particularly paragraph 47,
- are reviewed periodically and are revised
- carried out as a priority before authorizing bottom fishing activities;

(c) To ensure that measures are based on and updated on the basis of the best available scientific information, noting in particular the need to improve effective implementation of thresholds and move-on rules

SIOFA 4th Meeting of the Parties
Mauritius 26 – 28 June 2017

IUCN Opening Statement

Chair,

Thank you for welcoming IUCN as observer of SIOFA.

IUCN would like to stress again that there is urgency to take care of the deep sea biodiversity, especially in the high seas, where the role of RFMOs is key.

IUCN supports all efforts by SIOFA for improving the conservation measures in the SIOFA area.

IUCN believes that SIOFA, as a new RFMO should be exemplary, and innovative.

IUCN understands that fisheries fleets are operating in the area long time before SIOFA establishment.

We also recognize that SIOFA should apply standards that are used in other oceans and by other RFMOs.

So we urge parties to have a deep dialogue and to seek compromising for getting decisions by consensus.

Regarding MPAs and fisheries closure, IUCN believes that the system put in place by SIOFA, called Benthic Protected Areas, is an example to follow and should be adopted by SIOFA as a basis. We also recognised that the BPAs criteria should be fine-tuned in order to fit with the international requirements for MPAs. IUCN also believes that VMEs measures should be strongly applied in the areas in order to make sure that no harm is made to vulnerable ecosystems.

IUCN wishes a productive meeting.

Thank you

Opening Statement from SIODFA

The SIODFA Observer noted that the Southern Indian Ocean Deepsea Fishers Association had now been in existence for 11 years, starting in 2006, the year the Agreement was opened for signing. The Association had just held, in May, its 18th General Meeting, in Tokyo, Japan. He stressed that the Association looked to the SIOFA Parties to be an innovative RFMO and not merely follow the practice of other RFMOs, whose situations unavoidably, will be different to those found in the Southern Indian Ocean Fisheries. More importantly, the SIODFA looked to SIOFA to provide leadership in management practices of high seas fisheries, not simply follow the developments of elsewhere.

The Association remains convinced that because of the lack of secure fishing entitlements - the case in SIOFA now - the incentives do not exist for operators to be open about data relating to fishing success but rather to hide behind the provisions provided for data confidentiality. This failure to ensure secure fishing entitlements, something that is lamentable given that this exists in policies in the domestic fisheries of many of the SIOFA parties, is without doubt one of the major impediments to the future success of the Agreement in achieving its objectives.

Adopted Agenda

The Southern Indian Ocean Fisheries Agreement (SIOFA)

Fourth Meeting of the Parties

26-30 June 2017, Anari Hotel & Spa, Flic and Flac, Mauritius

Meeting Room – Meiyen Hall

Chair: Mr Kristofer Du Rietz

Registration opens Sunday 25th 20:30 followed by Head of Delegation meeting 20:45-21:00.

1. **Opening of the session (Chair/ES)**
 - 1.1. Opening statement from the Chair
 - 1.2. Opening statement from the SIOFA Executive Secretary
 - 1.3. Status of the Southern Indian Ocean Fisheries Agreement
Article 23 of the Agreement update on any potential or actual Accession applications
2. **Presentation of Contracting Parties Delegations (Chair)**
Heads of Delegation will make their opening statements, if any, and may introduce members of their delegations
3. **Admissions of Observers (Chair)**
4. **Administrative arrangements (Chair/ES)**
 - 4.1. Adoption of the agenda
 - 4.2. Confirmation of meeting documents
 - 4.3. Appointment of rapporteurs
 - 4.4. Practical arrangements for the meeting
 - 4.5. Participation in decision making
5. **Report of the Second Meeting of the Scientific Committee (SC Chairperson)**
Including discussion of the recommendations from the Scientific Committee and on dates and venue for 2018 and 2019 meetings
 - 5.1. Qualification of persons participating in the Scientific Committee (FRA)
6. **Report of the First Meeting of the Compliance Committee (CC Chairperson)**
Including discussion on dates and venue for 2018 and 2019 meetings
7. **Draft arrangement between SIOFA and CCAMLR (Chair/ES)**
Presentation of a draft arrangement to facilitate cooperation between SIOFA and CCAMLR

8. Interim Bottom Fishing Measures (CPs)

Disclosure of measures established by Contracting Parties, CNCPs and PFEs in accordance with CMM 2016/01 para 9. Deadline for submission of report 14 days prior to the Meeting of the Parties.

9. Vessel catch, Effort and Scientific Observer Data (ES)

Summary of reports provided to the secretariat in accordance with CMM 2016/02 paras 6, 7 and 13. Deadline for submission of reports 31 May each year.

10. Listing of IUU vessels (CC Chair)

Standing agenda item for the listing of IUU vessels in accordance with CMM 2016/06. Deadline for submission of information 120 days before each ordinary Meeting of Parties.

10.1. Fishing pressure in the SIOFA Area from non-CPCs (FRA)

11. Technical Edits to Conservation and Managements Measures (CMMs) currently in force (Chair/CPs)

Australia to propose technical minor amendments to the following CMMs to promote consistency and neatness in the text.

11.1. CMM 2016/01 (AUS)

11.2. CMM 2016/02 (AUS)

11.3. CMM 2016/03 (AUS)

11.4. CMM 2016/04 (AUS)

11.5. CMM 2016/05 (AUS)

12. New Conservation and Managements Measures (CMMs)

Standing agenda item for the presentation of any proposals of new CMMs and possible adoption.

13. Development of a Compliance Monitoring Scheme (AUS)

Australia to present a discussion paper for consideration

14. Secretariat Administration (ES)

14.1. Update on the Status of SIOFA Headquarters Agreement (ES)

14.2. Report of Staff Resources (ES) - RoP Rule 8 (f)

14.3. Report on Financial Resources (ES) – RoP Rule 8 (f)

Including draft budget - prepared in accordance with the Financial Regulations of the MoP

Presentation to be followed by discussions and adoption of the budget for the ensuing financial year.

14.4. Report on Secretaries Activities (including official travel) (ES) – RoP Rule 8 (g)

14.5. SIOFA Logo (ES)

14.6. Transparency (Chair/ES)

14.7. Summary table of SIOFA reporting obligations (ES)

Secretariat to present a draft summary table of SIOFA reporting obligations for MoP

consideration/comments. If approved summary table to be posted on the SIOFA website and updated each year accordingly

15. Election of a Vice Chairperson (Chair)

Following the departure from the Japanese delegation or the previous Vice Chair a new Vice Chairperson must be elected.

16. Future Meeting Arrangements (Chair)

Future meeting dates and venues for 2018 and 2019 MoP, Scientific Committee and Compliance Committee meetings to be decided.

17. Any Other Business (Chair)

17.1. Status of cooperating non-Contracting Parties and cooperating non-participating fishing entities – *RoP Rule 17 para 8*

17.2. Status of observers – *RoP Rule 18 para 2*

18. Adoption of the report (Chair)

Review and adoption of the report prepared by the rapporteur.

19. Close of the meeting (Chair)

Second Meeting of the SIOFA Scientific Committee

La Réunion, 13-17 March 2017

Dr Ilona Stobutzki












Outline



Recommendation



Request

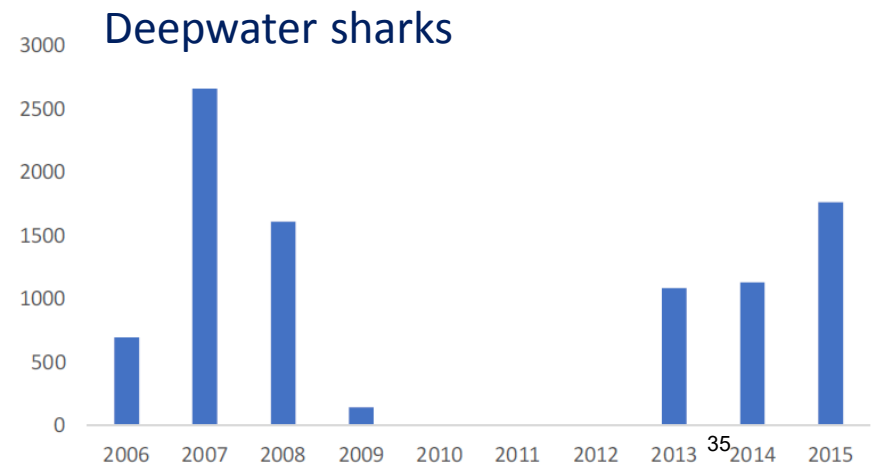
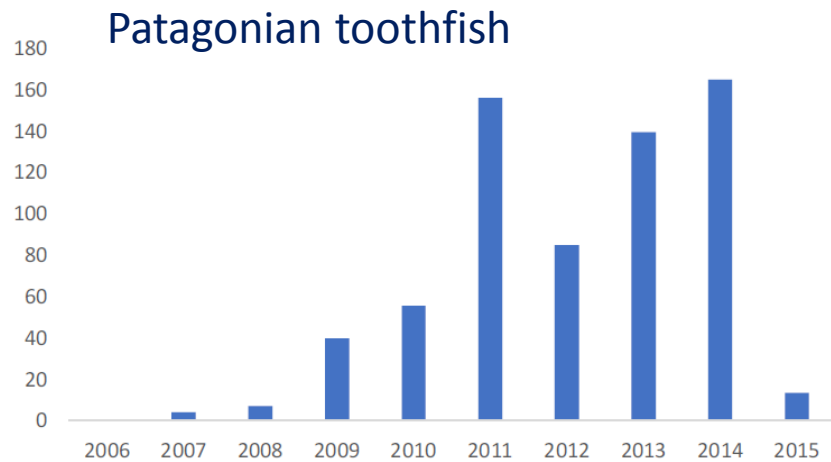
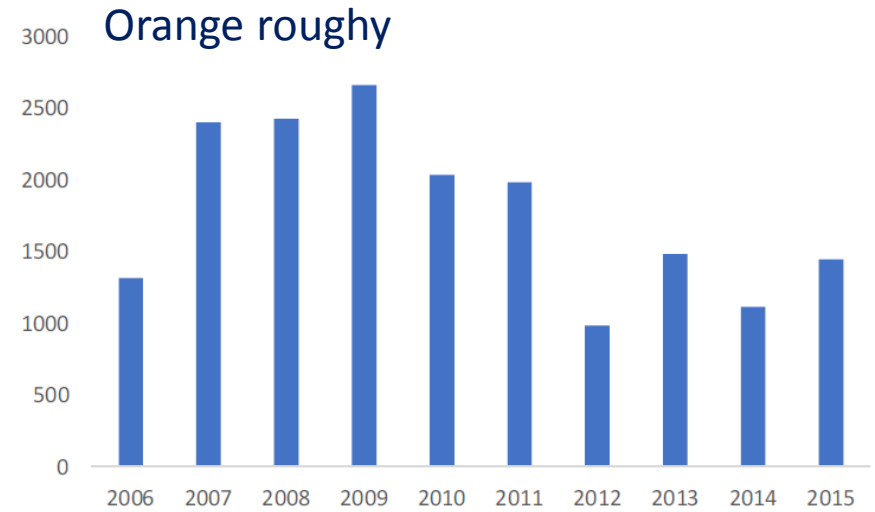
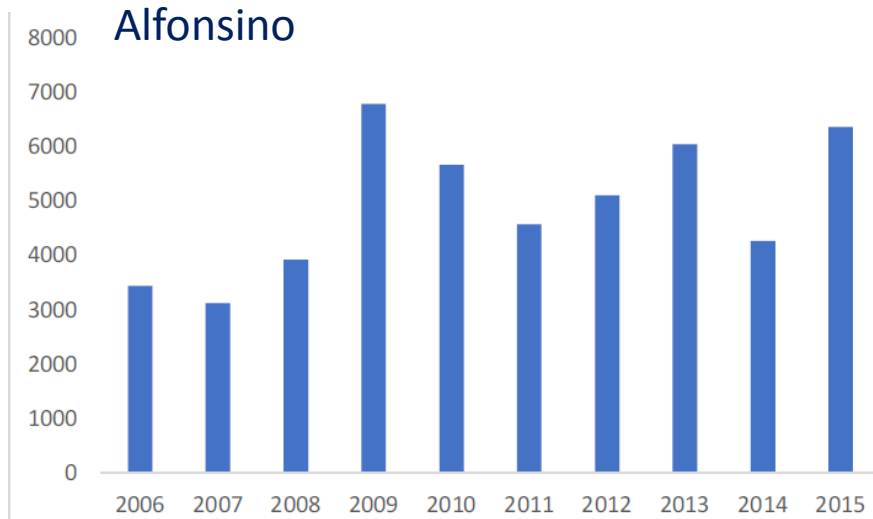
1. Overview of SIOFA fisheries 
2. SC Terminology
3. Scientific data standards
 - Guidelines for evaluating electronic observer programs 
 - SIOFA Scientific database 
4. Vulnerable marine ecosystems
 - Mapping where VMEs are known to, or likely to occur 
 - Standard protocols future protected area designation 
 - Bottom fishing impact assessment standard 
5. Stock assessments
 - Orange roughy and alfonsino 
 - Patagonian toothfish 
6. Impacts of fishing on associated and dependent species 
7. Cooperation 
8. SC work plan, including research activity budget 

1. Overview of SIOFA fisheries

	Fleet composition 2011-2016 Number of vessels	Fishing effort 2011-2015
All vessels (reported)	7-15	
Trawl	4-7	712-912 days 813-2,274 hrs (AU, JP, KO)
Bottom longline	2-8	643-2,696 thousand hooks
Gillnet	0-1	0-5,422 km

Mauritius, Seychelles, Thailand and non-members are not included

Overview of SIOFA fisheries – provisional annual catch



Overview of SIOFA fisheries

Thresholds of VME indicators

- Threshold weight for coral and sponge vary across parties
- Some parties have different thresholds for different gear types

Management responses


- Move-on rules vary in distance from the fishing location
- CI vessels can deploy an underwater camera system to verify whether substantial VME structures are present


Summary of observer programs

- Variable
- Most trawl fleets at or aiming for 100%
- Non-trawl 5-20%

2. Guide to terminology in SC reports

- 2016 MoP requested the SC develop a guide to assist the MoP interpret the terminology of SC reports
- Built on IOTC terminology guide
- SC **adopted** the guide (**Annex E**)

 **Recommended, recommendation:** Any conclusion or request for an action to be undertaken from the SC to the MoP which is to be formally provided to the MoP for its consideration/endorsement

 **Requested:** to a Party, Secretariat or other body, not the MoP, where the SC does not wish to formalise the request beyond the mandate of the SC.

3. Scientific data standards

Guidelines for evaluating and approving electronic observer programs (Annex G) directed in CMM 2016/01

- Electronic monitoring complements rather than replaces on-board observers.
- ★ • **Recommended MoP adopt the Guidelines** to review how electronic monitoring equipment satisfies each data field in the data standards
- SC will evaluate proposed electronic observer programs to collect scientific data, during its regular meetings or intersessionally

Questions?

Scientific data standards

SIOFA Scientific database

- Databases based on CMM 2016/02, 2016/07 and 2016/03:
 - Vessel registry
 - Catch and effort data
 - Scientific observer data
 - Historic catch and effort data at a coarser scale (by SC 2018)

★ • **Noted** the progress was encouraging, **requested that the Secretariat finalise the databases** as soon as possible as data are critical to the SC's ability to generate data summaries, data input for stock assessment, mapping, ERA and bycatch research

★ • **Requested Parties submit tow-by-tow observer and catch and effort data** (CMM 2016/02)

★ • **Requested Secretariat generate standard data summaries** prior to the SC.

4. Vulnerable marine Ecosystems

Maps of where VMEs are known to occur or likely to occur
CMM 2016/01 by SC 2017

- **Agreed** that georeferenced data should be made available on a haul-by-haul basis.
- ★ • **Requested Secretariat create maps** using the georeferenced data.
- ★ • **Requested Parties provide or facilitate provision of other data** available from surveys to be incorporated into these maps.
- ★ • **Requested Secretariat work with FAO ABNJ Deep Seas Project** on planned mapping of data on VMEs in the SIOFA area

Vulnerable marine Ecosystems

Standard protocols for future protected areas designation

- Protected areas (closed to fishing) are one tool available to implement UNGA Resolutions and CMM 2016/01
- Discussions took into account criteria developed by other organisations and those used in identifying SIODFA Benthic Protected Areas.
- **Agreed the protocols should include** the compilation and evaluation of relevant data, adopt the FAO Guidelines and that the SC will recommend future protected areas based on standard criteria

Vulnerable marine Ecosystems

Standard protocols for future protected areas designation

- **Agreed that the draft criteria should be reviewed** after the SC considered the first submission of a proposed protected area
- ★ **Recommended the MoP adopt the proposed standard protocols** for future protected areas designation (**Annex H**)
- The protocols include a dedicated Working group within SIOFA SC to analyse the information and prepare a report to be considered by the SIOFA SC
- AU proposed Working group to consider the basis of the benthic protected areas

Questions?

Vulnerable marine Ecosystems

Bottom Fishing Impact Assessment Standard (BFIAS)

- CMM 2016/01 directs 2017 SC to provide advice and recommendations on a SIOFA BFIAS
- Contributing to meeting the UNGA resolutions
- BFIAS will guide members in developing their assessment of bottom fishing activities and the SC in evaluating these assessments.
- Draft SIOFA BFIAS draws on international standards and FAO guidelines

Vulnerable marine Ecosystems

Bottom Fishing Impact Assessment Standard (BFIAS)


- ★ Recommended MoP adopt the SIOFA BFIAS (Annex I)
- ★ Recommended MoP provide a definition of 'new fisheries' for inclusion in the BFIAS
- SC reflected that the timelines in CCM 2016/01 may permit fishing to occur for a year before the SC reviews the relevant assessment.
 - SC consideration of bottom fishing impact assessments at its regular meetings.
- SC 2018 expected to consider parties bottom fishing impact assessments, including likely cumulative impacts.

Questions?

5. Stock assessments – Orange roughy

- CMM 2016/01, SC will provide advice and recommendations on the status of stocks by SC 2019
- Review of orange roughy acoustic data that may support stock assessments
- Noted different assessment approaches would be appropriate depending on the MoP intended management approach.
- Outcomes of SPRFMO Workshop may assist
- **Agreed** there was a need to **progress intersessionally**

Stock assessments – Alfonsino

- CI drew attention to catch per unit effort (CPUE) trend in the national report – CPUE has steadily reduced over recent years
- SC discussed the need to review and understand the data and summaries provided (representation, standardisation, timeframe etc)
- **Agreed** there was a need to **progress intersessionally**
-  **Recommended MoP agree** that the SC Chair convene a **Stock Assessment Working Group** for the purpose of progressing the stock assessment work, initially orange roughly and alfonsino (Terms of reference and work plan **Annex K**)

Questions?

Stock assessments – Patagonian toothfish

- Discussed tagging information from CCAMLR, including fish tagged in the SIOFA area
- **Requested continued discussion with CCAMLR** on potential collaboration on stock assessment. Noted that the stock is also shared with the French and South African EEZs.
- ★ **Recommended MoP make their fishers aware** of potential capture of tagged fish and provide information on tag recaptures to the Secretariat.
- **Requested further information** on the CCAMLR tagging program and specifically if there was value in tag releases in the SIOFA area.

6. Associated and dependent species

- Discussed progress towards the develop of a quantitative ecological risk assessment (ERA) for deepwater sharks
- **Agreed that the key elements** in progressing ERA included:
 - Refining the list of species for each gear
 - Undertaking the analysis with fishing footprints, 20 minute grids. If high risk species are identified the analysis can be undertaken at a finer scale
- **Agreed** that the ERA approach could be applied to stocks of key target species, bycatch and incidentally caught species.
- **Agreed** that the ERA needed to be **progressed intersessionally**
- **Recommended MoP agree** that the SC Chair **convene an ERA Working Group** for the propose of progressing this work (Annex L)



7. Cooperation

FAO ABNJ Deep Sea Project



- **Requested the Executive Secretary engage on:**
 - Planned mapping work, to accelerate the availability of these maps to the SC
 - Planned assessment of the likely impact of gear types
 - Possible support for the ERA work (ERA WG)

Draft arrangement with CCAMLR

- **Noted** the value of the arrangement in facilitating the SC work on shared stocks

8. Work Plan

Long term Research Plan - No update at this time

Operational work plan - **Adopted** an updated work plan (Annex M)

-  Research activity budget – **Recommended** MoP allocate:
- Stock assessment working group activities (EU30,000)
 - ERA working group activities (EU30,000)

The allocation would support the engagement of relevant expertise to complete specific working group activities (for example a stock assessment), if required

Thank you

- ❖ Delegates from all Parties
- ❖ Executive Secretary
- ❖ George Campanis
- ❖ Observers
- ❖ Rapporteur
- ❖ Fishers, scientists, data managers, fishery managers and teams who provided data, analyses and inputs

SIOFA Stock Assessment Working Group

Terms of Reference

Chair: Japan

Objectives and background

Paragraph 6a of CMM 2016/01 actions the SIOFA Scientific Committee to provide advice and recommendations to the Meeting of the Parties on the status of stocks of principal deep-sea fishery resources targeted, and, to the extent possible, taken as bycatch and caught incidentally in these deep-sea fisheries, including straddling fishery resources by 2019.

Stock Assessment in the SIOFA jurisdiction is currently challenged by the lack of an analysis and review process for available data held by Parties across the key fish stocks. The Scientific Committee recommended that a working group be established under the SIOFA Scientific Committee to progress work related to stock assessments required to address this action.

Initially, the working group will focus on assessments for orange roughy and alfonsino in the SIOFA Area of Application (the Agreement Area). The formation of the IWG will be useful in promoting engagement of specialist scientists in the stock assessment process, which is fundamental to success. Equally, it will enable the Scientific Committee to review assessments with the knowledge that all members and participants have had the opportunity to review data, contribute to the structure of the assessment models and identify research needs/priorities and management advice before the assessments are reviewed by the Scientific Committee.

Under these Terms of Reference, participants will commit to involvement in the process. All 'rules' of the SA-IWG will be consistent with the Scientific Committee Terms of Reference, and so are not included here. The SA-IWG ToR will be focused on the practical aspects of progressing work related to stock assessments in SIOFA.

Terms of Reference

1. The SA-IWG will be tasked with developing a research and review plan for implementation of stock assessments and related processes for progressing the objectives of the SIOFA Scientific Committee and Meeting of the Parties. In the short-term, the SA-IWG will:
 - a. Assist with the timely provision of data to support the implementation of the SA-IWG for orange roughy and alfonsino.

In the medium to long-term, the SA-IWG will:

- b. Assist with review of methods and outputs used for stock assessments and provide advice to the Scientific Committee on a harvest strategy and fisheries reference points for SIOFA fisheries.
2. To facilitate timely development of stock assessments, and in the absence of an established and populated SIOFA Fisheries Database, Parties agree to provide the necessary and available data to the working group within two months of a request, noting that appropriate data confidentiality protocols (as per CMM 2016/03 and domestic data and privacy policies) will apply.
 3. The requesting party will need to confer with the data custodian to ensure the appropriate data confidentiality agreements and other relevant processes are followed.

Interim dates and other issues for stock assessment:

- Within the close of the Second Meeting of the SIOFA Scientific Committee (SC2) and prior to the Third Meeting of the SIOFA Scientific Committee (SC3), participants agree to:

Alfonsino

- Undertake analyses of any CPUE time series and length frequency data for the SIOFA alfonsino stocks. These analyses need to demonstrate that the CPUE and length frequency series satisfies the assumption that any trend is indexing the abundance of the stock and not changes in fisheries behaviour or data bias.
- Provide a summary of available biological information to SC3.
- Prepare and submit a paper to SIOFA SC3 on the outcomes of the above alfonsino CPUE analyses).
- Consider availability of other abundance indices, relative or absolute, that could provide input to alfonsino stock assessments and other methods to evaluate the status of alfonsino stocks.
- Consult the FAO global alfonsino Report and other relevant information to assist with stock assessments and other methods to evaluate the status of alfonsino stocks.

Orange Roughy

- Provide a summary of orange roughy stock structure information and propose a delineation of management stocks. Identify a priority orange roughy stock for assessment and provide a summary of the data available for that stock.
- Agree on an assessment model and undertake a preliminary assessment to estimate current fishing mortality (and if feasible current biomass and biomass prior to

fishing). If feasible (given the method) project biomass trends for the next 5 years given current fishing mortalities.

- Propose biomass and fishing mortality reference points for these stocks for consideration by SC3.
- Prepare and submit a paper to SIOFA SC3 on the outcomes of the above orange roughy stock assessments.

General stock assessments

- Provide advice to the SIOFA secretariat on the design needs of SIOFA data bases for the purposes of stock assessment.

Arrangement between the Meeting of the Parties of the Southern Indian Ocean Fisheries Agreement and the Commission for the Conservation of Antarctic Marine Living Resources

The Meeting of the Parties of the Southern Indian Ocean Fisheries Agreement and the Commission for the Conservation of Antarctic Marine Living Resources (hereafter CCAMLR);

NOTE that the objectives of the Southern Indian Ocean Fisheries Agreement (hereafter the Agreement) are to ensure the long-term conservation and sustainable use of the fishery resources in the Area through cooperation among the Contracting Parties, and to promote the sustainable development of fisheries in the Area, taking into account the needs of developing States bordering the Area that are Contracting Parties to this Agreement, and in particular, the least-developed among them and small island developing States;

NOTE FURTHER that the objective of the Convention for the Conservation of Antarctic Marine Living Resources (hereafter CAMLR Convention) is the conservation of Antarctic marine living resources;

RECOGNISE that Article 16 of the Agreement requires SIOFA Contracting Parties acting jointly under the Agreement to cooperate closely with other international fisheries and related organizations in matters of mutual interest;

NOTE that Article XXIII of the CAMLR Convention provides for cooperation with other relevant bodies.

RECOGNISE that the Preamble to the CAMLR Convention considers it is desirable for CCAMLR to establish suitable machinery for recommending, promoting, deciding upon and co-ordinating the measures and scientific studies needed to ensure the conservation of Antarctic marine living organisms;

NOTE that provisions of the CAMLR Convention address the conservation of non-target, associated or dependent species that occur in the same ecosystem as target species;

DESIRE to put in place arrangements and procedures to promote cooperation between the SIOFA Secretariat and the Meeting of the Parties and its subsidiary bodies, including the Scientific Committee (hereafter SIOFA) and CCAMLR;

THEREFORE the Chairpersons of the SIOFA Meeting of the Parties and CCAMLR record the following arrangements;

1. OBJECTIVE OF THIS ARRANGEMENT

The objective of this Arrangement is to facilitate, where appropriate, cooperation between SIOFA and CCAMLR ('the Participants') with a view to advancing their respective objectives, particularly with respect to stocks and species which are within the competence and/or mutual interest to both Participants.

2. AREAS OF COOPERATION

The Participants will establish and maintain consultation and cooperation in respect of

matters of common interest. In particular the Participants will:

- (i) exchange meeting reports, information, documents and publications regarding matters of mutual interest, consistent with the information sharing policies of each Participant;
- (ii) exchange data and scientific information in support of the work and objectives of both Participants, consistent with the information sharing policies of each Participant including, but not limited to information on:
 - (a) vessels authorised to fish in accordance with conservation and management measures adopted under the Agreement and the conservation measures adopted under the CAMLR Convention;
 - (b) suspected, presumed or confirmed illegal, unreported and unregulated (IUU) fishing activity and IUU Vessel Lists established by each Participant, or other relevant information;
 - (c) catch, bycatch and vessel information and/or data consistent with data use, access and confidentiality rules of each Participant;
- (iii) where appropriate, cooperate to harmonise approaches in areas of mutual interest and concern, including but not limited to, target species and bycatch of non-target, associated and dependent species (ecologically related species), compliance monitoring and evaluation schemes;
- (iv) where appropriate, collaborate on analyses and research efforts relating to species of mutual interest; and
- (v) foster cooperation with the conservation and management measures adopted under the Agreement and the conservation measures adopted under the CAMLR Convention.

3. CONSULTATIVE PROCESS

To facilitate effective development, implementation and enhancement of cooperation, the Participants may establish a consultative process between the two respective Secretariats that includes telephone, email and similar means of communications. The consultative process may also proceed in the margins of meetings at which both Participants' Secretariats are represented by appropriate staff.

4. MODIFICATION

This Arrangement may be modified at any time by the mutual written consent of both Participants.

5. LEGAL STATUS

This Arrangement does not create legally binding rights or obligations.

This Arrangement does not alter the obligations of the Members of CCAMLR or the Contracting Parties to the Agreement to comply with the conservation and management measures adopted under the Agreement and the conservation measures adopted under the CAMLR Convention.

6. OTHERS

This Arrangement will commence on the date of the second signature.

Either Participant may terminate this Arrangement by giving six months prior written notice to the other Participant.

This Arrangement will operate until terminated by either Organisation.

SIGNATURE

Signed at thisday of2017

.....
Kristopher Du Rietz (EU)
Chairperson SIOFA

Signed at thisday of2017

.....
Mondi Mayekiso (South Africa)
Chairman CCAMLR

The Southern Indian Ocean Fisheries Agreement (SIOFA)
4th Meeting of the Parties, 26-30 June 2017
Aanari Hotel & Spa, Flic and Flac, Mauritius

Data Relating to Port Activities on Deepsea Demersal Fish

1. The Republic of Mauritius is not a fishing nation for Patagonian tooth fish and deep sea fish species however provides port services to Patagonian tooth fish vessels and deep sea demersal trawlers. The following table provides details of calling of fishing vessels and amount of fish unloaded and transhipped.

Table 1: Details of port activities for the past three years

SN	Particulars	Year		
		2014	2015	2016
1	Total Number of Callings of Foreign Fishing Vessels	783	741	733
2	Number of callings of Patagonian Toothfish Vessels	13	9	17
3	Number of callings of Demersal Trawlers	11	15	12
4	Amount of Patagonian Toothfish unloaded/transhipped (t)	1719	2036	1440
5	Amount of Deep Sea Demersal Fish unloaded/transhipped (t)	1727	3497	3743

2. Callings of foreign fishing vessels were mostly tuna longliners for transshipment. Other activities included loading/unloading, transshipment, bunkering, change of crew, provisions, repairs and ancillary activities.

3. Main species for deepsea demersal were alfonsino, orange roughy, cardinal, blue nose, spiky dory, smooth dory and ruby fish. Others included butterflyfish, boar fish, black dory, black barracouda, icefish, travella, armour head, ribaldo and grouper.

CMM 2016~~7~~/01¹**Conservation and Management Measure for the Interim Management of Bottom Fishing in the SIOFA Agreement Area****Contracting Parties to the Southern Indian Ocean Fisheries Agreement;**

RECOGNISING that article 4(a) of the *Southern Indian Ocean Fisheries Agreement* (the Agreement) calls on the Contracting Parties, in giving effect to the duty to cooperate, to adopt measures on the basis of the best scientific evidence available to ensure the long-term conservation of fishery resources, taking into account the sustainable use of such resources and implementing an ecosystem approach to their management;

FURTHER RECOGNISING articles 4(c), (e) and (f) of the Agreement which call on the Contracting Parties to apply the precautionary approach, that fishing practices and management measures shall take due account of the need to minimise the harmful impact that fishing activities may have on the marine environment and noting that biodiversity in the marine environment shall be protected;

FURTHER RECOGNISING articles 6(1)(d) and (e) of the Agreement which provides that the Meeting of the Parties shall adopt conservation and management measures (CMMs) for ensuring the long-term sustainability of fishery resources, taking into account the need to protect marine biodiversity, based on the best scientific evidence and adopt generally recommended international minimum standards for the responsible conduct of fishing operations;

MINDFUL of Article 16 of the Agreement that calls on Contracting Parties, acting jointly under the Agreement, to cooperate closely with other international fisheries and related organisations in matters of mutual interest;

NOTING United Nations General Assembly (UNGA) Resolution 61/105 and subsequent resolutions of UNGA that call upon RFMOs to assess, on the basis of the best available scientific information, whether individual bottom fishing activities would have significant

¹ [CMM 2017/01 \(Interim Management of Bottom Fishing\) supersedes CMM 2016/01 \(Interim Management of Bottom Fishing\)](#)

adverse impacts on vulnerable marine ecosystems (VMEs), and to ensure that if it is assessed that these activities would have significant adverse impacts, they are managed to prevent such impacts, or not authorised to proceed;

FURTHER NOTING UNGA Resolution 64/72 which calls upon RFMOs to establish and implement appropriate protocols for the implementation of UNGA Resolution 61/105, including definitions of what constitutes evidence of an encounter with a VME, in particular threshold levels and indicator species; and to implement the FAO International Guidelines for the Management of Deep-sea Fisheries in the High Seas (FAO, 2009; FAO Deep-sea Fisheries Guidelines) in order to sustainably manage fish stocks and protect VMEs;

FURTHER NOTING UNGA Resolution 66/68 which encourages RFMOs to consider the results available from marine scientific research, including those obtained from seabed mapping programs concerning the identification of areas containing VMEs, and to adopt conservation and management measures to prevent significant adverse impacts from bottom fishing on such ecosystems, consistent with the FAO Deep-sea Fisheries Guidelines, or to close such areas to bottom fishing until such conservation and management measures are adopted, as well as to continue to undertake further marine scientific research, in accordance with international law as reflected in Part XIII of the United Nations Convention on the Law of the Sea;

Aware of the steps being taken by the Meeting of the Parties to address the impacts of large-scale pelagic drift nets and deepwater gillnets in the SIOFA Area of Application (the Agreement Area) through the adoption of CMM 2016/05;

COMMITTED to ensuring that bottom fishing undertaken in the Agreement Area is consistent with the long-term sustainability of deep sea fish stocks and the protection of the marine environment; and

DESIRING to progress the development of a SIOFA-wide bottom fishing impact assessment and SIOFA-wide footprint, as recommended by the Scientific Committee at its first ordinary meeting in Fremantle, Australia, in March 2016;

Adopts the following CMM in accordance with Article 6 of the Agreement:

Objective

1. The objective of this CMM is to promote the sustainable management of deep-sea fisheries resources in the Agreement Area, including target fish stocks and non-target species, and to protect the marine ecosystem, including *inter alia*, the prevention of significant adverse impacts on vulnerable marine ecosystems.

General provisions and definitions

2. This CMM applies to all fishing vessels flying the flag of a Contracting Party, cooperating non-Contracting Party (CNCP) or participating fishing entity (PFE) to the Agreement engaging or intending to engage in bottom fishing in the Agreement Area. A reference in this CMM to fishing and related activities *of* a Contracting Party, CNCP or PFE (such as *its* fishing, *its* catch or *its* effort) is taken to refer to fishing and related activities undertaken by vessels flying its flag.

3. The following definitions apply to this CMM:

- (a) 'vulnerable marine ecosystem' (VME) means a marine ecosystem identified using the criteria outlined in paragraph 42 of the FAO International Guidelines for the Management of Deep-Sea Fisheries in the High Seas (FAO, 2009; FAO Deep-sea Fisheries Guidelines).
- (b) 'bottom fishing' means fishing using any gear type likely to come in contact with the seafloor or benthic organisms during the normal course of operations.
- (c) 'SIOFA bottom fishing footprint' means a map of the spatial extent of historical bottom fishing in the Agreement Area, for all vessels flagged to all Contracting Parties, CNCPs and PFEs over a period to be defined by the Meeting of the Parties.
- (d) 'electronic observer program' means a program that uses electronic monitoring equipment in place of, or in conjunction with, a human observer or human observers on board a vessel that is capable of generating, storing and transmitting data to competent authorities.

4. The provisions of this CMM are not necessarily to be considered precedents for future allocation or other decisions in accordance with Articles 6(2),(3) and (4) of the Agreement relating to participation in bottom fisheries in the Agreement Area and adjacent areas of national jurisdiction, as appropriate.

Scientific Committee work on bottom fishing and subsequent consideration by the Meeting of the Parties

5. The Scientific Committee shall, by no later than the close of the ordinary meeting of the Scientific Committee in 2017, and thereafter whenever a substantial change to the fishery has occurred or new data has otherwise been provided to the Scientific Committee warranting changes, develop and provide advice and recommendations to the Meeting of the Parties on:

- (a) a SIOFA Bottom Fishing Impact Assessment Standard (BFIAS) which takes account of the latest scientific information available;
- (b) maps of where VMEs are known to occur, or likely to occur, in the Agreement Area;
- (c) guidelines for evaluating and approving electronic observer programs for scientific data collection for consideration by the Meeting of the Parties; and
- (d) standard protocols for future protected areas designation (areas which should be closed to fishing).

6. The Scientific Committee shall, by no later than the close of the ordinary meeting of the Scientific Committee in 2019, and thereafter whenever a substantial change to the fishery has occurred or new data has otherwise been provided to the Scientific Committee warranting changes, develop and provide advice and recommendations to the Meeting of the Parties on:

- (a) the status of stocks of principal deep-sea fishery resources targeted, and, to the extent possible, taken as bycatch and caught incidentally in these deep-sea fisheries, including straddling fishery resources;

- (b) criteria for what constitutes evidence of an encounter with a VME, in particular threshold levels and indicator species; and
- (c) the most appropriate response to a VME encounter, including inter alia closing particular areas to a particular gear type or types.

7. The Scientific Committee shall, by no later than the close of the ordinary meeting of the Scientific Committee in 2020, and thereafter whenever a substantial change to the fishery has occurred or new data has otherwise been provided to the Scientific Committee warranting changes, develop and provide advice and recommendations to the Meeting of the Parties on:

- (a) an appropriate SIOFA bottom fishing footprint based on the data provided by Contracting Parties, CNCPs and PFEs to the Secretariat under paragraph 13; and
- (b) a SIOFA Bottom Fishing Impact Assessment (SIOFA BFIA). The SIOFA BFIA shall take into account the activities of all fishing vessels to which this CMM applies that, at the time the SIOFA BFIA is prepared, are engaged in, or intending to engage in, bottom fishing within the agreed SIOFA bottom fishing footprint.

8. Upon receipt of advice and recommendations from the Scientific Committee on the matters listed in paragraphs 5 to 7, the Meeting of the Parties shall act on the Scientific Committee's advice and recommendations at its next ordinary meeting. This may include, when the Meeting of the Parties considers it appropriate, to authorise any document or other output arising from the advice or recommendations, and amendments thereto.

Duties of Contracting Parties, CNCPs and PFEs undertaking bottom fishing activity in the Agreement Area

Interim bottom fishing measures

9. (1) Until such time as the Meeting of the Parties has acted in accordance with paragraph 8 on the advice of the Scientific Committee provided in accordance with

paragraph 7, each Contracting Party, CNCP and PFE shall, unless otherwise approved by the Meeting of the Parties, establish and apply specific measures to limit the level and spatial extent of the bottom fishing effort of vessels flying their flag. In particular, such measures shall include:

- (a) for Contracting Parties, CNCPs or PFEs that have fished more than 40 days in a single year, in the Agreement Area, at the time this CMM was adopted:
 - i. limits on its bottom fishing effort and/or catch, over a 12 month period to its average annual level in active years over a representative period for which reliable data exists;
 - ii. constraints on the spatial distribution of its bottom fishing effort, excluding line and trap methods, to recently fished areas to prevent any expansion of such fishing activities;
 - iii. provisions to ensure its bottom fishing will not have significant adverse impacts on VMEs and, where applicable, shall take into account its BFIA prepared and submitted pursuant to paragraph 14, and any areas identified under paragraph 35 where VMEs are known to occur, or are likely to occur; and
 - iv. provisions ensuring that any vessel flying its flag is not authorised to fish in any areas that the Meeting of the Parties has decided to close to fishing.

- (b) for Contracting Parties, CNCPs or PFEs that have not fished more than 40 days in a single year, in the Agreement Area, at the time this CMM was adopted:
 - i. limits on its bottom fishing effort and/or catch, and spatial distribution, as disclosed to the Meeting of the Parties in accordance with paragraph 9(2); and
 - ii. provisions as referred to in subparagraphs 9(1)(a)(iii) and (iv).

(2) The measures established by Contracting Parties, CNCPs and PFEs pursuant to this paragraph shall be disclosed to the next ordinary Meeting of the Parties following the

entry into force of this CMM, and shall be made publicly available on the SIOFA website, by the Secretariat, once the website has been developed.²

(3) Contracting Parties, CNCPs and PFEs may revise the measures they establish pursuant to this paragraph provided that any amendments made are consistent with the requirements of paragraph 9(1). Revised measures shall be notified to the Secretariat within 30 days of the amendment, and shall be disclosed at the next ordinary Meeting of the Parties.

(4) The provisions of this paragraph are not necessarily to be considered a precedent for future decisions taken by the Meeting of the Parties pursuant to paragraph 8.

10. Any Contracting Party, CNCP or PFE that has not submitted the measures required pursuant to paragraph 9(1), shall not authorise any vessels flying its flag to bottom fish in the Agreement Area until:

- (a) that Contracting Party, CNCP or PFE has submitted the measures required in paragraph 9(1); or
- (b) it has otherwise been decided by the Meeting of the Parties.

11. Until the Meeting of the Parties has acted on the Scientific Committee's advice on SIOFA threshold levels pursuant to paragraph 6(b), Contracting Parties, CNCPs and PFEs shall establish and apply to vessels flying their flag threshold levels for encounters with VMEs, taking into account paragraph 68 of the FAO Deep-sea Fisheries Guidelines. These threshold levels shall be disclosed in the measures referred to in paragraph 9(1).

12. Until the Meeting of the Parties has acted on the Scientific Committee's advice on the most appropriate response to a VME encounter pursuant to paragraph 6(c), Contracting Parties, CNCPs and PFEs shall require any vessel flying their flag to cease bottom fishing activities within:

² Until such time as the website is developed, this information will be made available upon request to the Secretariat.

- (a) For bottom or mid water trawling, or fishing with any other net - two (2) nautical miles either side of a trawl track extended by two (2) nautical miles at each end;
- (b) For longline and trap activities - a radius of one (1) nautical mile from the midpoint of the line segment;³
- (c) For all other bottom fishing gear types - a radius of one (1) nautical mile from the midpoint of the operation

where evidence of a VME is encountered above threshold levels established under paragraph 11 in the course of fishing operations. Contracting Parties, CNCPs and PFEs shall report any such encounter in their National Reports to the Scientific Committee in accordance with the guidelines at Annex 1, including any action taken by that Contracting Party, CNCP or PFE in respect of the relevant site.

Provision of data by Contracting Parties, CNCPs and PFEs

13. Contracting Parties, CNCPs and PFEs shall, at least 30 days prior to the commencement of the ordinary meeting of the Scientific Committee in 2018, submit to the Secretariat:

- (a) relevant data on the spatial extent of its historical bottom fishing effort in the Agreement Area expressed as grid blocks of at least 20 minute resolution or, if available, a finer scale; and
- (b) any other data the Scientific Committee may consider to be useful in developing the SIOFA BFIA referred to in paragraph 7(b), including data relating to recorded encounters with VMEs or indicators of VMEs.

14. (a) Any Contracting Party, CNCP or PFE that authorises or is seeking to authorise any vessel flying its flag to bottom fish in the Agreement Area shall, at least 30 days prior to the commencement of the ordinary meeting of the Scientific Committee in 2018, submit to the Secretariat a Bottom Fishing Impact Assessment for its individual bottom fishing activities in the Agreement Area that, to the extent possible, accords with paragraph 18 (BFIA). Any Contracting Party, CNCP and PFE that has prepared, or prepares, a BFIA prior

³ Line segment means a 1000 hook section of line or a 1200 metre section of line, whichever is the shorter, and for pot lines a 1200 metre section

to this CMM entering into force is encouraged to submit this BFIA to the Scientific Committee as soon as possible.

(b) Any Contracting Party, CNCP or PFE that has not submitted a BFIA pursuant to subparagraph (a) may, at least 30 days prior to the commencement of any subsequent ordinary meeting of the Scientific Committee and before the Meeting of the Parties has authorised the SIOFA bottom fishing footprint and the SIOFA BFIA developed by the Scientific Committee in accordance with paragraph 7, submit to the Secretariat a BFIA.

15. The Scientific Committee shall consider all BFIA received under paragraph 14(a) and 19(b) at its ordinary meeting in 2018 or, if the BFIA is submitted under paragraph 14(b) or 19(b), at the next ordinary meeting of the Scientific Committee, and provide advice in its meeting report as to:

- (a) the likely cumulative impacts of bottom fishing impact activity from vessels flying the flag of a CP, CNCP or PFE in the Agreement Area; and
- (b) whether each BFIA meets an appropriate standard in light of international standards and the SIOFA BFIAS, where applicable.

16. If the Scientific Committee's advice is that a BFIA does not meet an appropriate standard, the Meeting of the Parties may request that Contracting Party, CNCP or PFE who submitted the BFIA to revise and resubmit its BFIA to the next ordinary meeting of the Scientific Committee, and make a decision to either:

- (a) suspend any vessel flying the flag of that Contracting Party, CNCP or PFE from bottom fishing in the Agreement Area until the Scientific Committee provides advice that the BFIA meets an appropriate standard; or
- (b) undertake any other course of action, as the Meeting of the Parties may decide, taking into account Scientific Committee advice and the objectives of this CMM.

17. Any Contracting Party, CNCP or PFE that has not submitted a BFIA in accordance with subparagraph 14 shall not authorise any vessels flying its flag to bottom fish in the Agreement Area until:

- (a) that Contracting Party, CNCP or PFE has prepared a BFIA, and the Scientific Committee has reviewed that BFIA in accordance with paragraph 15; or
- (b) the Meeting of the Parties has authorised the SIOFA bottom fishing footprint and the SIOFA BFIA developed by the Scientific Committee in accordance with paragraph 7; or
- (c) it has otherwise been decided by the Meeting of the Parties.

18. All BFIA, including the SIOFA BFIA, shall:

- (a) be prepared, to the extent possible, in accordance with the FAO Deep-sea Fisheries Guidelines;
- (b) meet the standards of the SIOFA BFIAS (if the BFIA is prepared after the Meeting of the Parties has adopted the BFIAS);
- (c) take into account areas identified where VMEs are known or are likely to occur in the area to be fished;
- (d) take into account all relevant information provided pursuant to paragraphs 13 and 35, and in addition, for the SIOFA BFIA, paragraph 14;
- (e) be updated 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;
- (f) assess, to the extent possible, the historical and anticipated cumulative impact of all bottom fishing activity in the Agreement Area, if applicable;
- (g) address whether the proposed activities achieve the objectives described in paragraph 1 of this CMM and Article 2 of the Agreement; and
- (h) be made publicly available on the SIOFA website, once developed.

Provision of data by, and interim bottom fishing measures for, new Contracting Parties, CNCPs and PFEs

19. Paragraphs 9 to 12 shall not apply to any State or fishing entity that becomes a Contracting Party, CNCP or PFE after the Meeting of the Parties in 2017. However, prior to authorising any vessels flying its flag to bottom fish in the Agreement Area, each of

these new Contracting Parties, CNCPs and PFEs which has fished more or less than 40 days in a single calendar year as referred to in paragraph 9(1)(a) or (b) shall:

- (a) advise the Meeting of the Parties of the measures it intends to take pursuant to paragraph 9(1)(a)(i), (ii), (iii) and (iv);
- (b) 30 days prior to an ordinary meeting of the Scientific Committee after it becomes a Contracting Party, CNCP or PFE, submit the data referred to in paragraph 13 and a BFIA as outlined in paragraph 14 to the Scientific Committee for its consideration in accordance with paragraph 15.

19 bis. Subject to agreement of the Meeting of the Parties, based on the advice from the Scientific Committee and the measures submitted in accordance with paragraph 19, a new Contracting Party, CNCP or PFE referred to in paragraph 19 may then authorise vessels flying its flag to bottom fish in the Agreement Area, in accordance with paragraphs 9-12.

20. A Contracting Party, CNCP or PFE seeking to authorise any vessel flying its flag to undertake bottom fishing in the Agreement Area in a manner at variance with the requirements of paragraph 9 to limit the bottom fishing effort of vessels flying its flag shall submit to the Scientific Committee, at least 30 days prior to an ordinary meeting of the Scientific Committee, a proposal to undertake that activity or activities. This proposal shall include an assessment of the impact of the proposed fishing activity in accordance with the requirements for BFIA's outlined in paragraph 18, any proposed measures to mitigate that impact, and any other information as required by the Scientific Committee to undertake the assessment in paragraph 21.

21. On receipt of any proposal developed pursuant to paragraph 21, the Scientific Committee shall, at its next ordinary meeting:

- (a) assess, on the basis of the best available scientific information, whether the proposed bottom fishing would have significant adverse impacts on VMEs;
- (b) if it is assessed that these activities would have significant adverse impacts, consider what measures should be taken to prevent such impacts, or, if those impacts cannot be appropriately mitigated, whether the proposed bottom fishing should proceed or not;

- (c) assess, taking into account, inter alia: the cumulative impacts of other fishing occurring in that area, where such information is available; whether the proposed activities are compatible with the sustainable management of bottom fisheries, including target fish stocks and non-target species; and the protection of the marine environment, including inter alia, the prevention of significant adverse impacts on vulnerable marine ecosystems; and
- (d) provide recommendations and advice to the Meeting of the Parties in its meeting report on each of these matters, as applicable.

22. The Meeting of the Parties shall, taking into account the recommendations and advice of the Scientific Committee, decide whether or not to authorise bottom fishing in accordance with a proposal made pursuant to paragraph 20 including, if applicable, the extent to which such bottom fishing shall be authorised.

23. If applicable, the Meeting of the Parties shall also decide which measures or conditions shall be applied to any activity authorised pursuant to paragraph 22 to ensure that fishing activity is consistent with the objectives of Article 2 of the Agreement and paragraph 1 of this CMM.

General management and conditions for bottom fishing in the Agreement Area

24. Consistently with Article 11(1)(a) of the Agreement, Contracting Parties, CNCPs and PFEs shall only authorise vessels flying their flag to bottom fish in the Agreement Area in accordance with the provisions of the Agreement, this CMM and all other applicable CMMs, and shall ensure that such vessels do not engage in any activity which undermines the effectiveness of these measures.

25. All Contracting Parties, CNCPs and PFEs shall ensure that all vessels flying its flag that participate in bottom fishing in the Agreement Area are equipped and configured to comply with all relevant CMMs.

26. Consistently with Article 11(3)(a) of the Agreement, Contracting Parties, CNCPs and PFEs shall only authorise vessels flying their flag to bottom fish in the Agreement Area where they are able to exercise their responsibilities as a flag State under the Agreement and all CMMs.

27. Contracting Parties, CNCPs and PFEs shall ensure that vessels flying their flag provide the minimum required data to the Secretariat in accordance with SIOFA data standards.

28. Nothing in this CMM shall affect the rights of a Contracting Party, CNCP or PFE to apply additional or more stringent compatible measures to vessels flying their flag that are conducting bottom fishing.

29. Nothing in this CMM exempts a Contracting Party, CNCP or PFE from complying with any other obligations in the Agreement or any CMMs adopted by the Meeting of the Parties.

Scientific observer coverage

30. Each Contracting Party, CNCP and PFE shall ensure that any vessel flying its flag and undertaking bottom fishing in the Agreement Area:

- (a) using trawl gear has 100 percent scientific observer coverage for the duration of the trip.⁴
- (b) using any other bottom fishing gear type has 20 percent scientific observer coverage in any fishing year.

31. Consistent with paragraph 13 of the SIOFA Data Standards CMM (CMM 2016/02), the Scientific Committee shall review the observer coverage levels prescribed in paragraph 30 at its ordinary meeting in 2018 and provide advice to the Meeting of the Parties thereon.

32. (a) The scientific observer coverage levels outlined in paragraph 30 shall be fulfilled through the use of human observers, except to the extent authorised by the Meeting of the Parties pursuant to subparagraph (c)(iii).

⁴ This provision shall enter into force for Japan on 1 January 2017 and for the Cook Islands on 1 June 2017. These Contracting Parties will take all necessary steps towards implementing this provision in the interim.

(b), Once the Meeting of the Parties has adopted Guidelines for evaluating and approving electronic observer programs developed pursuant to paragraph 5(c), a Contracting Party, CNCP or PFE may submit a proposal to the Scientific Committee seeking to use an electronic observer program which uses, entirely or in part, electronic monitoring equipment, human observers and/or a port sampling program. As part of this proposal, that Contracting Party, CNCP or PFE shall submit evidence of, and data relating to, a statistically robust trial of the program that demonstrates it meets the data requirements prescribed in the SIOFA data standards CMM, once adopted by the Meeting of the Parties.

(c) Following the submission of the proposal by the Contracting Party, CNCP or PFE to the Scientific Committee:

- i. The Scientific Committee shall review the proposal and provide recommendations and advice thereon to the Meeting of the Parties, taking into account the Guidelines and whether the program will reliably collect all data required by the SIOFA data standards CMM, once adopted by the Meeting of the Parties.
- ii. The Compliance Committee shall also review the proposal and provide advice and recommendations thereon to the Meeting of the Parties.
- iii. On receipt of the advice by the Scientific Committee and the Compliance Committee on the proposal, the Meeting of the Parties shall, at its next meeting, consider whether to authorise the use of that program by that Contracting Party, CNCP or PFE in place of the exclusive use of human observers.

Position Reporting

33. Each Contracting Party, CNCP and PFE shall, in respect of each vessel flying its flag which participates in bottom fishing in the Agreement Area, submit VMS reports in an electronic format to the Secretariat in accordance with any VMS CMM and data standards CMM adopted by the Meeting of the Parties.

Vulnerable Marine Ecosystem closures

34. Where the Meeting of the Parties, taking into account advice provided by the Scientific Committee, determines that bottom fishing may have significant adverse impacts on VMEs in areas where VMEs are known to occur, or are likely to occur, based on the best available scientific information, the Meeting of the Parties may take a decision to close such areas to bottom fishing, either entirely or with respect to bottom fishing by a particular gear type or types.

35. The Meeting of the Parties shall cooperate to identify, on the basis of the best available scientific information including advice and recommendations provided by the Scientific Committee pursuant to paragraph 5(b), areas where VMEs are known or likely to occur in the Agreement Area and to map these sites, and provide such data and information to all Contracting Parties, CNCs and PFEs for circulation.

36. The Meeting of the Parties recommends that all Contracting Parties note the advice from the first meeting of the Scientific Committee in relation to Benthic Protected Areas.

Cooperation with other States

37. Contracting Parties resolve, individually or jointly, to request those States and fishing entities that are undertaking bottom fishing in the Agreement Area but are not currently Contracting Parties, CNCs or PFEs to cooperate fully in the implementation of this measure and to consider participating in the work of SIOFA as a matter of priority.

Review

38. This CMM shall be reviewed no later than at the ordinary Meeting of the Parties in 2019. This review shall take into account, *inter alia*, the latest advice of the Scientific Committee, including advice on those matters listed in paragraphs 5 to 7 and appropriate catch levels for principal target species, in accordance with the objective described in paragraph 1.

Annex 1 - Guidelines for the Preparation and Submission of Notifications of Encounters with VMEs

1. General Information

Include contact information, nationality, vessel name(s) and dates of data collection.

2. VME location

Start and end positions of all gear deployments and/or observations.

Maps of fishing locations, underlying bathymetry or habitat and spatial scale of fishing.

Depth(s) fished.

3. Fishing gear

Indicate fishing gears used at each location.

4. Additional data collected

Indicate additional data collected at or near the locations fished, if possible.

Data such as multibeam bathymetry, oceanographic data such as CTD profiles, current profiles, water chemistry, substrate types recorded at or near those locations, other fauna observed, video recordings, acoustic profiles etc.

5. VME taxa

For each station fished, provide details of VME taxa observed, including but not limited to their relative density, absolute density, or weight and/or number of taxa.

CMM 2016/02¹

Conservation and Management Measure for the Collection, Reporting, Verification and Exchange of Data relating to fishing activities in the Agreement Area

Contracting Parties to the Southern Indian Ocean Fisheries Agreement:

RECALLING that Article 6(1) (f) of the *Southern Indian Ocean Fisheries Agreement* (the Agreement) calls on the Meeting of the Parties to develop rules for the collection and verification of scientific and statistical data, as well as for the submission, publication, dissemination and use of such data;

FURTHER RECALLING that Articles 10(1)(c) and 11(3) set out the duties relevant to the collection and provision of data and related processes for Contracting Parties and Flag States respectively;

RECOGNISING the importance of developing comprehensive arrangements for data collection, reporting, verification and exchange of data to assist the Scientific Committee in performing its functions as outlined in Article 7 of the Agreement;

NOTING the relevance of Articles 10(e) and 14 of the *Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks* (UNFSA) which call on States to cooperate through regional fisheries management organisations to agree on the standards for the collection, reporting, verification and exchange of data on fisheries for the stocks, and the specifications and format for the data to be provided and to cooperate in their scientific research;

CONSIDERING the provisions set forth in the *Resolution on data collection concerning the high seas in the Southern Indian Ocean*, adopted by the Conference on the Southern Indian Ocean Fisheries Agreement in the Seychelles from 13-16 July 2004;

NOTING the importance of data collection and catch reporting for the purposes of ensuring scientific stock assessment and implementing an ecosystem approach to fisheries management; and

FURTHER NOTING that the Meeting of Parties has adopted policies and procedures for the maintenance of data confidentiality (CMM 2016/03);

ADOPTS the following conservation and management measure (CMM) in accordance with Article 6 of the Agreement:

Application

1. This CMM applies to all Contracting Parties, cooperating non-Contracting Parties (CNCPs) and Participating Fishing Entities (PFEs).
2. This CMM prescribes the standards for the collection, reporting, verification and exchange of data related to fishing activities by vessels fishing in the SIOFA Area of Application (the Agreement Area) that are flying the flag of a Contracting Party, CNCP or PFE. These data standards shall assist the Meeting of the Parties to fulfil its objectives under the Agreement insofar as it relates to assessing the state of the fisheries within SIOFA's competence,

¹ CMM 2017/02 (Data Standards) supersedes CMM 2016/02 (Data Standards).

including the status of target and non-target species and the impact of fishing on the marine environment.

Terminology

3. The following definitions apply to this CMM including its annexes:
 - a. 'other species of concern' means those species as may be defined by the Scientific Committee from time to time.
 - b. 'National Report' means the report defined in paragraph 8 of this CMM.

Vessel Catch and Effort Data

Collection of data

4. Contracting Parties, CNCs and PFEs shall ensure that data on fishing activities, including for target, non-target and associated and dependent species such as marine mammals, marine reptiles, seabirds or 'other species of concern', are collected from vessels flying their flag that are fishing in the Agreement Area in accordance with the relevant sections of Annex A.
5. The Scientific Committee shall, by no later than the ordinary meeting of the Scientific Committee in 2017, provide advice and recommendations to the Meeting of the Parties on an appropriate spatial resolution for the collection and reporting of data to facilitate effective stock assessment. Until the Meeting of the Parties, based on the advice of the Scientific Committee, determines an appropriate spatial resolution for the collection and reporting of data, Contracting Parties, CNCs and PFEs shall ensure that data are collected on a haul by haul basis.

Data collection and submission

6. Contracting Parties, CNCs and PFEs shall report to the Secretariat, by 31 May each year, the data collected under paragraphs 4 and 5 for the previous calendar year, in accordance with the format prescribed in the corresponding annexes.
7. Contracting Parties, CNCs and PFEs shall provide to the Secretariat, by 31 May each year, annual catch summaries for all species/groups caught in the Agreement Area during the previous calendar year. The catch summaries shall include the following information:
 - a. Calendar year (eg 2015)
 - b. FAO statistical area (eg FAO87)
 - c. Species/group name (common name and scientific name)
 - d. Species/group code (FAO3-alpha code 19, EG ORY) (if available)
 - e. Annual catch total – tonnes raised to 'live' weight.

National report

8. Following the entry into force of this CMM, Contracting Parties, CNCs and PFEs shall provide to the Scientific Committee, at least 30 days prior to the commencement of each

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ordinary meeting, an annual National Report of their fishing, research and management activities in accordance with the following:

- a. For the first report: the National Report shall include details of activities of the previous five calendar years;
- b. For all reports thereafter: the National Report shall include details of activities of the previous calendar year; and
- c. In either case, the National Report shall take into account the guidelines prepared by the Scientific Committee for the preparation of such reports.

Historical Data

9. To assist with the development of a bottom fishing footprint and stock assessments, Contracting Parties, CNCPs and PFEs shall provide to the Secretariat, by 31 January 2017,² historical catch, effort and, if available, observer data from vessels flying their flag that were fishing in the Agreement Area at any time during the period 2000 to 2015, and any previous years where available, in a format as close as is possible to the annexes to this CMM. The catch, effort and, if available, observer data provided to the Secretariat may initially be provided as unverified data, and updated with verified data any time before 31 January 2018. Any State or fishing entity that becomes a Party to the Agreement, a CNCP or PFE after the date this CMM is adopted shall provide their historical data to the Secretariat within 12 months of becoming Party to the Agreement, or becoming a CNCP or PFE.
10. Where possible, Contracting Parties, CNCPs and PFEs are encouraged to provide relevant, reliable historical data for species caught in waters under their national jurisdiction where such information would assist in understanding the status of the stocks and the impacts of fishing on all target species, non-target and associated and dependent species and the marine environment within the Agreement Area.

Scientific Observer Data

11. All Contracting Parties, CNCPs and PFEs shall implement national scientific observer programmes to collect from activities undertaken by vessels flying their flag:
 - a. Vessel information, effort and catch data for its fishing activities in the Agreement Area, including target, non-target and associated and dependent species including marine mammals, marine reptiles, seabirds or 'other species of concern';
 - b. Biological or other data and information relevant to the management of fishery resources in the Agreement Area, as specified in this CMM, or as identified from time to time by the Scientific Committee or through processes identified by the Meeting of the Parties; and
 - c. Relevant scientific information related to the implementation of the provisions of the CMMs adopted by the Meeting of the Parties.
12. Contracting Parties, CNCPs and PFEs shall, through their National Report, provide to the Scientific Committee an annual observer programme implementation report which should

² If the SIOFA database is not established by this time, Contracting Parties, CNCPs and PFEs shall provide a comprehensive data summary to the ordinary meeting of the Scientific Committee in 2017.

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include sections covering: observer training, programme design and coverage, type of data collected, and any problems encountered during the previous calendar year.

13. Contracting Parties, CNCPs and PFEs shall endeavour, for all observed trips, to collect observer data in accordance with the relevant sections of Annex B. All observer data collected by Contracting Parties, CNCPs and PFEs shall be reported to the Secretariat by 31 May each year for the previous calendar year. Annex B will be reviewed by the Scientific Committee at its ordinary meeting in 2018 based on observer data provided.

Data Verification

14. Contracting Parties, CNCPs and PFEs shall:
 - a. ensure that fishery data are verified through an appropriate system of data verification mechanisms;
 - b. develop, implement and improve data verification mechanisms, which may include:
 - i. Position verification through vessel monitoring systems;
 - ii. Independent monitoring, including scientific observer programs and approved electronic observer programs,³ to verify industry data on catch, effort, catch composition (target and non-target), discards and other details of fishing operations;
 - iii. Vessel trip, landing and transshipment reports; and
 - iv. Port sampling.
 - c. provide to the Scientific Committee, through their National Report, an annual data verification report which should provide information regarding their development and implementation of data verification mechanisms.

Format for data submission

15. Contracting Parties, CNCPs and PFEs shall report all data required to be reported by this measure to the Secretariat in accordance with the formats described in this CMM, including its annexes.
16. Specifications for the submission of data:
 - a. times, longitudinal/latitudinal information and units of measure are to be reported in accordance with the format described in Annex C;
 - b. Species are to be described using the FAO 3 letter Species Codes;⁴
 - c. Fishing methods are to be described using the International Standard Classification of Fishing Gear (ISSCFG - 29 July 1980) codes;⁵ and

³ Approved electronic observer programs refers to those programs that meet the SIOFA agreed standard and have been reviewed by the Scientific Committee and approved by the Meeting of the Parties as being capable of meeting the data requirements in this CMM.

⁴ www.fao.org/fi/statist/fisoft/asfis/asfis.asp

⁵ <http://www.fao.org/fishery/cwp/handbook/M>

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- d. Types of fishing vessels are to be described using the International Standard Classification of Fishery Vessels (ISSCFV) codes.⁶

Review

17. This CMM should be reviewed periodically by the Scientific Committee and the Meeting of the Parties, taking into account new information or data requirements as may be decided.

⁶ <http://www.fao.org/fishery/cwp/handbook/L>

**Standards for the Collection, Reporting, Verification and Exchange of Data
Annexes**

List of Annexes:

Annex A - Vessel Catch and Effort Data

Annex B – Voluntary Observer Data

Annex C - Specifications for the Exchange of Data

Vessel Catch and Effort Data

1. Contracting Parties, CNCPs and PFEs shall ensure that the following data on fishing activities are collected from all fishing vessels flying their flag in the Agreement Area:

Data Set – Fishing activities
<p>General (Trip) Vessel flag State (ISO 3-apha) Name of vessel International radio call sign (if any) Vessel Registration number (flag State) Lloyd's / IMO / IHS Fairplay Number (if allocated) Vessel size: Gross Tonnage (Gross register tonnage may be used if GT is not available, or both) Name of person filling in the data</p>
<p>Weight Conversion Factor Species Processing type Conversion factor = live weight/processed weight</p>
<p>Haul Information Intended Target species (FAO code) Type of fishing (C)ommercial; (R)esearch; (S)urvey data Haul ID number</p>
<p>Set Start date and Time (Based on Coordinated Universal Time (UTC)) Recorded at start and end of fishing For longline vessels - record at start and end of setting, in addition to start and end of haul Date format (YYYY.MON.DD) Time format (hh.mm) Decimal degrees (WGS84 are to be used to describe locations)</p>
<p>Position at start and end of fishing Latitude Longitude Use N and S rather than + and – Use E and W rather than + and – For longline vessels – position is recorded at the start and end of setting For Trawl fishing – for bottom trawl “start” is defined as when the groundrope is on the bottom, “end” is when the tow ends. – for midwater trawl “start” is defined as when the fishing gear is at target fishing depth, “end” is when the tow ends.</p>
<p>Bottom Depth (m) As recorded at the start and end of fishing</p>
<p>Fishing / gear depth (m) As recorded at the start and end of fishing For trapping/potting, Actual Fishing / gear depth (m) as recorded at start is required</p>
<p>Species retained Estimated catch retained on board by species (FAO species/group code/scientific name) in live weight (kg)</p>

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<p>Species Discarded An estimation of the amount of living marine resources discarded by species if possible in live weight (kg)</p>
<p>Incidental bycatch of marine mammals, seabirds, reptiles and 'other species of concern' Yes / No For each species caught</p> <ul style="list-style-type: none"> • Species name • Number alive • Number dead or injured

2. Contracting Parties, CNCPs and PFEs shall ensure that the following gear-specific data on fishing activities, as applicable, are collected from all fishing vessels flying their flag in the Agreement Area.

<p>Data Set - Gear</p>
<p>Trawl Mesh Size (mm) Trawl technique: Type of trawl: (S)ingle, (D)ouble or (T)riple</p>
<p>Longline Type of longline (Spanish, Trotline, Autoline) Type of bait Hook size (mm) Hook spacing (m) Hook code or make Length of line (m) Number of hooks set Number hooks per cluster (if Trotline) Number of hooks lost (attached to lost sections of line)</p>
<p>Trap/Pot Pot type Type of line: Dropline or longline Length of line (m) Pot spacing (m) Number of pots set Number of pots lost Type of bait</p>
<p>Dahn/Drop Line/ Handline Total number of hooks in the set Number of hooks lost Hook code or make Type of leader used Total number of line lifts in the set Type of bait used</p>

Voluntary Observer Data

1. Contracting Parties, CNCPs and PFEs shall endeavour, for all observed trips, to collect and provide to the Secretariat the data contained in this Annex in accordance with the format set out below.
2. Contracting Parties, CNCPs and PFEs shall, where appropriate, ensure that observers are briefed and provided with documented length-frequency and biological sampling protocols and the specific priorities for the trip for the sampling activities documented below.
3. Contracting Parties, CNCPs and PFEs shall endeavor to collect tissue, otolith and/or stomach samples in accordance with any research programs developed by the Scientific Committee.

Data Set – Observer data
Trip Details Trip Number Cruise details (start and end dates – YYYY.MON.DD) Date report is generated (UTC) Current vessel flag State (ISO 3-apha) Name of vessel
Observer Details Observer name and ID Nationality (ISO 3-apha) Employing organisation Contact name in organisation (Address/email/fax) Boarding location (UNLOCODE, if applicable or Latitude/Longitude) Boarding Date (UTC:YYYY.MON.DD) Disembarkation location (UNLOCODE, if applicable or Latitude/Longitude) Disembarkation date (UTC:YYYY.MON.DD) Time Zone (UTC +/-)
Length Frequency Data Representative and randomly sampled length-frequency data shall be collected for the target species (FAO species code) Where possible, representative and randomly sampled length-frequency data shall be collected for other main by-catch species. Length data shall be collected and recorded at the most precise level appropriate for the species (cm or mm and whether to the nearest unit or unit below) and the type of measurement used (total length, fork length, or standard length) shall also be recorded. Where possible, total weight of length-frequency samples should be recorded, or estimated and the method of estimation recorded Where possible, Observers should determine and record sex of measured fish to generate

length-frequency data stratified by sex
<p>Biological Sampling</p> <p>Species</p> <p>Length (mm or cm), with record of the type of length measurement used.</p> <p>Skates and rays:</p> <ul style="list-style-type: none"> • maximum disk width shall be measured <p>Sharks</p> <ul style="list-style-type: none"> • Appropriate length measurement to be used should be selected for each species. As a default, total length should be measured. <p>Weight (kg)</p> <p>Sex (male, female, immature, unsexed)</p> <p>Maturity stage (and criteria/schedule used)</p> <p>Gonad weight (g)</p> <p>Otoliths</p>
<p>Incidental bycatch of seabirds, mammals turtles or 'other species of concern'</p> <p>The following data shall be collected for all seabirds, mammals, turtles and other species of concern caught in fishing operations:</p> <ul style="list-style-type: none"> • Species (identified taxonomically as far as possible, or accompanied by photographs if identification is difficult) and size • Estimated species abundance around fishing vessel • Species interactions with fishing gear • Count of the number of each species caught per tow or set • Fate of bycatch animal(s) (retained or released/discarded) • If released, life status (vigorous, alive, lethargic, injured, dead) upon release • If injured, what was the cause of injury? • If dead, then collect information or samples for onshore identification in accordance with pre-determined sampling protocols. Where this is not possible, observers may be required to collect sub-samples of identifying parts, as specified in biological sampling protocols <ul style="list-style-type: none"> ◦ Record the type of interaction (hook/line entanglement/warp strike/net capture/other) if other, describe • Sex of each individual for taxa where this is feasible from external observation, e.g. pinnipeds, small cetaceans or Elasmobranchii species • identify any circumstances or actions that may have contributed to the bycatch event? (E.g. tori line tangle, high levels of bait loss)
<p>Tag Recoveries</p> <p>The following data shall be collected for all recovered fish, seabird, mammal or reptile tags if the organism is dead, to be retained, or alive:</p> <ul style="list-style-type: none"> • Name of observer • Name of vessel • International radio call sign (if any) • Vessel flag State (ISO 3-apha) • Collect, label (with all details below) and store the actual tags for later return to the tagging agency • Species from which tag recovered • Tag colour and type (spaghetti, archival)

- Tag numbers
- Date and time of capture (UTC)
- Location of capture (Lat/Lon, to the nearest 1 minute)
- Animal length / size (cm or mm) with description of what measurement was taken (such as total length, fork length, etc)
- Sex (F=female, M=male, I=indeterminate, D=not examined)
- Whether the tags were found during a period of fishing that was being observed (Y/N)

Hierarchies for Observer Data collection

Fishing Operation Information

All vessel and tow / set / effort information.

Reporting of Catches

Record time, weight of catch sampled versus total catch or effort (e.g. number of hooks), and total numbers of each species caught

Identification and counts of seabirds, mammals, reptiles (e.g. turtles), sensitive benthic species and vulnerable species

Record numbers or weights of each species retained or discarded

Record instances of depredation, where appropriate

Biological Sampling

Check for presence of tags

Length-frequency data for Target species (FAO species code)

Basic biological data (sex, maturity) for Target species (FAO species code)

Length-frequency data for main by-catch species

Otoliths (and stomach samples, if being collected) for Target species (FAO species code)

Basic biological data for by-catch species

Biological samples of by-catch species (if being collected)

Take photos

For trawl fishing activities ONLY

Gear details

Net ID

Net type (ISSFCV)

Headrope length (m)

Groundrope length (m)

Bobbin diameter (cm)

Otterboard to wing length (m)

Horizontal Opening (m)

Vertical Opening (m)

Codend mesh

Mesh size (cm), codend circumference (cm), Orientation

Mesh type (diamond, square, etc)

Otterboard

Type, weight (kg)

Net design

Net design description including make, model etc

Trawl details

Trawl Number

Gear

Trawl type: Research or Commercial (R/C)

Observed (Yes/No)

Target Species (FAO species code)

Date Start (YYYY.MON.DD)

Date Finish (YYYY.MON.DD)

Time net deployed (hh:mm)

Time net retrieved (hh:mm)

Start and End Fishing

For Trawl fishing – for bottom trawl “start” is defined as when the groundrope is on the bottom, “end” is when the tow ends.

– for midwater trawl “start” is defined as when the fishing gear is at target fishing depth, “end” is when the tow ends.

Time (hh:mm)

Latitude

Longitude

Trawl Depth (m)

Bottom Depth (m)

Other

Offal discharged during shooting (Y/N)

Offal discharged during hauling (Y/N)

Trawl speed (knots)

Horizontal opening (m)

Total catch (kg)

Observed catch composition

Observer ID

Was Haul observed for fish/invertebrate by-catch (Y/N):

Record the total weight of all sub-samples for this shot (kg):

Species

FAO species code

Scientific name

Total retained catch weight (kg)

Total discarded catch weight (kg)

Bycatch mitigation measures employed:

Were bird scaring (tori) lines in use? (Yes/No)

Were bird bafflers in use? (Yes/No)

Trawl warp strike (to be monitored for 15 minutes immediately after the net has been deployed).

Trawl number

Name of observer

<p>Start observation time (hh:mm) End observation time (hh:mm)</p> <p>Number of heavy warp strikes (record for Albatross, Giant Petrels, White chinned petrels, Other petrels)</p> <p>Air Water Sinker</p> <p>Seabird abundance observation Seabirds present in observation area (y/n) Estimated numbers of abundance (by species)</p>
<p>For Longline fishing activities ONLY</p> <p>Longline Description Longline Type (FFSSCV) Period in which the gear was used (YYYY.MON.DD) Start and end date (YYYY.MON.DD) Target Species (FAO species code)</p> <p>Main Line Material Diameter (mm) Integrated Wt (g/m)</p> <p>Branch Lines Material Length (M) Spacing (m)</p> <p>Hooks Type Make Total length (mm) Shank (mm) Gape (mm) Throat (mm) Front length (mm) Usual setting position Line off bottom (m) Hooks off bottom (m) Method of baiting (manual/automatic) Automatic baiting equipment (make and model)</p> <p>Hook sinkers Size (g) Position from hook (mm) Offal dumping position (port, starboard, stern) longline setting position (port, starboard, stern)</p>

Offal dumping during hauling (never, occasionally, always)
 Propeller rotation direction (clockwise/anti-clockwise)
 Detail the weight and distance between the line weights for the longline system used
 Single (Auto) Line (kg:m)
 Double (Spanish) Line (kg:m)
 Trotline (vertical droppers/trots attached to a mainline) (kg:m)

General Streamer Line Description

Vessel equipped with a streamer line (y/n)
 Number of streamer lines regularly set
 Streamer line position (port, starboard, stern)
 Streamer line length (m)
 Streamer length min/max (m)
 Attached height above water (m)
 Distance between streamers (m)
 Number of streamers
 Streamer design (single or paired)
 Aerial extent of line (m)
 Method used to assess aerial extent
 Streamer material
 Streamer line diameter (mm)
 Streamer colours
 Streamer line over bait entry position? (y/n/u)
 Distance from stern to bait entry point (m)
 Towed object (Y/N)
 Horizontal distance from bait entry point to streamer line (m)

Daily setting observations

Set Number (as referenced in catch and effort log)
 Set Type: Research or Commercial (R/C)
 Longline Type Code (FSSCV)
 Trotline cetacean exclusion device used (Y/N)
 Date of observation (YYYY/MON/DDy)

Setting information

Vessel setting speed (knots)
 Number sets unobserved since last set

Start and End setting for each haul

Date (YYYY/MON/DD)
 Time (hh:mm)
 Latitude
 Longitude
 Bottom Depth (m)
 Total length of longline set (km)
 Total number of hooks for the set

For each Observation

Start date (YYYY.MON.DD)
 Start time (hh:mm)
 End date (YYYY.MON.DD)

End time (hh:mm)

Details of Longline Setting

Main line length (m)
 Number of hooks set
 Number of Baskets/Magazines Set
 Number of hooks per Basket/Magazine
 Percentage hooks baited
 Distance between branches (m)
 Distance of hooks off bottom (m)
 Bait species (FAO species code)
 Deck lights during setting (On, Off)
 Streamer lines used (Yes, No)
 Number of streamer lines used
 Offal dumping during setting (Yes, No)
 Bait entry position (Port, Starboard, Stern)

Daily hauling observations

Set number
 Date of observation (YYYY.MON.DD)

Hauling Information

Number of hooks observed for seabird and fish by-catch (tally period)
 Offal dumped during hauling (Yes / No)

Gear lost

Number of sections lost
 Number of hooks lost that were attached to lost sections of the longline
 Number of other hooks lost (excluding hooks attached to lost sections)

Observed catch composition

Was Haul observed for fish/invertebrate by-catch (Y/N):
 Estimate percentage of the haul observed for by-catch (%)

Species

Species code (FAO species code)
 Total retained catch weight (kg)
 Total discarded catch weight (kg)

Species Retained

Observed number retained
 Observed number retained with tags

Species Discarded

Observed number discarded
 Observed number discarded dead
 Observed number discarded alive

Species Lost

Observed number lost/dropped off at surface

For Trapping/Potting Fishing Activities ONLY**Gear type**

pot type (with drawing)
 mesh size (mm)

Funnel position

orientation
 aperture (cm)
 number of chambers
 Escape port present (y/n)
 dimensions (cm) of escape port

Processing Details and Conversion Factors (CF)

Haul Number
 Name of observer
 Species Code (FAO species code)
 Processing Code
 Length Range
 Min
 Max
 Number of individuals
 Live Weight (kg)
 Processed Weight (kg)
 Grade
 Conversion Factor

Set and haul details

Set Number
 Date of observation YYYY.MON.DD)
 Set Type: Research or Commercial (R/C)
 Target species (FAO species code)
 Offal dumped during setting (Yes / No)
 Offal dumped during hauling (Yes / No)

Start and End setting. Repeat for hauling

Date (YYYY.MON.DD)
 Time (:mm)
 Latitude
 Longitude
 bottom depth (m)

Gear Details

Length of line (m)
 Type of line
 Pot spacing (m)
 Bait type

Setting

number of pots set
 number of pots observed

<p>Hauling number of pots hauled number of pots observed</p> <p>Observed interactions with birds or marine mammals Species Code (FAO species code)</p> <p>Setting Abundance (500m radius) Gear interaction (y/n)</p> <p>Hauling Abundance (500m radius) Gear interaction (y/n)</p> <p>Observed catch composition Name of observer Was Haul observed for fish/invertebrate by-catch (Y/N): Estimate percentage of the haul observed for by-catch (%):</p> <p>Number of pots observed for by-catch: Species Code (FAO species code) total retained catch weight (kg) total discarded catch weight (kg)</p> <p>Species Retained observed number retained observed number retained with tags</p> <p>Species Discarded observed number discarded observed number discarded dead observed number discarded alive</p> <p>Species Lost observed number lost/dropped off at surface</p>
<p>For Dahn/Drop lining/Handline fishing activity ONLY</p> <p>Dahn/Dropline Description Line Type Period in which the gear was used (YYYY.MON.DD) Start and end date Target species (FAO species code)</p> <p>Main Line Material Diameter (mm) Integrated Wt (g/m)</p> <p>Hooks Type</p>

Make
 Total length (mm)
 Shank (mm)
 Gape (mm)
 Throat (mm)
 Front length (mm)
 Usual setting position
 Line off bottom (m)
 Hooks off bottom (m)
 Method of baiting (manual/automatic)
 Automatic baiting equipment (make and model)

Offal

Offal dumping position (port, starboard, stern)
 offal dumping during hauling (never, occasionally, always)
 Propeller rotation direction (clockwise/anti-clockwise)

General Streamer Line Description

Vessel equipped with a streamer line (y/n)
 Number of streamer lines regularly set
 Streamer line position (port, starboard, stern)
 Streamer line length (m)
 Streamer length min/max (m)
 Attached height above water (m)
 Distance between streamers (m)
 Number of streamers
 Streamer design (single or paired)
 Ariel extent of line (m)
 Method used to assess aerial extent
 Streamer material
 Streamer line diameter (mm)
 Streamer colours
 Streamer line over bait entry position? (y/n/u)
 Distance from stern to bait entry point (m)
 Horizontal distance from bait entry point to streamer line (m)

Details of Dahn/Dropline/Handline Setting

Main line length (m)
 Number of hooks set
 Percentage hooks baited
 Distance between branches/snoods (m)
 Distance of hooks off bottom (m)
 Bait species
 Bait size
 Bait proportion
 Deck lights during setting (On, Off)
 Streamer lines used (Yes, No)
 Number of streamer lines used
 Offal dumping during setting (Yes, No)
 Daylight period
 Moonlight

<p>Bait entry position (Port, Starboard, Stern) Vessel setting speed (knots)</p> <p>Start and End setting. Repeat for Start and End of hauling Date (YYYY.MON.DD) Time (hh:mm) Latitude Longitude Bottom Depth (m)</p> <p>Gear lost Number of sections lost Number of hooks lost that were attached to lost sections of the dahn/dropline Number of other hooks lost (excluding hooks attached to lost sections)</p> <p>Observed catch composition Observer ID Was Haul observed for fish/invertebrate by-catch (Y/N): Estimate percentage of the haul observed for by-catch (%) Species (data shall be collected for each observed species) Species code (FAO species code) total retained catch weight (kg) total discarded catch weight (kg)</p> <p>Species Retained observed number retained observed number retained with tags</p> <p>Species Discarded observed number discarded observed number discarded dead observed number discarded alive</p> <p>Species Lost observed number lost/dropped off at surface</p>
<p>Interactions with Vulnerable Marine Ecosystems (VME)</p> <p>General information Name of observer Name of vessel Date Trip number Set number</p> <p>VME location Start and end positions of all gear deployments and/or observations. (Latitude/longitude) Depth(s) fished (m)</p> <p>Fishing Gear Indicate fishing gears used at each location</p>

VME Taxa

- a) Species (identified taxonomically as far as possible, or accompanied by a photograph where identification is difficult).
- b) An estimate of the quantity (weight (kg) or volume (m³)) of each listed benthic species caught in the tow.
- c) An overall estimate of the total quantity (weight (kg) or volume (m³)) of all invertebrate benthic species caught in the tow.
- d) Where possible, and particularly for new or scarce benthic species which do not appear in ID guides, whole samples should be collected and suitably preserved for identification on shore.
- 5) Collect representative biological samples from the entire VME catch. (Biological samples shall be collected and frozen when requested by the scientific authority in a Contracting Party). For some coral species that are under the CITES list photographs should be taken.

Specifications for the Exchange of Data

1. Coordinated Universal Time (UTC) shall be used to describe times, using the following submission format: YYYY-MON-DDThh:mm:ss where:
 - a. YYYY - represents a 4-digit year e.g. "2007"
 - b. MON - represents a 3-character month abbreviation e.g. "APR"
 - c. DD - represents a 2-digit day e.g. "05"
 - d. T - is a space separator
 - e. hh - represents hours based on the 24hr clock (length = 2 digits) e.g. "16"
 - f. mm - represents minutes (length = 2 digits) e.g. "05"
 - g. ss - represent seconds (length = 2 digits) e.g. "00"

Example

2003-JUL-17T13:10:00 = 1.10pm (1310h), 17 July 2003

2. Decimal degrees (WGS84) are to be used to describe locations.
3. The following standard shall be used for the submission of latitudinal/ longitudinal information:
 - a. Northern latitudes and eastern longitudes should be indicated by the use of [unsigned] positive decimal degree values
 - b. Southern latitudes and western longitudes should be indicated by the use of negative decimal degree values

Latitude - Degrees: Represented as positive (unsigned) or negative numbers from 0 to 89.99	E.g. If value = 83.2, this means 83.2° N E.g. if value = -83.2, this means 83.2° S
Longitude – Degrees: Represented as positive (unsigned) or negative numbers from 0 to 179.99	E.g. If value = 83.2, this means 83.2° E E.g. if value = -83.2, this means 83.2° W

4. Metric units of measure be used, specifically:
 - a. Tonnes or kilograms are to be used to describe catch weight
 - b. Metres are to be used to describe height, width, depth, beam or length
 - c. Cubic metres are to be used to describe volume
 - d. Kilowatts are to be used to describe engine power

CMM 20167/03¹

Conservation and Management Measure for Data Confidentiality and Procedures for access and use of data

Contracting Parties to the Southern Indian Ocean Fisheries Agreement;

RECOGNISING that Article 4(a) of the *Southern Indian Ocean Fisheries Agreement* (SIOFA or the Agreement) calls on the Contracting Parties, in giving effect to the duty to cooperate, to adopt measures on the basis of the best scientific evidence available to ensure the long-term conservation of fishery resources, taking into account the sustainable use of such resources and implementing an ecosystem approach to their management;

FURTHER RECOGNISING Article 11(3)(d) of the Agreement which provides that Contracting Parties shall collect and share in a timely manner, complete and accurate data concerning fishing activities by vessels flying its flag operating in the area, in particular on vessel position, retained catch, discarded catch and fishing effort, where appropriate maintaining confidentiality of data as it relates to the application of relevant national legislation; and

RECALLING Article 14 of the Agreement which calls on Contracting Parties to promote transparency in decision making processes and other activities carried out under the Agreement;

ADOPTS the following Conservation and Management Measure (CMM) in accordance with Article 6 of the Agreement:

1. This CMM establishes the policy and procedures on confidentiality of data that will apply to data collected from Contracting Parties, cooperating non-Contracting Parties (CNCs) and Participating Fishing Entities (PFEs) in accordance with the Agreement and relevant SIOFA CMMs.

Data Submitted to the Secretariat

2. The policy for releasing catch-and-effort, length-frequency and observer data will be as follows:

Public domain data

a) The following data shall be considered to be “public domain data”:

- i) Data for vessels including current flag, name, registration number, international radio call sign, IHS-Fairplay (IMO) number, previous names, port of registry, previous flag, type of vessel, types of fishing methods, length, length type, gross tonnage (and/or gross registered tonnage), power of main engine(s), hold capacity, vessel authorisation start and end dates; and
- ii) Observer data grouped by 5° longitude by 5° latitude, stratified by month and by flag State, provided that:
 - A. the catch of no individual vessel can be identified within a time/area stratum; and

¹ [CMM 2017/03 \(Data Confidentiality\) supersedes CMM 2016/03 \(Data Confidentiality\)](#)

- B. the flag State that submitted the data provides its written authorisation that such data be considered to be “public domain data”.

b) The following data shall be considered to be “public domain catch and effort data”: Catch-and-effort and length-frequency data grouped by 5° longitude by 5° latitude by month stratified by fishing method associated with catch and flag State, provided that the catch of no individual vessel can be identified within a time/area stratum. In cases when an individual vessel can be identified, the data will be aggregated to preclude such identification, and will then be “public domain catch and effort data”.

c) The Secretariat shall keep “public domain catch and effort data” confidential until the Meeting of the Parties has acted on the advice of the Scientific Committee in relation to a SIOFA Bottom Fishing Impact Assessment and SIOFA bottom fishing footprint as provided for under the Conservation and Management Measure for the Interim Management of Bottom Fishing in the SIOFA Agreement Area (CMM2016/01). This will not prevent observer data or finer scale catch and effort data being made available by the Secretariat to the Scientific Committee on a confidential basis where required.

d) The Secretariat shall compile and disseminate “public domain data”, and “public domain catch and effort data” provided the conditions in paragraph 2(c) are satisfied, through appropriate mechanisms, including the SIOFA website, once developed.

Finer level stratification

e) Finer-scale data including catch and effort, length-frequency and observer data will be made available to the Scientific Committee and any of its working groups, on a confidential basis, to undertake its work.

f) Catch and effort and length-frequency data grouped at a finer level of time-area stratification will only be released with written authorisation from the flag State that submitted the data. Each such data release will also require the specific permission of the Secretariat.

g) Individuals requesting the data are required to provide a description of the research project, including the objectives, methodology and intentions for publication. Prior to publication, the manuscript should be cleared by the Secretariat. The data are released only for use in the specified research project and the data must be destroyed upon completion of the project. However, with written authorisation from the flag State that submitted the data, catch-and-effort and length-frequency data may be released for long-term usage for research purposes, and in such cases the data need not be destroyed.

h) The identity of individual vessels will be hidden in finer-level data unless the individual requesting this information can justify its necessity and the flag State that submitted the data provides its written authorisation.

i) Individuals requesting data shall provide a report of the results of the research project to the SIOFA Secretariat for subsequent forwarding to the sources of the data.

Procedures for the safeguard of records

3. Procedures for safeguarding records and databases will be as follows:

a) Access to logbook-level information or detailed observer data will be restricted to SIOFA staff members who require these records for their official duties. Each staff member having access to these records will be required to sign an attestation recognising the restrictions on the use and disclosure of the information.

b) Logbook and observer records will be kept locked, under the specific responsibility of the Data Manager. These sheets will only be released to authorised SIOFA staff members for the purpose of data input, editing or verification. Copies of these records will be authorised only for legitimate purposes and will be subjected to the same restrictions on access and storage as the originals.

c) Databases will be encrypted to preclude access by unauthorised persons. Full access to the database will be restricted to the Data Manager and to senior SIOFA staff members requiring access to these data for official purposes, under the authority of the SIOFA Executive Secretary. Staff entrusted with data input, editing and verification will be provided with access to those functions and data sets required for their work.

Data submitted to the Scientific Committee

4. Data submitted to the Scientific Committee and any of its working groups will be retained by the Secretariat or made available for other analyses only with the permission of the flag State that submitted the data.

5. The above rules of confidentiality will apply to all members of the Scientific Committee and any of its working groups.

CMM 2016/04¹**Conservation and Management Measure on Vessels without Nationality****Contracting Parties to the Southern Indian Ocean Fisheries Agreement (The Agreement);**

RECOGNISING that vessels without nationality operate without governance and oversight;

CONCERNED that fishing in the SIOFA Area of Application (the Agreement Area) by vessels without nationality undermines the objective of the Agreement and the work of the Meeting of the Parties;

NOTING Articles 92 and 94 of the United Nations Convention on the Law of the Sea (UNCLOS) relating to the status of ships and the duties of flag States; and

RECALLING that the FAO Council has adopted an International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated fishing (IUU fishing) and has recommended that States adopt measures consistent with international law in relation to fishing vessels without nationality involved in IUU fishing on the high seas;

ADOPTS the following Conservation and Management Measure (CMM) in accordance with Article 6 of the Agreement:

1. A vessel without nationality is a vessel that, under international law, is not entitled to fly the flag of any State or, as referred to in Article 92 of UNCLOS, sails under the flag of two or more States, using them according to convenience.
2. Vessels determined under international law to be vessels without nationality that are fishing in the Agreement Area undermine the Agreement and the efforts of the Contracting Parties, cooperating non-Contracting Parties (CNCs) and Participating Fishing Entities (PFEs) to ensure the long-term sustainability of the fishery resources, and are engaged in IUU fishing.
3. Contracting Parties, CNCs and PFEs are encouraged to take effective action in accordance with international law, including, where appropriate, enforcement action, against vessels without nationality that are engaging, or have engaged, in fishing or fishing related activities in the Agreement Area, and to prohibit the landing and transshipment of fish and fish products, and access to port services, by such vessels, except where such access is essential to the safety or health of the crew or the safety of the vessel/s.
4. Contracting Parties, CNCs and PFEs are encouraged to adopt necessary measures, including, where relevant, domestic legislation, to allow them to take the effective action referred to in paragraph 3 to prevent and deter vessels without nationality from engaging in fishing or fishing related activities in the Agreement Area.
5. Contracting Parties, CNCs and PFEs are encouraged to share information about vessels suspected to be without nationality to assist in clarifying the status of such vessels, and about the activities of vessels without nationality to inform decisions about action to prevent and deter such vessels from engaging in fishing or fishing related activities in the Agreement Area. Any sightings of fishing vessels that are suspected of, or confirmed as being, without nationality that may be fishing in the high seas of the Agreement Area shall be reported to the Secretariat as soon as possible by the appropriate authorities of

¹ CMM 2017/04 (Vessels Without Nationality) supersedes CMM 2016/04 (Vessels Without Nationality).

ANNEX R

the Contracting Party, CNCP or PFE whose vessel or aircraft made the sighting. The Secretariat will circulate such information to all Contracting Parties, CNCPs and PFEs as soon as practicable, and will provide a report to the next ordinary meeting of the Compliance Committee of all such information provided.

6. Contracting Parties, CNCPs and PFEs are encouraged to cooperate with all flag States to strengthen their legal, operational and institutional capacity to take action against their flagged vessels that have engaged in IUU fishing or fishing related activities in the Agreement Area, including the imposition of adequate sanctions, as an alternative to de-flagging such vessels, thereby rendering such vessels without nationality.

CMM 20167/05¹**Conservation and Management Measure regarding the use of large-scale pelagic driftnets and deepwater gillnets in the Southern Indian Ocean Fisheries Agreement Area****Contracting Parties to the Southern Indian Ocean Fisheries Agreement;**

CONCERNED by the impact of large-scale pelagic driftnets and deepwater gillnets on fishery resources, bycatch species and deep sea habitats and ecosystems, including the impact of lost and abandoned nets;

NOTING the relevance of United Nations General Assembly (UNGA) Resolution 46/215 on *Large-scale pelagic drift-net fishing and its impact on the living marine resources of the world's oceans and seas*, which calls for the implementation of UNGA resolutions 44/225 and 45/197 and for a global moratorium on all large-scale pelagic driftnet fishing on the high seas of the world's oceans;

FURTHER NOTING Resolution 61/105, adopted by the UNGA at the 61st Plenary Meeting on 8 December 2006 and subsequent UNGA resolutions that call on States and regional fisheries management organisations to regulate bottom fisheries and implement measures in accordance with the precautionary approach and ecosystem approaches to fisheries management;

RECALLING that Article 6(1)(c) and (d) of the Southern Indian Ocean Fisheries Agreement (the Agreement) call on Contracting Parties, in giving effect to the objectives of the Agreement, to evaluate the impact of fishing on the fishery resources and on the marine environment, taking into account the environmental and oceanographic characteristics of the SIOFA Area of Application (the Agreement Area) and to adopt conservation and management measures (CMMs) necessary for ensuring the long-term conservation and sustainable use of the fishery resources in the Agreement Area; and

RECOGNISING Article 4(e) of the Agreement which requires Contracting Parties to apply the principle that fishing practices and management measures shall take due account of the need to minimise the harmful impact that fishing activities may have on the marine environment;

ADOPTS the following CMM in accordance with Article 6 of the Agreement:

1. The use of all large-scale pelagic driftnets² in the Agreement Area is prohibited for any vessel flying the flag of a Contracting Party, cooperating non-Contracting Party (CNCP) or participating fishing entity (PFE).
2. Contracting Parties, CNCPs and PFEs recommend that deepwater gillnets³ not be used in the Agreement Area by any vessel flying the flag of a Contracting Party, CNCP or PFE until such time as the Meeting of the Parties has received a recommendation from the Scientific Committee.

¹ [CMM 2017/05 \(Pelagic Driftnets and Deepwater Gillnets\) supersedes CMM 2016/05 \(Pelagic Driftnets and Deepwater Gillnets\)](#)

² 'Large-scale pelagic driftnets' (drift gillnets) are defined as a gillnet or other net or a combination of nets which is more than 2.5 kilometres in length the purpose of which is to enmesh, entrap or entangle fish by drifting on the surface or in the water.

³ 'Deepwater gillnets' (trammel net, set nets, anchored nets, sink nets) are defined as strings of single, double or triple netting walls, held vertically, usually on or near the seafloor, in which fish will gill, entangle or enmesh. Several types of nets may be combined in one gear. These nets can be used either alone or, as is more usual, in large numbers placed in line ('fleets' of nets). The gear can be set, anchored to the bottom or left drifting, free or connected with the vessel.

3. Nothing in this measure shall prevent Contracting Parties, CNCPs or PFEs from applying more stringent measures to large-scale pelagic driftnets not covered by this CMM, or to deepwater gillnets.

4. Until a Compliance Monitoring Scheme is adopted by the Meeting of the Parties, each Contracting Party, CNCP and PFE shall provide a report on its implementation of this CMM to the ordinary Compliance Committee meeting in 2017. In the event that the Compliance Committee does not meet in 2017, implementation reports shall be provided to the 2017 ordinary Meeting of the Parties. In the case of a State or fishing entity that becomes a Contracting Party, CNCP or PFE after this CMM enters into force, implementation reports shall be provided to the first Compliance Committee meeting after the Agreement enters into force for that State or their CNCP status or PFE status becomes effective.

SIOFA Technical Editing Process

- a) Within 20 days of the end of each Meeting of the Parties, the Secretariat will circulate any proposed corrections to new or amended Conservation and Management Measures (CMMs) to all Official Contacts with tracked changes highlighting proposed corrections from the version as adopted at the Meeting of the Parties.
- b) Contracting Parties will be afforded 10 days following circulation of these proposed corrections in paragraph (a) to indicate whether they have an objection to any change to the Secretariat. If anyone Contracting Party objects to any proposed correction, the original text as agreed in the annual meeting will remain.
- c) The Secretariat will circulate the revised CMMs to all Official Contacts, along with a summary of any objections made in accordance with paragraph (b), no later than 40 days following the end of each Meeting of the Parties.

The Meeting of the Parties agreed that corrections should be limited to correcting formatting, typographical and reference errors. This could include updating the name or reference number of CMMs in the text.

The Meeting of the Parties also agreed that the Secretariat can only propose editorial corrections regarding the following items:

- a) The reference number for CMMs should be updated to reflect the year in which the CMM was last revised.
- b) Each CMM should clearly state whether it supersedes any other CMMs in a footnote on the title of the CMM (including where this occurs in relation to reference changes only).
- c) Each CMM should be given a standard short title. This short title should be included in brackets following any reference to a CMM in another CMM.
- d) Cross-references to CMMs should be updated (as necessary) following each Meeting of the Parties.
- e) Immediately before the preambular text, all CMMs should refer to the *“Meeting of the Parties to the Southern Indian Ocean Fisheries Agreement”* rather than *“Contracting Parties to the Southern Indian Ocean Fisheries Agreement.”*
- f) Treaty titles referred to in CMMs, including in the preamble, should be italicised.
- g) References to any Article in the Agreement should use a capital “A.”
- h) The opening words of preambular text should commence with capitalised and italicized letters. The final preambular paragraph (beginning with “adopts”) should also be in bold font.
- i) For consistency with Article 3 of the Agreement, the first reference to the Agreement Area should be referred to as follows: SIOFA Area of Application (the Agreement Area).
- j) All references to ‘Contracting Party’ or “Contracting Parties” should be spelled out in full. References to cooperating non-Contracting Party/Parties, participating fishing entity/entities and cooperating non-participating fishing entity /entities may be abbreviated, or spelled out in full consistent with this sub-paragraph.

- k) State should always be capitalised (but 'flag' or 'port' is not).
- l) Foreign or latine words (eg *mutatis mutandis* or *inter alia*) should always be italicised.
- m) Paragraphs numbered as *bis*, *ter* etc should be renumbered into ordinary numbering style, with all paragraph references updated accordingly.

CMM 2017/08

Conservation and Management Measure establishing a Port Inspection Scheme**Meeting of the Parties to the Southern Indian Ocean Fisheries Agreement:**

DEEPLY CONCERNED about illegal, unreported and unregulated (IUU) fishing in the SIOFA Area of Application (the Agreement Area) and its detrimental effect upon fish stocks, marine ecosystems and the livelihoods of legitimate fishers in particular in developing States;

CONSCIOUS of the role of the port State in the adoption of effective measures to promote the sustainable use and the long-term conservation of living marine resources;

RECOGNISING that measures to combat IUU fishing should build on the primary responsibility of flag States and use all available jurisdiction in accordance with international law, including port State measures, coastal State measures, market related measures and measures to ensure that nationals do not support or engage in IUU fishing;

RECOGNISING that port State measures provide a powerful and cost-effective means of preventing, deterring and eliminating IUU fishing;

AWARE of the need for increasing coordination at the regional and interregional levels to combat IUU fishing through port State measures;

BEARING IN MIND that, in the exercise of their sovereignty over ports located in their territory, Contracting Parties, cooperating non-Contracting Parties and participating fishing entities may adopt more stringent measures, in accordance with international law;

RECALLING the relevant provisions of the *United Nations Convention on the Law of the Sea of 10 December 1982*;

RECALLING the *Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks of 4 December 1995*, the *Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas of 24 November 1993*, the *Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated fishing of 22 November 2009* (Port State Measures Agreement), and the 1995 FAO Code of Conduct for Responsible Fisheries;

RECALLING Article 6(1)(i) of the Agreement which calls on the Meeting of the Parties to develop and monitor measures to prevent, deter and eliminate IUU fishing;

BEARING IN MIND Article 12 of the Port States Measures Agreement and the need to take into account the specifics of the fleets operating in the Agreement Area, the number of catches, the frequency and mode of port landings, and the status of the stocks, amongst others, in order to determine the level of port inspections sufficient to achieve the objective of preventing, deterring and eliminating IUU fishing

Adopts the following Conservation and Management Measure (CMM) in accordance with Article 6 of the Agreement:

Scope

1. Each Contracting Party, cooperating non-Contracting Party (CNCP) and participating fishing entity (PFE) shall, in fulfilling its duties under Article 12 of the Agreement, maintain an effective system of port State control for all vessels that have been engaged in fishing in the Agreement Area, except container vessels that are not carrying fishery resources or, if carrying fishery resources, only fishery resources that have been previously landed, provided that there are no clear grounds for suspecting that such a vessel has engaged in fishing related activities in support of IUU fishing.

Designation of ports

2. Each Contracting Party, CNCP and PFE shall designate, publicise and notify the Secretariat about the ports to which foreign vessels may request entry. The notification to the Secretariat shall include accompanying information, such as associated conditions of entry and the period of notice required. Each Contracting Party, CNCP and PFE shall provide this information to the Secretariat within 30 days from the date of entry into force of this CMM. Any subsequent changes to this information shall be notified to the Secretariat at least 30 days before the change takes effect.
3. Each Contracting Party, CNCP and PFE shall, to the greatest extent possible, ensure that every port designated and publicised in accordance with paragraph 2 has sufficient capacity to conduct inspections consistent with the requirements in the Agreement and this CMM.

4. The Secretariat shall establish and maintain a register of all ports designated and accompanying information pursuant to paragraph 2. The register and accompanying information shall be published, and updated as required, on the SIOFA website.

Advance request for port entry of foreign vessels

5. Each Contracting Party, CNCP and PFE shall, before granting entry to a foreign vessel to its port, as a minimum standard, require the information set out in Annex I to be provided at least 48 hours before the estimated time of arrival. A Contracting Party, CNCP or PFE may prescribe for another notification period, taking into account, *inter alia*, the distance between the fishing grounds and its ports. In such a case the Contracting Party, CNCP or PFE concerned shall without delay inform the Secretariat, who shall put this information on the SIOFA website. Any other subsequent changes to the requirements shall be notified to the Secretariat at least 30 days before the changes becomes effective.

Port entry, authorisation or denial of foreign vessels

6. After receiving the information required pursuant to paragraph 5, as well as such other information as it may require to determine whether the vessel requesting entry into its port has engaged in IUU fishing, each Contracting Party, CNCP or PFE shall decide whether to authorise or deny the entry of the vessel into its port and shall communicate this decision to the master of the vessel or to the vessel's representative.
7. In the case of authorisation of entry, the Contracting Party, CNCP or PFE shall require the master of the vessel or the vessel's representative to present the authorisation for entry to the competent authorities of the CP, CNCP or PFE upon the vessel's arrival at port.
8. In the case of denial of entry, the Contracting Party, CNCP or PFE shall communicate its decision taken pursuant to paragraph 6 to the flag State of the vessel and to the Secretariat, who shall put this information on the SIOFA website.
9. Without prejudice to paragraph 6, when a Contracting Party, CNCP or PFE has sufficient proof that a vessel seeking entry into its port has engaged in IUU fishing, in particular the inclusion of a vessel on a list of vessels having engaged in such fishing adopted by SIOFA, other Contracting Parties, CNCPs or PFEs, another regional fisheries management

organization or the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), the Contracting Party, CNCP or PFE shall deny that vessel entry into its ports.

10. Notwithstanding paragraphs 8 and 9, a Contracting Party, CNCP or PFE may allow the entry into its ports of a vessel referred to in those paragraphs exclusively for the purpose of inspecting it and taking other appropriate actions in conformity with international law which are at least as effective as denial of port entry in preventing, deterring and eliminating IUU fishing.
11. Where a vessel referred to in paragraphs 9 or 10 is in port for any reason, Contracting Parties, CNCPs and PFEs shall deny such vessels the use of its ports for landing, transshipping, packaging, and processing of fishery resources and for other port services including, *inter alia*, refuelling and resupplying, maintenance and dry-docking. Paragraphs 13 and 14 shall apply *mutatis mutandis* in such cases. Denial of such use of ports shall be in conformity with international law.

Use of ports by foreign vessels

12. Where a vessel has entered one of its ports, a Contracting Party, CNCP or PFE shall deny, pursuant to its laws and regulations and consistent with international law including the Agreement that vessel the use of the port for landing, transshipping, packaging and processing of fishery resources that have not been previously landed and for other port services, including, *inter alia*, refuelling and resupplying, maintenance and dry-docking, if:
 - (a) the Contracting Party, CNCP or PFE finds that the vessel does not have a valid and applicable authorisation to engage in fishing or fishing related activities required by its flag State;
 - (b) the State whose flag the vessel is flying does not confirm within a reasonable period of time, on the request of the port State, that the fishery resources on board were taken in accordance with the Agreement and SIOFA CMMs; or
 - (c) the Contracting Party, CNCP or PFE has reasonable grounds to believe that the vessel was otherwise engaged in IUU fishing, including in support of a vessel referred to in paragraph 9, unless the owner/operator of the vessel can prove:
 - i. that it was acting in a manner consistent with relevant conservation and management measures; or

- ii. in the case of provision of personnel, fuel, gear and other supplies at sea, that the vessel that was provisioned was not, at the time of provisioning, a vessel referred to in paragraph 9.
13. Notwithstanding paragraph 12, a Contracting Party, CNCP or PFE shall not deny a vessel referred to in that paragraph the use of port services:
 - (a) essential to the safety or health of the crew or the safety of the vessel, provided these needs are duly proven; or
 - (b) where appropriate, for the scrapping of the vessel.
14. Where a Contracting Party, CNCP or PFE has denied the use of its port in accordance with paragraph 12, it shall promptly notify the State whose flag the vessel is flying and the Secretariat, who shall put this information on the SIOFA website.
15. A Contracting Party, CNCP or PFE shall withdraw its denial of the use of its ports pursuant to paragraph 11 only if there is sufficient proof that the grounds on which use was denied were inadequate or erroneous or that such grounds no longer apply.
16. Where a Contracting Party, CNCP or PFE has withdrawn its denial pursuant to paragraph 15 it shall notify those to whom a notification was issued pursuant to paragraph 14.

Inspections

17. Each Contracting Party, CNCP and PFE shall ensure that inspections of any vessels are carried out by inspectors duly authorised, trained and familiar with the Agreement and relevant CMMs adopted by the Meeting of the Parties. Inspector training programs shall take into account the elements set out in Annex II, and Contracting Parties, CNCPs or PFEs shall seek to cooperate in this regard.
18. Prior to an inspection, the inspector shall present to the master of the vessel an appropriate identity document.
19. Each Contracting Party, CNCP and PFE shall ensure that inspections of vessels in their ports are carried out at least in accordance with the procedures set out in Annex III.
20. The port State may invite inspectors of other Contracting Parties, CNCPs and PFEs to accompany their own inspectors and observe the inspection of landings or transshipment operations of fishery resources caught by foreign vessels.

21. Each Contracting Party, CNCP and PFE shall ensure that their inspectors make all possible efforts to avoid unduly delaying a vessel and that the vessel suffers minimum interference and inconvenience, and that degradation of the quality of the fish resources is avoided.
22. Contracting Parties, CNCPs and PFEs shall undertake inspections of all fishing vessels carrying or landing *Dissostichus* spp. which enter their ports.
23. Contracting Parties, CNCPs and PFEs shall inspect vessels not entitled to fly their flag in their ports when:
 - a) there is a reasonable request from another Contracting Party, CNCP or PFE, any regional fisheries management organisation or CCAMLR that a particular vessel be inspected, particularly where such requests are supported by evidence of IUU fishing by the vessel in question, and there are clear grounds for suspecting that a vessel has engaged in IUU fishing;
 - b) a vessel has failed to provide the information required in paragraph 5;
24. The competent authority of each Contracting Party, CNCP and PFE shall include at least the information set out in Annex IV in the written report of the results of each inspection, which shall be forwarded to the competent authority of the inspected vessel and to the Secretariat.

Role of Contracting Parties, CNCPs and PFEs in relation to vessels flying their flags

25. Each Contracting Party, CNCP and PFE shall require its vessels to cooperate with the port State in inspections carried out pursuant to this CMM.
26. When a Contracting Party, CNCP or PFE has clear grounds to believe that one of its vessels has engaged in IUU fishing and is seeking entry to or is in the port of another Contracting Party, CNCP or PFE, it shall, as appropriate, request that the Contracting Party, CNCP or PFE inspects the vessel or takes other adequate measures.
27. Where, following port State inspection, a Contracting Party, CNCP or PFE receives an inspection report indicating that there are clear grounds to believe that a vessel flying its flag has engaged in IUU fishing, it shall immediately and fully investigate the matter and shall, upon sufficient evidence, take enforcement action without delay in accordance with its laws and regulations.

28. Each Contracting Party, CNCP and PFE shall report to the Secretariat on any actions it has taken in respect of vessels flying its flag that, as a result of port State measures taken pursuant to this CMM, have been determined to have engaged in IUU fishing.
29. Each Contracting Party, CNCP, PFE and CNPFE shall provide a report to each ordinary meeting of the Compliance Committee of action that they have taken pursuant to paragraph 27.

Application

30. This CMM shall be applied to the ports of all Contracting Parties, CNCPs and PFEs within the coastal States, which have areas of national jurisdiction adjacent to the Agreement Area.
31. Each Contracting Party, CNCP or PFE which does not have areas of national jurisdiction adjacent to the Agreement Area shall endeavour to apply this CMM.

ANNEX I

**INFORMATION TO BE PROVIDED IN ADVANCE BY FOREIGN VESSELS
REQUESTING PORT ENTRY**

1. Intended port of call							
2. Port State							
3. Estimated date and time of arrival							
4. Purpose(s)							
5. Port and date of last port call							
6. Name of the vessel							
7. Flag State							
8. Type of vessel							
9. International Radio Call Sign							
10. Vessel contact information							
11. Vessel owner(s)							
12. Certificate of registry ID							
13. IMO ship ID, if available							
14. External ID, if available							
15. SIOFA ID, if applicable							
16. VMS	No	Yes: National		Yes: SIOFA		Type:	
17. Vessel dimensions	Length		Beam		Draft		
18. Vessel master name and nationality							
19. Relevant fishing authorisation(s)							
<i>Identifier</i>	<i>Issued by</i>	<i>Validity</i>	<i>Fishing area(s)</i>	<i>Species</i>	<i>Gear</i>		
20. Relevant transshipment authorisation(s)							
<i>Identifier</i>		<i>Issued by</i>		<i>Validity</i>			
<i>Identifier</i>		<i>Issued by</i>		<i>Validity</i>			

21. Transhipment authorisations concerning donor vessels								
<i>Date</i>	<i>Location</i>	<i>Name</i>	<i>Flag State</i>	<i>ID no.</i>	<i>Species</i>	<i>Product form</i>	<i>Catch area</i>	<i>Quantity</i>
22. Total catch onboard						23. Catch to be offloaded		
<i>Species</i>	<i>Product form</i>	<i>Catch area</i>	<i>Quantity, Conversion factor and Live weight</i>			<i>Quantity</i>		

ANNEX II

GUIDELINES FOR THE TRAINING OF INSPECTORS

Elements of a training program for port State inspectors should include at least the following areas:

1. Ethics;
2. Health, safety and security issues;
3. Applicable national laws and regulations, areas of competence and conservation and management measures of SIOFA, and applicable international law;
4. Collection, evaluation and preservation of evidence;
5. General inspection procedures such as report writing and interview techniques;
6. Analysis of information, such as logbooks, electronic documentation and vessel history (name, ownership and flag State), required for the validation of information given by the master of the fishing vessel;
7. Fishing vessel boarding and inspection, including hold inspections and calculation of vessel hold volumes;
8. Verification and validation of information related to landings, transshipments, processing and fishery resources remaining onboard, including utilizing conversion factors for the various species and products;
9. Identification of fish species, and the measurement of length and other biological parameters;
10. Identification of vessels and gear, and techniques for the inspection and measurement of gear;
11. Equipment and operation of VMS and other electronic tracking systems; and
12. Actions to be taken following an inspection.

ANNEX III**PORT STATE INSPECTION PROCEDURES**

Inspectors shall:

- a) verify, to the extent possible, that the vessel identification documentation onboard and information relating to the owner of the vessel is true, complete and correct, including through appropriate contacts with the flag State or international records of vessels if necessary;
- b) verify that the vessel's flag and markings (e.g. name, external registration number, International Maritime Organization (IMO) ship identification number, international radio call sign and other markings, main dimensions) are consistent with information contained in the documentation;
- c) verify, to the extent possible, that the authorisations for fishing and fishing related activities are true, complete, correct and consistent with the information provided in accordance with Annex I;
- d) review all other relevant documentation and records held onboard, including, to the extent possible, those in electronic format and vessel monitoring system (VMS) data from the flag State, SIOFA and where relevant other RFMOs and CCAMLR. Relevant documentation may include logbooks, catch, transshipment and trade documents, crew lists, stowage plans and drawings, descriptions of holds, and documents required pursuant to the Convention on International Trade in Endangered Species of Wild Fauna and Flora;
- e) examine, to the extent possible, all relevant areas, fishing gear onboard, including any gear stowed out of sight as well as related devices, and to the extent possible, verify that they are in conformity with the conditions of the authorisations. The fishing gear shall, to the extent possible, also be checked to ensure that features such as the mesh and twine size, devices and attachments, dimensions and configuration of nets, pots, dredges, hook sizes and numbers are in conformity with applicable regulations and that the markings correspond to those authorised for the vessel;

- f) determine, to the extent possible, whether the fishery resources on board was harvested in accordance with the applicable authorisations;
- g) examine the fishery resources, including by sampling, to determine its quantity and composition. In doing so, inspectors may open containers where the fishery resources have been pre-packed and move the catch or containers to ascertain the integrity of holds. Such examination may include inspections of product type and determination of nominal weight;
- h) evaluate whether there is clear evidence for believing that a vessel has engaged in IUU fishing or fishing related activities in support of such fishing;
- i) provide the master of the vessel with the report containing the result of the inspection, including possible measures that could be taken, to be signed by the inspector and the master. The master's signature on the report shall serve only as acknowledgment of the receipt of a copy of the report. The master shall be given the opportunity to add any comments or objection to the report, and, as appropriate, to contact the relevant authorities of the flag State in particular where the master has serious difficulties in understanding the content of the report. A copy of the report shall be provided to the master; and
- j) arrange, where necessary and possible, for translation of relevant documentation.

ANNEX IV

REPORT OF THE RESULTS OF THE PORT INSPECTION

1. Inspection report no				2. Port State			
3. Inspecting authority							
4. Name of principal inspector				ID			
5. Port of inspection							
6. Commencement of inspection		<i>YYYY</i>	<i>MM</i>	<i>DD</i>	<i>HH</i>		
7. Completion of inspection		<i>YYYY</i>	<i>MM</i>	<i>DD</i>	<i>HH</i>		
8. Advanced notification received				<i>Yes</i>		<i>No</i>	
9. Purpose(s)		<i>LAN</i>	<i>TRX</i>	<i>PRO</i>		<i>OTH (specify)</i>	
10. Port and State and date of last port call					<i>YYYY</i>	<i>MM</i>	<i>DD</i>
11. Vessel name							
12. Flag State							
13. Type of vessel							
14. International Radio Call Sign							
15. Certificate of registry ID							
16. IMO ship ID, if available							
17. External ID , if available							
18. Port of registry							
19. Vessel owner(s)							
20. Vessel beneficial owner(s), if known and different from vessel owner							
21. Vessel operator(s), if different from vessel owner							
22. Vessel master name and nationality							
23. Fishing master name and nationality							
24. Vessel agent							
25. VMS		<i>No</i>	<i>Yes: National</i>		<i>Yes: SIOFA</i>		Type:

26. Status in SIOFA areas (if applicable) where fishing has been undertaken, including any IUU vessel listing						
<i>Vessel identifier</i>	<i>SIOFA</i>	<i>Flag State status</i>	<i>Vessel on authorised vessel list</i>	<i>Vessel on IUU vessel list</i>		
27. Relevant fishing authorisation(s)						
<i>Identifier</i>	<i>Issued by</i>	<i>Validity</i>	<i>Fishing area(s)</i>	<i>Species</i>	<i>Gear</i>	
28. Relevant transhipment authorisation(s)						
<i>Identifier</i>		<i>Issued by</i>		<i>Validity</i>		
<i>Identifier</i>		<i>Issued by</i>		<i>Validity</i>		
29. Transhipment information concerning donor vessels						
<i>Name</i>	<i>Flag State</i>	<i>ID no.</i>	<i>Species</i>	<i>Product form</i>	<i>Catch area(s)</i>	<i>Quantity</i>
30. Evaluation of offloaded catch (quantity)						
<i>Species</i>	<i>Product form</i>	<i>Catch area(s)</i>	<i>Quantity declared</i>	<i>Quantity offloaded</i>	<i>Difference between quantity declared and quantity determined, if any</i>	
31. Catch retained onboard (quantity)						
<i>Species</i>	<i>Product form</i>	<i>Catch area(s)</i>	<i>Quantity declared</i>	<i>Quantity retained</i>	<i>Difference between quantity declared and quantity determined, if any</i>	

32. Examination of logbook(s) and other documentation	<i>Yes</i>	<i>No</i>	<i>Comments</i>
33. Compliance with applicable catch documentation scheme(s)	<i>Yes</i>	<i>No</i>	<i>Comments</i>
34. Compliance with applicable trade information scheme(s)	<i>Yes</i>	<i>No</i>	<i>Comments</i>
35. Type of gear used			
36. Gear examined in accordance with paragraph e) of Annex VIII	<i>Yes</i>	<i>No</i>	<i>Comments</i>
37. Findings by inspector(s)			
38. Apparent infringement(s) noted including reference to relevant legal instrument(s)			
39. Comments by the master			
40. Action taken			
41. Master's signature			
42. Inspector's signature			

CMM 2017/09

Conservation and Management Measure for Control of fishing activities in the Agreement Area**The Meeting of the Parties to the Southern Indian Ocean Fisheries Agreement:**

HAVING A MUTUAL INTEREST in the proper management, long-term conservation and sustainable use of fishery resources in the southern Indian Ocean, and desiring to further the attainment of their objectives through cooperation;

RECALLING Article 6(1)(h) of the Agreement requiring the Meeting of the Parties to develop rules and procedures for the monitoring, control and surveillance of fishing activities in order to ensure compliance with conservation and management measures adopted;

MINDFUL of the Commitment made under Article 5 (f) of the *Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks* (UNFSA) to minimise pollution, waste, and catch by lost or abandoned gear;

AWARE of Article 18(3)(d) of UNFSA in relation to the marking of fishing vessels and fishing gear for identification in accordance with uniform and internationally recognizable vessel and gear marking systems, such as the Food and Agriculture Organization of the United Nations Standard Specifications for the Marking and Identification of Fishing Vessels;

CONCERNED by the fact that illegal, unreported and unregulated (IUU) fishing activities in the Agreement Area undermine the long-term conservation and sustainable use of the fishery resources;

Adopts the following Conservation and Management Measure (CMM) in accordance with Article 6 of the Agreement:

Co-operation and Contact Points

1. In furtherance of the objectives of the Agreement, Contracting Parties, cooperating non-Contracting Party (CNCs) and participating fishing entities (PFEs) shall consult, cooperate and exchange information with other Contracting Parties, CNCs and PFEs and/or the Secretariat to facilitate the monitoring, control and surveillance of fishing activities

conducted in order to ensure compliance with SIOFA CMMs, taking into account the SIOFA policy and procedures on confidentiality of data described in CMM 2016/03.

2. Contracting Parties, CNCPs and PFES shall designate the competent authority or authorities which shall act as the Contact Point for the purposes of receiving reports and notifications and issuing authorisations in accordance with the relevant SIOFA CMMs. Each Contracting Party, CNCP or PFE shall send to the Secretariat the name, telephone number, e-mail address and fax number of at least two designated contact points before 30 days have passed following the adoption of this CMM. Any subsequent changes to the list shall be notified to the Secretariat without delay. The Secretariat shall put the details of the Contact Points and any changes thereto on the SIOFA website without delay.

Vessel requirements

3. Each Contracting Party, CNCP and PFE shall:
 - a. ensure that vessels flying its flag carry on board the current, valid documents issued by its competent authority that are contained in paragraph 6(c) of CMM 2016/07; and
 - b. either ensure that vessels flying its flag carry on board valid documents issued by its competent authority containing the up to date information listed in paragraph 2 of CMM 2016/07, or otherwise agree that the Secretariat shall make this information available upon request for the purposes of control.
4. Each Contracting Party, CNCP and PFE shall ensure that vessels flying their flag authorised to operate in the Agreement Area are marked in such a way that they can be readily identified and where possible marked with generally accepted international standards, such as the FAO Standard Specification for the Marking and Identification of Fishing Vessels.

Marking of fixed gear

5. Each Contracting Party, CNCP and PFE shall ensure that fixed gear used by vessels flying its flag is marked as follows: the ends of nets, lines and gear anchored to the seabed shall be fitted with flag or radar reflector buoys by day, and light buoys by night, sufficient to indicate their position and extent. Such lights should be visible at a distance of at least two nautical miles in good visibility. Marker buoys and similar objects floating on the surface and intended to indicate the location and/or origin of fixed fishing gear, and where possible, the gear itself shall be clearly marked with the vessel's name and International Radio Call Sign.

Retrieval of lost or abandoned fishing gear

6. Each Contracting Party, CNCP and PFE shall ensure that:
- (a) vessels flying its flag operating with any gear on board where possible have equipment on board to retrieve discarded, lost or abandoned gear;
 - (b) vessels flying its flag that have lost gear shall not abandon it without making every reasonable attempt to retrieve it as soon as possible;
 - (c) no vessels flying its flag shall deliberately abandon fishing gear, except for safety reasons, notably vessels in distress and/or life in danger;
 - (d) if gear cannot be retrieved, a vessel flying its flag shall promptly notify its competent authority of the following information:
 - i. the name, IMO number and call sign of the vessel;
 - ii. the type of lost gear;
 - iii. the quantity of gear lost;
 - iv. the time when the gear was lost (consistent with the Standards for the Specification of Data described in CMM 2016/02);
 - v. the position (longitude/latitude) where the gear was lost (consistent with the Standards for the Specification of Data described in CMM 2016/02);
 - vi. measures taken by the vessel to retrieve lost gear, and
 - vii. report, if known, the circumstances that led to the gear being lost, or abandoned for safety reasons;
 - (e) following retrieval of any lost, discarded or abandoned gear, a vessel flying its flag shall notify its competent authority of the following:
 - i. the name, IMO number and call sign of the vessel that has retrieved the gear;
 - ii. the name, IMO number and call sign of the vessel that lost the gear (if known);
 - iii. the type of gear retrieved;
 - iv. the quantity of gear retrieved;
 - v. the time when the gear was retrieved (consistent with the Standards for the Specification of Data described in CMM 2016/02);
 - vi. the position (longitude/latitude) where the gear was retrieved (consistent with the Standards for the Specification of Data described in CMM 2016/02); and
 - vii if possible, photographs of the gear retrieved; and

- (f) its competent authority shall without delay notify the Secretariat of the information referred to in paragraphs 6 (d) and (e). Where the Contracting Party, CNCP or PFE provides consent, the Secretariat shall put this information on the SIOFA website.

Labelling of frozen products of fishery resources

7. Each Contracting Party, CNCP and PFE shall ensure that:
- (a) when frozen, all fishery resources or fishery resource products derived from fishing caught and retained onboard shall be identified by a clearly legible label or stamp. The label or stamp, on each box, carton, container, bag or block of frozen fishery resources or fishery resource products derived from fishing, shall indicate the species (*e.g.* common name/scientific name/FAO 3-Alpha code/codes as defined by the Scientific Committee), presentation, production date, and vessel identification number of the catching vessel;
 - (b) labels are securely affixed, stamped, pre-printed or written on packaging at the time of stowage and be of a size that can be clearly read by inspectors in the normal course of their duties;
 - (c) labels are marked in ink on a contrasting background; and
 - (d) each package contains only one species (common name/scientific name/FAO 3-Alpha code or codes as defined by the Scientific Committee).

Scientific observer programme

8. Without prejudice to other requirements in specific CMMs, each Contracting Party, CNCP and PFE shall ensure that the scientific observers carried by vessels flying its flag operating in the Agreement Area are qualified and authorised to perform their tasks and record any requested data.

Sightings and identifications of non-CP, non-CNCP and non-PFE vessels

9. Each Contracting Party, CNCP or PFE shall ensure that vessels flying its flag report any presumed fishing as defined in the Agreement, including transshipment, by vessels flying the flag of a State or fishing entity which is not a Party to or otherwise cooperating with the

Agreement in the Agreement Area. Each Contracting Party, CNCP or PFE shall ensure that reports from vessels flying its flag contain, to the extent possible, the following information:

- (a) name of vessel;
- (b) registration number/call sign of the vessel
- (c) flag State of the vessel;
- (d) date, time and position of sighting consistent with the standards for specification of data described in CMM 2016/02; and
- (e) any other relevant information regarding the sighted vessel, including photographs.

10. Each Contracting Party, CNCP or PFE shall submit this information to the Secretariat as soon as practical. The Secretariat shall forward this information to all Contracting Parties, CNCPs and PFEs for information and for consideration of further action as required by Article 17 of the Agreement at the next ordinary Meeting of the Parties.

Summary of reporting obligations

11. To facilitate compliance with SIOFA reporting and submission requirements the Secretariat shall develop a summary checklist of obligations which shall be circulated to all Contracting Parties, CNCPs and PFEs annually within 30 days following any changes coming into force which will be made available on the SIOFA website.

CMM 2017/10

Conservation and Management Measure for the Monitoring of Fisheries in the Agreement Area**Contracting Parties to the Southern Indian Ocean Fisheries Agreement:**

RECALLING Article 6(1)(h) of the Agreement calls of the Meeting of the Parties to develop rules and procedures for the monitoring, control and surveillance of fishing activities in order to ensure compliance with conservation and management measures adopted by the Meeting of the Parties including, where appropriate, a system of verification incorporating vessel monitoring and observation;

MINDFUL of Article 18(3)(e) of the *Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks* (UNFSA) which outlines the duties of the flag State are to take measures to ensure recording and timely reporting of vessel position, catch of target and non-target species, fishing effort and other relevant fisheries data;

NOTING Article 18(3)(f) and (h) of UNFSA relating to the regulation of transshipment on the high seas;

BEARING IN MIND that transshipment at sea is a common global practice, but that unregulated and unreported transshipment of catches of fishery resources, in particular on the high seas, contributes to distorted reporting of catches of such stocks and supports illegal, unreported and unregulated (IUU) fishing in the Agreement Area;

Adopts the following Conservation and Management Measure (CMM) in accordance with Article 6 of the Agreement:

Information on fishing activities

1. Each Contracting Party, cooperating non-Contracting Party (CNCP) and participating fishing entity (PFE) shall ensure that its vessels maintain either an electronic fishing logbook or a bound fishing logbook containing the information relevant for their compliance

with the data collection and submission requirements of CMM 2016/02 with consecutively numbered pages.

2. Each Contracting Party, CNCP and PFE shall ensure:
 - (a) that vessels flying its flag submit the fishing logbook data within 30 days of the completion of a fishing trip in the Agreement Area to its competent authority;
 - (b) data referred to in sub-paragraph (a) are submitted in accordance with CMM 2016/02 and maintained in accordance with CMM 2016/03; and
 - (c) the quantities of catch recorded on vessels flying its flag correspond to the quantities of catch kept on board.
3. Each Contracting Party, CNCP and PFE shall cooperate with any reasonable request from other Contracting Parties, CNCPs or PFEs for any information contained in the fishing logbooks from the preceding 12 months for the purposes of control.

Vessel Monitoring System (VMS)

4. Each Contracting Party, CNCP and PFE shall ensure that all vessels flying its flag that are fishing in the Agreement Area are fitted with an operational automatic location communicator (ALC) unit reporting back to its competent authority.
5. Contracting Parties, CNCPs and PFEs shall ensure that ALC units on vessels flying their flag remain operational at all times while in the Agreement Area.
6. Contracting Parties, CNCPs and PFEs shall develop, implement and improve systems to maintain a record of all vessel position information reported through VMS and logbooks, in relation to vessels flying their flags while these vessels are in the Agreement Area, such that this information may be used to document vessel activity in the Agreement Area, and to validate fishing position information provided by those vessels.
7. Contracting Parties, CNCPs and PFEs are encouraged to share VMS data where it is requested from another Contracting Party, CNCP or PFE in support of patrol or surveillance activities. Each Contracting Party, CNCP and PFE shall not use any information received in accordance with this paragraph for other purposes.
8. Contracting Parties, CNCPs and PFEs shall ensure that:
 - a. VMS position reports are transmitted from each vessel flying their flag at least once every 2 hours;

- b. under normal satellite navigation operating conditions, positions derived from the data reported shall be accurate to within 100m;
- c. VMS position reports include at least the following information:

Category	Data	Remarks
Vessel information	Static unique	For example, FAO 3 alpha or 2 alpha, country
		followed by national vessel registration number
Activity detail	Latitude	Position latitude (decimal degrees, to the nearest 0.01 degrees)
	Longitude	Position longitude (decimal degrees, to the nearest 0.01 degrees)
Message	Date	Position date (UTC)
	Time	Position time (UTC)
	Speed	Vessel speed at time of position (knots)
	Course	Vessel course at time of position (degrees)

- d. its vessels do not enter the Agreement Area and commence operations with a defective ALC;
- e. in the event of a technical failure or non-operation of the ALC fitted on board a vessel:
 - i. the device shall be repaired or replaced within a month. After this period, the vessel shall not be authorised to begin a new trip with a defective ALC. If the trip is lasting more than one month, the repair or the replacement shall take place as soon as practicable after the vessel enters a port. If the ALC has not been repaired or replaced within 90 days, the Contracting Party, CNCP or PFE shall order the vessel to cease fishing, stow all fishing gear and return immediately to port in order to undertake repairs. The vessel shall not be authorised to begin a new trip without a ALC having been repaired or replaced; and

- ii. the master of the fishing vessel shall manually communicate to its Fisheries Monitoring Centre (FMC), at least every four hours, reports by other means of communication (such as email, facsimile, telex, telephone message or radio). Such reports must include, *inter alia*, information required in paragraph 8(c).

9. Each flag Contracting Party, CNCP and PFE shall ensure that the reports and messages transmitted to the Secretariat shall be in accordance with the data exchange format of CMM 2016/02 Annex C.

10. Each Contracting Party, CNCP and PFE shall ensure that the ALCs fitted on board vessels flying its flag are tamper resistant, that is, are of a type and configuration that prevent the input or output of false positions, and that they are not capable of being over-ridden, whether manually, electronically or otherwise. To this end, the ALC must:

(a) be located within a sealed unit; and

(b) be protected by official seals (or mechanisms) of a type that will indicate whether the unit has been accessed or tampered with.

Interim regime for at sea transshipments and transfers

11. Each Contracting Party, CNCP and PFE shall ensure that vessels flying its flag only undertake transshipments at sea of fishery resources, with other vessels included on the SIOFA Record of Authorised Vessels.

12. Each Contracting Party, CNCP and PFE shall ensure, for each vessel flying its flag undertaking an at sea transshipment operation, that:

a) the vessel notifies its competent authority at least 7 days in advance of a 14-day period during which the at sea transshipment is scheduled to occur.

b) the vessel notifies its competent authority 24 hours in advance of the estimated time during which the at sea transshipment will occur.

c) the notifications referred to in (a) and (b) shall include the relevant information available regarding the at sea transshipment in accordance with Transshipment Notification Annex I.

d) its competent authority transmits the notifications referred to in (a) and (b) to the Secretariat without delay.

e) an impartial and qualified observer that it has authorised is either on board the receiving vessel or the unloading vessel, who shall to the extent possible monitors the transshipment and to the extent possible completes the logsheet as set out in Transshipment Logsheets Annex II relating to quantities of the species (FAO species/group code/scientific name) of any fishery resources being transshipped.

f) an observer referred to sub-paragraph (e) provides a copy of the Transshipment Logsheets to the competent authority of the observed vessel.

g) its competent authority submits the observer data on the Transshipment Logsheets referred to in sub-paragraph (f) to the Secretariat, no later than 15 days from debarkation of the observer.

i) the vessel notifies all of the operational details to its competent authority, as specified in a Transshipment Declaration Annex III, within 24 hours following the transshipment.

13. Each Contracting Party, CNCP and PFE shall ensure, for each vessel flying its flag undertaking an at sea transfer operation of fuel, crew, gear or any other supplies, either as an unloading or receiving vessel, where one or both vessels has been involved or intends to undertake fishing for fishery resources in the Agreement Area during that trip, other than in the case of emergencies, that:

a) the vessel notifies its competent authority at least 24 hours in advance of the planned transfer.

b) the notifications shall include the relevant information available regarding the transfer in accordance with Transfer Notification Annex IV.

c) the competent authority shall transmit the notification to the Secretariat without delay.

d) the vessel notifies all of the operational details to its competent authority, as specified in Transfer Declaration Annex V, within 24 hours following the transfer.

14. The Secretariat shall make all information provided under paragraphs 12 and 13 available on the secure section of the SIOFA website as soon as possible.
15. Each Contracting Party, CNCP or PFE with a vessel flying its flag involved in a transshipment or transfer at sea shall take the appropriate measures to verify the accuracy of the information received in accordance with paragraphs 12 and 13.

Monitoring of transshipments in ports

16. Each Contracting Party, CNCP and PFE shall ensure that a vessel flying its flag that is carrying fishery resources shall only transship in a port if it has prior authorisation from its competent authority and the port State.
17. For each transshipment of fishery resources in port, the competent authority of the Contracting Party, CNCP or PFE of the unloading vessel shall notify, at least 24 hours in advance, the following information to the competent authority of the port State and, if known, the competent authority of the receiving vessel:
 - a) the date, time and port of transshipment;
 - b) the name and flag of the unloading transshipping vessel;
 - c) if known, the name and flag of the receiving vessel; and
 - d) the weight of fishery resources (Kg) by species (FAO species/group code/scientific name) to be transshipped.
18. Where applicable, the competent authority of a Contracting Party, CNCP or PFE of a receiving vessel shall inform the competent authority of the port state of the quantities of fishery resources on board the vessel 24 hours before the transshipment and again 24 hours after the transshipment.

19. The Contracting Party, CNCP or PFE of the unloading vessel shall require that the vessel submits a Transshipment Declaration in accordance with the format set out in Annex III to its competent authority, and that of the port State within 24 hours of the transshipment, and also provides a copy to the receiving vessel.
20. Where applicable, the competent authority of the Contracting Party, CNCP or PFE of a receiving vessel shall, 48 hours before a landing of the transshipped fishery resources, submit a copy of the received Transshipment Declaration to the competent authority of the port State where the landing takes place.
21. Each Contracting Party, CNCP or PFE with a vessel flying its flag involved in the transshipment in port shall take the appropriate measures to verify the accuracy of the information received in accordance with paragraphs 17 to 20.

Reporting of transshipments and at sea transfers

22. Each Contracting Party, CNCP and PFE shall provide annually the following information, as applicable, to the Secretariat for consideration by the Compliance Committee in relation to each transshipment and at sea transfer by vessels flying its flag that takes place in accordance with paragraphs 11 to 21:
 - a). date, time and location of transshipment or transfer in accordance with the specifications in CMM 2016/02 (Data Standards);
 - b). names of vessels, flag States and registration number/call sign of the transshipping vessels or transferring vessels;
 - c). tonnage of any fishery resources, including species/group name (FAO species/group code/scientific name) transshipped;
 - d). type and description of transfers; and
 - e). any other relevant information.
23. Until such a time as a compliance monitoring scheme is adopted, the information of paragraph 22 shall be submitted to the Secretariat at least one month before each ordinary Meeting of the Parties, in relation to activities in the past 12 months.

ANNEX I

SIOFA TRANSSHIPMENT AT SEA NOTIFICATION

The following information shall be provided to the competent authority/ies of the unloading and receiving vessels 7 days in advance of a 14 day window, and again 24 hours in advance of a transshipment at sea.

I. DETAILS OF THE NOTIFYING VESSEL	
Notifying vessel is UNLOADING / RECEIVING vessel (strike out as appropriate)	
I. DETAILS OF THE UNLOADING FISHING VESSEL	
Name of vessel	
Registration number	
Radio call sign	
Vessel flag State	
IMO number	
Master's name and nationality	
II. DETAILS OF THE RECEIVING FISHING VESSEL	
Name of vessel	
Registration number	
Radio call sign	
IMO number	
Master's name and nationality	
DETAILS OF TRANSSHIPMENT	
Estimated date of transshipment (UTC)	
Estimated time of transshipment (UTC)	
Estimated location of transshipment (latitude/longitude in decimal degrees, to the nearest 0.01 degrees)	
Species to be transshipped (FAO species/group code/scientific name)	
Quantities to be (Kg) transshipped	
Number of units (boxes/packages) to be transshipped	
Weight of a unit (Kg)	

ANNEX II
SIOFA TRANSSHIPMENT AT SEA LOGSHEET

The following information shall be provided by the observer to the competent authority of the vessel

I. DETAILS OF THE OBSERVER	
Observer onboard the UNLOADING / RECEIVING vessel (strike out as appropriate)	
Observer name and date of birth	
Observer nationality	
I. DETAILS OF THE UNLOADING FISHING VESSEL	
Name of vessel	
Registration number	
Radio call sign	
Vessel flag State	
IMO number	
Master's name and nationality	
II. DETAILS OF THE RECEIVING FISHING VESSEL	
Name of vessel	
Registration number	
Radio call sign	
IMO number	
Master's name and nationality	
DETAILS OF TRANSSHIPMENT	
Date of transshipment (UTC)	
Time of transshipment (UTC)	
Location of transshipment (latitude/longitude in decimal degrees, to the nearest 0.01 degrees)	
Species transshipped (FAO species/group code/scientific name)	
Quantities (Kg) transshipped	
Number of units (boxes/packages) transshipped	
Weight of a unit (Kg)	

ANNEX IV

SIOFA TRANSFER AT SEA NOTIFICATION

The following Information shall be provided to the competent authority of the declaring vessel 24 hours in advance of a transfer at sea.

I. DETAILS OF THE DECLARING VESSEL	
Name of vessel	
Registration number	
Radio call sign	
Vessel flag State	
IMO number	
Master's name and nationality	
II. DETAILS OF THE OTHER VESSEL	
Name of vessel	
Registration number	
Radio call sign	
IMO number	
Master's name and nationality	
DETAILS OF TRANSFER	
Estimated date of transfer (UTC)	
Estimated time of transfer (UTC)	
Estimated location of transfer (latitude/longitude in decimal degrees, to the nearest 0.01 degrees)	
Type and quantity received (fuel (liters), crew (number), gear (number), supplies (kg/tonnes/units) etc)	
Type and quantity unloaded (fuel (liters), crew (number), gear, supplies etc)	

ANNEX V

SIOFA TRANSFER AT SEA DECLARATION

The following Information shall be provided to the competent authority of the declaring vessel within 24 hours following a transfer at sea.

I. DETAILS OF THE DECLARING VESSEL	
Name of vessel	
Registration number	
Radio call sign	
Vessel flag State	
IMO number	
Master's name and nationality	
II. DETAILS OF THE OTHER VESSEL	
Name of vessel	
Registration number	
Radio call sign	
IMO number	
Master's name and nationality	
DETAILS OF TRANSFER	
Date of transfer (UTC)	
Time of transfer (UTC)	
Location of transfer (latitude/longitude in decimal degrees, to the nearest 0.01 degrees)	
Type and quantity received (fuel (liters), crew (number), gear (number), supplies (kg/tonnes/units) etc)	
Type and quantity unloaded (fuel (liters), crew (number), gear, supplies etc)	

**Conservation and Management Measure 2016/07¹
Vessel authorisation and notification to fish**

Contracting Parties to the Southern Indian Ocean Fisheries Agreement:

RECOGNISING that Article 6(1)(h) of the Southern Indian Ocean Fisheries Agreement (SIOFA or the Agreement) calls on the Meeting of the Parties to develop, *inter alia*, a system of verification to incorporate vessel monitoring and observation;

NOTING that Article 1(i) of the Agreement defines 'fishing vessel' as any vessel used or intended for fishing, including a mother-ship, any other vessel directly engaged in fishing operations, and any vessel engaged in transshipment;

TAKING INTO ACCOUNT the provisions of Article 11(2) of the Agreement which provides that no Contracting Party shall allow any fishing vessel entitled to fly its flag to be used for fishing in the SIOFA Area of Application (Agreement Area) unless it has been authorised to do so by the appropriate authority or authorities of that Contracting Party;

ADOPT the following Conservation and Management Measure (CMM) in accordance with Article 6 of the Agreement:

1. The Meeting of the Parties shall establish a SIOFA Record of Authorised Vessels for fishing vessels authorised to fish in the Agreement Area. For the purpose of this CMM, fishing vessels that are not entered onto the SIOFA Record of Authorised Vessels are deemed not to be authorised to fish for, retain on board, tranship or land fishery resources in the Agreement Area.

2. Prior to the entry into force of this CMM, each Contracting Party, cooperating non-Contracting Party (CNCP) and Participating Fishing Entity (PFE) shall submit electronically to the Secretariat the list of vessels flying their flag that are authorised to operate in the Agreement Area. In doing so, this list shall include the following information:

- (a) name of vessel, registration number, previous names (if known), and port of registry;
- (b) previous flag (if any), using codes;
- (c) International Radio Call Sign (if any);
- (d) IMO Number (if issued);
- (e) name and address of owner or owners;
- (f) type of vessel (using appropriate ISSCFV codes);
- (g) length and length type (e.g. LOA, LBP);
- (h) name and address of operator (manager) or operators (managers) (if any);
- (i) type of fishing method or methods (using appropriate ISSCFG codes);
- (j) gross tonnage (GT);
- (k) power of main engine or engines (kw);
- (l) Fish hold capacity (cubic metres);
- (m) Freezer type (if applicable);
- (n) Number of freezing units (if applicable);
- (o) Freezing capacity (if applicable);
- (p) Vessel communication types and numbers (INMARSAT A, B and C numbers);
- (q) certified drawings or description of all fish holds
- (r) VMS system details (brand, model, features and identification); and

¹ [CMM 2017/07 \(Vessel Authorisation\) supersedes CMM 2016/07 \(Vessel Authorisation\)](#)

ANNEX X

(s) Good quality, high resolution digital images of the vessel of appropriate brightness and contrast, no older than 5 years old:

- one digital image showing the starboard side of the vessel displaying its full overall length and complete structural features;
- one digital image showing the port side of the vessel displaying its full overall length and complete structural features; and
- one digital image of the stern taken directly from astern.

3. Contracting Parties, CNCPs and PFEs shall ensure that the data referred to in Paragraph 2 on the vessels flying their flag authorised to fish in the Agreement Area is kept up to date. Contracting Parties, CNCPs and PFEs shall inform the Executive Secretary of any modification regarding the vessel data, including authorisation status of current fishing vessels and any new vessels, within 15 days after such modification.

4. Any State or fishing entity that becomes a Contracting Party, CNCP or PFE after the date that this CMM enters into force shall provide the information referred to in Paragraph 2 within 30 days of becoming a Contracting Party, CNCP or PFE.

5. The Executive Secretary shall maintain the SIOFA Record of Authorised Vessels. A summary of the SIOFA Record of Authorised Vessels shall be made publicly available on the SIOFA website according to the provisions of paragraph 2 (a) (i) of the CMM on Data Confidentiality and Procedures for Access and Use of Data.

6. Each Contracting Party, CNCP and PFE shall:

- (a) authorise the vessels flying their flag to operate in the Agreement Area only if they are able to fulfil in respect of these vessels the requirements and responsibilities under the Agreement, and all relevant SIOFA CMMs;
- (b) take necessary measures to ensure that the vessels flying their flag comply with all relevant SIOFA CMMs;
- (c) take necessary measures to ensure that the vessels flying their flag that are on the SIOFA Record of Authorised Vessels keep on board valid certificates of vessel registration and valid authorisation to fish and/or to undertake fishing related activities;
- (d) ensure that the vessels flying their flag on the SIOFA Record of Authorised Vessels have no history of IUU fishing, or, if those vessels have such history, the new owners have provided sufficient evidence demonstrating that the previous owners and operators have no legal, beneficial or financial interest in, or control over those vessels, or that having taken into account all relevant facts, its vessels are not engaged in or associated with IUU fishing;
- (e) ensure, to the extent possible under domestic law, that the owners and operators of its registered vessels on the SIOFA Record of Authorised Vessels are not engaged in or associated with fishing activities conducted in the Agreement Area by vessels not registered in the SIOFA Record of Authorised Vessels; and
- (f) take necessary measures to ensure, to the extent possible under domestic law, that the owners and/or operators of the vessels on the SIOFA Record of Authorised Vessels are citizens, residents or legal entities within its jurisdiction so that any enforcement or punitive actions can be effectively taken against them.

7. Each Contracting Party, CNCP and PFE shall take measures, under their applicable legislation, to prohibit the fishing and fishing related activities on fishery resources covered by the Agreement by vessels which are not registered in the SIOFA Record of Authorised Vessels.

ANNEX X

8. Each Contracting Party, CNCP and PFE shall, as soon as practicable, notify the Secretariat of any evidence showing that there are reasonable grounds for suspecting vessels not registered on the SIOFA Record of Authorised Vessels are operating in the Agreement Area.

Adopted budget for 2018 and forecast for 2019 - based on recruitment of part-time Data Manager

	2017 AS ADOPTED	2018 ADOPTED	2019 FORECAST
Item 1. Personnel Costs	EUR 258,629.58	EUR 236,061.43	240,472.63
Executive Secretary P5	115,485.88	117,102.46	119,221.79
Data Manager P3	40,142.53	46,806.27	48,014.56
Temporary Personnel	0.00	0.00	0.00
Relocation	25,000.00	0.00	0.00
Installation allowance	13,380.84	0.00	0.00
Rent subsidy	13,500.00	13,500.00	13,500.00
Home leave	0.00	2,500.00	0.00
Child studying abroad leave	1,500.00	1,500.00	1,500.00
Single Parent/Child allowance	8,787.00	10,961.71	11,408.05
Spouse allowance	7,000.00	2,341.03	2,347.46
Education grant	5,000.00	9,157.50	13,736.25
Pension & health schemes	27,333.33	27,192.46	27,744.51
Staff development and training	1,500.00	3,000.00	3,000.00
Recruitment	0.00	2,000.00	0.00
Item 2. Property, Plant and Equipment	EUR 17,600.00	EUR 5,000.00	EUR 5,200.00
rent	0.00	0.00	0.00
maintenance	0.00	0.00	0.00
Utilities - Includes electricity, water, gas	0.00	0.00	0.00
Office Equipment and furniture	0.00	0.00	0.00
Depreciation of equipment	4,000.00	2,000.00	2,000.00
Consumables - Stationary, printer ink, paper	1,000.00	2,000.00	2,200.00
Insurance	12,600.00	1,000.00	1,000.00
Item 3. Meeting Support - SC	EUR 5,500.00	EUR 12,430.00	EUR 12,430.00
Hosting costs	0.00	3,350.00	3,350.00
Catering	2,000.00	4,000.00	4,000.00
Secretariat travel and accommodation to meetings	0.00	0.00	0.00
Support costs (including Rapporteurs)	3,500.00	5,080.00	5,080.00
Item 4 Meeting Support - MoP & CC	EUR 12,800.00	EUR 19,159.79	EUR 32,129.47
Venue, catering, AV	5,000.00	0.00	21,812.47
Secretariat flights, accommodation, allowances	2,500.00	7,310.59	5,346.00
Support costs (including Rapporteurs)	5,300.00	11,849.20	4,971.00
Item 5 Representation	EUR 5,000.00	EUR 13,035.00	EUR 13,035.00
Secretariat travel, notably for representation purposes	EUR 5,000.00	13,035.00	13,035.00
Item 6 Administration of Article 13.4	EUR 0.00	EUR 9,647.00	EUR 9,647.00
Financial assistance to travel to meetings	0.00	9,647.00	9,647.00
Other activities	0.00	0.00	0.00
Item 7 Communications and IT	EUR 8,000.00	EUR 9,820.00	EUR 8,500.00
Website design and maintenance, printing, telephone and internet services	5,000.00	6,820.00	5,500.00
Database-Establishment and integration	3,000.00	3,000.00	0.00
Database management and IT support	0.00	0.00	3,000.00
Item 8 Financial Services	EUR 0.00	EUR 11,000.00	EUR 15,000.00
Accounts and record keeping	0.00	4,800.00	5,000.00
Audit	0.00	5,000.00	8,680.00
Bank Charges	0.00	1,200.00	1,320.00
Item 9 Contracts for Specific Services	EUR 30,000.00	EUR 30,000.00	EUR 60,000.00
Research Activities	30,000.00	30,000.00	60,000.00
Item 10 Miscellaneous	EUR 0.00	EUR 0.00	EUR 0.00
Miscellaneous	0.00	0.00	0.00
Sub-total	EUR 337,529.58	EUR 346,153.23	EUR 396,414.10
Emergency/contingency funds	EUR 8,438.99	EUR 8,654.58	EUR 9,911.10
CPs contribution (TOTAL /less Funds held in reserve + contingencies)	EUR 345,968.57	EUR 354,807.81	EUR 406,325.20

Mauritius Contribution	21,623.04 EUR	19,711.54 EUR	22,573.62 EUR
All other CPs contribution	46,335.08 EUR	41,887.03 EUR	47,968.95 EUR



Cook Islands Statement on Benthic Protected Areas

Chair, we would just like to briefly raise the matter of the Benthic Protected Areas. While we accept that the Cook Islands did not bring a BPA closure in time, and we have no issue with that, we just would like to take this opportunity to remind Contracting Parties of the 13 BPAs voluntarily closed by the Cook Islands, Japan and Australia to protect vulnerable marine ecosystems. These areas have not been fished by anyone for 11 years, and we ask that while the work of the Scientific Committee is being done that other Contracting Parties respect the fact no Contracting Party has recently fished in this area and hold off on fishing in these BPAs for a year or two more while the work is completed. We believe that if Contracting Parties can hold the line on BPAs it will improve the mood of the Cook Islands in relation to certain proposed CMMs that may be on the agenda for the Meeting of the Parties for 2018.

Annex 7- Compliance Committee Terms of Reference

1. Pursuant to Article 7(2) of the Agreement, the Meeting of the Parties establishes a Compliance Committee which shall act as an advisory body to the Meeting of the Parties.

Representation

2. Each Contracting Party and participating fishing entity shall be entitled to appoint one representative to the Compliance Committee who may be accompanied by alternate representatives, experts and advisers.
3. Appointment of the Chairperson and Vice-Chairperson of the Compliance Committee shall be undertaken in accordance with Rule 5 of the Rules of Procedure and taking into account the nature and requirements of the Compliance Committee.
4. The duties of the Chairperson of the Compliance Committee are to manage the business of the Compliance Committee, present the Compliance Committee's reports to the Meeting of the Parties and to act as the primary liaison between:
 - a. the Compliance Committee and the Chairperson of the Meeting of the Parties;
 - b. the Compliance Committee and the Executive Secretary; and
 - c. the Compliance Committee and the Chairpersons of other subsidiary bodies established by the Meeting of the Parties.

Meetings

5. Regular meetings of the Compliance Committee normally shall be held once a year prior to or during the ordinary Meeting of the Parties, unless the Meeting of the Parties decides otherwise.
6. The Chairperson of the Compliance Committee may also convene working groups in support of the work of the Compliance Committee and the objectives of the Agreement.

Functions

7. The functions of the Compliance Committee are to:
 - a. monitor, review and assess the implementation of, and compliance with, the Agreement and all conservation and management measures adopted by the Meeting of the Parties, and to provide advice and recommendations to the Meeting of the Parties thereon;
 - b. give special consideration to reviewing compliance with measures adopted by the Meeting of the Parties that are paramount to the achievement of the Agreement's objectives, such as data reporting obligations, Illegal, Unreported and Unregulated fishing and Monitoring, Control and Surveillance measures;
 - c. to make recommendations to the Meeting of the Parties on new conservation and management measures, including measures to address non-compliance;
 - d. to monitor, review and analyse information pertaining to fishing activity in the Area, and recommend any action to be taken by the Meeting of the Parties to discourage any activities which undermine the objectives of the Agreement; and

- e. to provide such other information, technical advice and recommendations as it considers appropriate or as may be requested by the Meeting of the Parties.

Participation and Decision Making

8. Recommendations and advice to be provided by the Compliance Committee to the Meeting of the Parties pursuant to article 7(2) of the Agreement shall be determined in accordance with the procedures set out in Rule 12 of the Rules of Procedure.
9. In accordance with article 14 of the Agreement and Rules 20 and 21 of the Rules of Procedure, the meetings of the Compliance Committee shall be open to observers unless the Compliance Committee decides that exceptional circumstances require that a meeting or part thereof be held in closed session.
10. All representatives to the Compliance Committee may bring forward for consideration any matters relevant to the functions of the Compliance Committee.
11. The Compliance Committee draft meeting report shall be prepared by the Chairperson of the Compliance Committee with assistance from the Executive Secretary. This draft report shall be considered by the Compliance Committee, amended as necessary and adopted at the end of the Compliance Committee meeting. The Chairperson of the Compliance Committee shall transmit the Compliance Committee meeting report to the Meeting of the Parties.
12. The Compliance Committee may make recommendations to the Meeting of the Parties that material used in its deliberations be regarded as confidential and not be published.

Other

13. The Compliance Committee may make recommendations to the Meeting of the Parties to amend these Terms of Reference to facilitate its work.
14. In accordance with Rule 21(3) of the Rules of Procedure, except as otherwise provided in the Agreement, the Rules of Procedure apply, *mutatis mutandis*, to the proceedings of the Compliance Committee.

IUCN Closing Statement

30 June 2017

Mauritius

Thank you Chair

IUCN congratulates de SIOFA parties for their hard work and for many good results.

We support the improvements made in terms of compliance, control and surveillance, and encourage the parties to go further in this direction, noting that transparency is key part of the principles of good governance. And we repeat that all measures should be taken to ensure that no IUU fisheries or IUU practices is happening in the region.

However, IUCN is disappointed by the lack of concrete results on area-based management measures. Despite the good decisions taken, such as in Article 6 and 7 of CMM 2016/01 (MoP-04-09 CMMs 2016 01-05 adopted.pdf), we think that this does not match the urgency of protecting the oceans biodiversity that we stressed in our opening statement.

In particular, we are disappointed by the lack of cooperation amongst the parties and amongst the two fisheries industries, on one hand the long liners and on the other hand the trawlers.

Regarding the SIODFA BPA case, although we consider that a protected area is not always a no-take zone, and therefore that in an MPA some fisheries may be forbidden and other authorised, we regret that an agreement has not been reached for the implementation of BPAs for all fisheries. We remind here the importance of the wise use of the Precautionary Principle which says that *the lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation* (Rio Declaration 1992).

We think that there is here a miss opportunity for SIOFA to take exemplary area-based measures for the sustainable development of fisheries, especially this year, while a new implementing agreement of the Convention on the Law of the Sea is under negotiation at the UN, and while many countries and international bodies are declaring voluntary commitments for marine conservation at the Sustainable development Goal 14 Conference in New York and at the Our Oceans Conference organised by the European Commission in Malta in October.

Therefore IUCN urges the SIOFA parties, and the Observers, through the scientific committee, to work during the inter-session to make sure that progress are made quickly so that the current fisheries and the fisheries extensions will not have harmful impacts on the sensitive deep sea ecosystem.

Thank you