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

Report of the Fifth Meeting of the Parties
to the
Southern Indian Ocean Fisheries Agreement
(SIOFA)
Thailand, Phuket
25 – 29 June 2018

Table of Contents

Agenda Item 1 – Opening of the Session	1
1.1 Opening statement from the Chair	1
1.2 Opening statement from the SIOFA Executive Secretary.....	1
1.3 Welcome by the representative of Department of Fisheries Thailand.....	1
1.4 Presentation of Contracting Parties Delegations	1
1.5 Admission of Observers	1
1.6 Status of the Southern Indian Ocean Fisheries Agreement	2
Agenda Item 2 – Administrative arrangements	2
2.1 Adoption of the agenda	2
2.2 Confirmation of meeting documents	2
2.3 Appointment of rapporteurs.....	2
2.4 Practical arrangements for the meeting.....	2
2.5 Participation in decision making	2
Agenda Item 3 – Report of the Second Meeting of the Compliance Committee	3
Agenda Item 4 – Report of the Third Meeting of the Scientific Committee	5
Agenda Item 5 – Interim Bottom Fishing Measures.....	11
5.1 Definition of the term ‘recently fished areas’	11
5.2 Definition for ‘new fisheries’	11
Agenda Item 6 – Vessel catch, effort and scientific observer data.....	11
Agenda Item 7 – Listing of IUU vessels.....	12
Agenda Item 8 – Amendments to Conservation and Management Measures (CMMs) currently in force.....	13
8.1 MoP5-Prop06 Australian proposal to modify CMM 2017/01 for Interim Management of Bottom Fishing 13	
8.2 MoP5-Prop08 EU proposal to amend CMM 2017/02 on Data Standards	16
8.3 MoP5-Prop11 EU proposal to amend CMM 2016/06 on IUU List	16
8.4 Merged MoP5-Prop09 & 11 EU &Thailand proposal to amend CMM 2017/09 for Control.....	16
8.5 MoP5-Prop07 Australia and EU proposal to modify CMM 2017/10 on Monitoring	16
Agenda Item 9 – New Conservation and Managements Measures (CMMs).....	16
9.1 Proposal for Orange Roughy Biological Reference Points and HCR.....	16
9.2 MoP5-Prop02 Cook Islands proposal for a strategy to collect, share & use information on Persons of Interest (POI)	17
9.3 MoP5-Prop04 Australian and EU proposal to establish a SIOFA Compliance Monitoring Scheme.	17
9.4 MoP5-Prop05 Australian proposal to establish a SIOFA high seas boarding and inspection regime.	17

Agenda Item 10 – Secretariat Administration	17
10.1 Report of Staff Resources and Report on Secretariat Activities.....	17
10.2 Report on Financial Resources.....	18
Agenda Item 11 – Cooperation with other RFMOs and international bodies	19
11.1 South West Indian Ocean Fisheries Commission (SWIOFC).....	19
11.2 Draft arrangement between SIOFA and CCAMLR.....	19
11.3 Agreement on the Conservation of Albatrosses and Petrels	20
Agenda Item 12 – Election of a Chairperson and Vice Chairperson	20
Agenda Item 13 – Future Meeting Arrangements	21
13.1 Dates and venues for the SERAWG and Scientific Committee 2019 and 2020.....	21
13.2 Dates and venues for the Compliance Committee and Meeting of the Parties in 2019 and 2020.....	21
Agenda Item 14 – Participation of CNCP, PFE and observers	21
14.1 New applications for participation as a cooperating non-Contracting Party or as a cooperation non-participating fishing entity	21
14.2 Status of registered cooperating non-Contracting Party or as a cooperation non-participating fishing entity	21
Agenda Item 15 – Any other Business	22
15.1 Sustainable Ocean Initiative Global Dialogue with RSOs and RFBs.	22
15.2 Deadlines for proposal submissions for Compliance Committee and Meeting of the Parties Meetings	22
15.3 Classification of Compliance Committee and Meeting of the Parties meeting documents.	22
15.4 Legal advice requested from the Secretariat	22
15.5 Amendments to Rules of Procedure	22
Agenda Item 16 – Adoption of the report	23
Agenda Item 17 – Close of the meeting	23
List of Annexes	24

Agenda Item 1 – Opening of the Session

1.1 Opening statement from the Chair

1. SIOFA Chairperson, Mr Kristofer DU RIETZ opened the meeting at 09:10, welcoming delegates and thanking Thailand for hosting the meeting and for the field trip they had arranged. He noted that this was the first meeting where all the administrative building blocks were in place and that the meeting could now focus on substantive issues. His speech is at Annex A.

1.2 Opening statement from the SIOFA Executive Secretary

2. The ES briefly welcomed delegates and thanked Thailand and the hotel staff for all their hard work in preparing the venue for this meeting.

1.3 Welcome by the representative of Department of Fisheries Thailand

3. The Chair invited Mr Bunchong CHUMNONGSITTATHUM, Deputy Director General of Thailand Department of Fisheries to speak. He welcomed all delegates, and observers to the meeting, and noted that Mr Adisorn PROMTHEP, Director General of Thailand Department of Fisheries, sent his apologies for not being able to attend the meeting. His speech is at Annex B.

1.4 Presentation of Contracting Parties Delegations

4. Each delegation was invited to introduce its members. All Contracting Parties except for the Republic of Korea were represented, a list of participants is at Annex C. Delegations expressed gratitude to the Thai government for hosting the meeting and their generous hospitality. Many delegations highlighted key issues for discussion at the meeting and reaffirmed their commitment to working constructively to achieve shared goals.

1.5 Admission of Observers

5. The Chair welcomed observers and invited them to introduce themselves. Opening statements were provided by China, Deep Sea Conservation Coalition (DSCC), International Union for Conservation of Nature (IUCN) and the Southern Indian Ocean Deepsea Fishers Association (SIOFDA). These

statements are made available at Annex D, Annex E, Annex F, and Annex G respectively. A full list of observers is as Annex C.

1.6 Status of the Southern Indian Ocean Fisheries Agreement

6. With reference to a statement on the status of SIOFA provided by FAO provided in Meeting of the Parties5-INFO-01. The Chair confirmed that there were no new Contracting Parties.

Agenda Item 2 – Administrative arrangements

2.1 Adoption of the agenda

7. The agenda was modified and then adopted as at Annex H.

2.2 Confirmation of meeting documents

8. The Executive Secretary informed CPs the most recent versions of meeting papers were available on the website and would also be made available on the meeting server.

2.3 Appointment of rapporteurs

9. The Meeting of the Parties (MoP5) agreed to appoint Pailin Munyard from Australia as rapporteur.

2.4 Practical arrangements for the meeting

10. The Executive Secretary ran through the practical arrangements for the meeting.

2.5 Participation in decision making

11. The Executive Secretary informed Contracting Parties that in accordance with RoP Rule 14 a contributor to the budget of the Meeting of the Parties which is in arrears for the preceding 2 full years or more may not participate in decision making. At this time the Seychelles fell within this category and therefore will not be permitted to participate in decision making at this meeting, unless the Meeting of the Parties decides otherwise.
12. Seychelles advised that they will soon provide their contributions, having recently secured funding.

13. The Cook Islands followed by Mauritius and Australia found this explanation acceptable and stated they considered that Seychelles should be allowed to participate in decision making on the understanding the contribution would soon be made and that this would not become the norm. This was agreed by all Contracting Parties.

Agenda Item 3 – Report of the Second Meeting of the Compliance Committee

14. The Chair of the second meeting of the Compliance Committee (CC2), Mr Dominique PERSON, gave a presentation of the report of CC2 to the Meeting of the Parties, held in Phuket, Thailand, from 21-23 June 2018 (Annex I). It was noted that the CC2 Report had been adopted immediately prior to the commencement of the Fifth Meeting of the Parties. He thanked Contracting Parties for the work they had done prior to the meeting to accelerate discussions. The CC2 Chair noted the importance of submitting Implementation Reports (IR) to the work of the Compliance Committee and subsequently Meeting of the Parties. He reminded CPs that the CC needs to be aware of the possible application of CMMs to each CP, even if fishing does not take place by their vessels.

15. A summary was provided for the six proposals amending five Conservation and Management Measures (CMM), discussed and developed at CC2:

- CMM 2017/02 for Data Standards (Annex H, CC2 Report – MoP5-Prop08 Rev1 (EU)). CC2 recommended to MoP5 that the proposal be adopted;
- CMM 2016/06 on IUU List (Annex I, CC2 Report – MoP5-Prop11 Rev3 (EU)). CC2 recommended to MoP5 that the proposal be adopted.;
- CMM 2017/09 for Control (Annex F, CC2 Report – MoP5-Prop09 Rev1 (EU)). CC2 recommended to MoP5 that the proposal be adopted;
- CMM 2017/09 for Control (Annex E, CC2 Report – MoP5-Prop03 Rev4 (THAI)). CC2 recommended to MoP5 that the proposal be adopted; and
- CMM 2017/10 for Monitoring (Annex G, CC2 Report – MoP5-Prop10 Rev2 (EU), merged with MoP5-Prop07 (AUS)). CC2 recommended to MoP5 that the proposal be adopted.

16. One proposal (MoP5-Prop09) submitted by Australia aimed at amending CMM 2017/01 for Interim Management of Bottom Fishing was not discussed and deferred to MoP5.

17. A summary was provided for three draft new CMMs that were discussed and developed at CC2:

- Proposal for a strategy to collect, share and use information on Persons of Interest (MoP5-Prop02). With the agreement of the Cook Islands, this proposal was suspended for future consideration;
- Proposal to establish a SIOFA Compliance Monitoring Scheme (CMS) was discussed with paragraph 24bis deferred to MoP5 for further discussion; and
- Proposal to establish a SIOFA High Seas Boarding and Inspection Regime (Annex K, CC2 Report - MoP5-Prop Rev4). CC2 developed the text and deferred to MoP5 for continued discussion.

18. The Meeting of the Parties noted its appreciation of the constructive manner in which Contracting Parties participated at CC2 but expressed regret that some delegations did not attend or submit IRs, noting these are required to ensure CC2 can work effectively. It was requested that the Secretariat communicate with the relevant Contracting Parties on this to help ensure reports were submitted.
19. Mauritius apologized for not attending CC2 noting the internal debate about national budgets and for this reason could only attend the MoP5. Mauritius assured Contracting Parties that it is fully committed to compliance and intends to submit its IR in due course.
20. Seychelles thanked Chair of CC2 and apologized for not attending but noted their commitment to attending in the future.
21. The Meeting of the Parties noted that Seychelles and Mauritius did not submit any implementation Report and instructed the Executive Secretary to engage with these Contracting Parties intersessionally on their reporting obligations.
22. The Meeting of the Parties resolved that:
- failure to submit an implementation report shall not preclude the Compliance Committee and the Meeting of the Parties from discussing any implementation matters that relate to that CP, CNCP or PFE;
 - the lack of fishing activity in the Agreement Area for the period covered by the implementation report does not exempt any CP, CNCP or PFE from submitting that report;
23. MoP5 reminded all Contracting Parties, CNCPs and PFEs of the importance to comply with the provisions of the Agreement and relevant CMMs and of the standing obligation to submit an annual implementation report for the consideration of the Meeting of the Parties.

24. The report of the second Compliance Committee was accepted, noting that each proposal submitted by CC2 would be considered for adoption under Agenda 8 and Agenda 9.

Agenda Item 4 – Report of the Third Meeting of the Scientific Committee

25. The Chairperson of the Scientific Committee, Dr Ilona Stobutzki, presented the report of the third meeting of the Scientific Committee, held in La Reunion, from 20 – 24 March 2018 (Annex J). This included the Scientific Committee's consideration of the work undertaken by the first meetings of the Stock Assessment Working Group and the Ecological Risk Assessment Working Group.

26. The Meeting of the Parties recognised and appreciated the substantial progress made by the Scientific Committee in delivering on the directions through the relevant CMMs and the requests from the Meeting of the Parties.

27. The Meeting of the Parties supported the requests and adopted the recommendations made by the Scientific Committee with the exceptions and additions discussed below.

28. The EU requested further clarification on the Scientific Committee Guide to terminology (Annex E, SC2 Report).

29. **In relation to scientific data standards**, there was discussion on observer coverage levels required, the role of electronic monitoring and the data fields required. Some Contracting Parties noted their difficulty in collecting certain data fields and suggested it would be useful to define the data set that Scientific Committee requires to carry out their work.

30. The Meeting of Parties noted the Scientific Committee advice that they were unable to review the prescribed observer coverage levels and Annex B Voluntary Observer Data as directed in CMM 2017/02 by 2018. The Scientific Committee Chair advised this was due to the limited observer data that had been submitted to the Secretariat at this time. The SC's request to undertake an inventory of observer data collection and protocols was considered in the budget discussion (Agenda 10.2). It was recalled that following CMM 2017/02 paragraph 13 that requires that if observer data are collected that data shall be reported to the Secretariat.

31. The Meeting of Parties requested the Secretariat to develop spreadsheet templates intersessionally to guide data submissions, in line with the requirements of CMM 2017/02.

32. **In relation to mapping where VMEs are known to occur**, or likely to occur, in the agreement area (CMM 2017/01 paragraph 5b) by 2017, the Scientific Committee Chair noted that this had not been

able to be progressed. The Meeting of the Parties requested the Scientific Committee to develop common thresholds for taxa indicators of VME presence in addition to the definition of 'VMEs' in the paragraph 3(a) of CMM 2017/01 for the SIOFA area. France (Territories) noted the Scientific Committee agreement that a common data collection protocol should be adopted and that the benthos data collection framework presented by France (Territories) could be a source to build such a common protocol. The Cook Islands noted that a number of known VMEs had been reported in its comprehensive benthic impact assessment reviewed by the Scientific Committee.

33. **In relation to the Bottom Fishing Impact Assessments (BFIA)**, the Meeting of Parties noted the Scientific Committee had received and considered a BFIA from six Contracting Parties, as required by CMM 2017/01. The Scientific Committee Chair summarised the challenges in considering the submitted BFIA, including different interpretations of the SIOFA BFIA Standard and risk assessment. The Meeting of Parties discussed the SC's suggested approach to further develop the cumulative bottom fishing impact assessment. The Meeting of the Parties supported a request for Contracting Parties fishing with the same gears to work together to progress a cumulative assessment. The Cook Islands noted the different impact and spatial coverage by the different gears. Some Contracting Parties noted the importance of work on a common footprint.
34. **In relation to the standard protocol for future protected area designation** (the protocol), the Scientific Committee Chair noted the protocol had been adopted at MoP4 and that the SC3 had tested and revised the protocol and recommended the revised protocol to the Meeting of the Parties for adoption (SC3 Report, Annex H).
35. Australia and the Cook Islands encouraged adoption of the proposed protocol. This was supported by the DSCC and SIODFA.
36. The EU requested clarification on the criteria of the protocol, how they were applied and whether there was a ranking. The Scientific Committee Chair clarified that the criteria in the revised protocol were similar to the current adopted protocol but with changes to improve the wording and there was no weighting applied. The EU asked for clarification on the use of the criteria on scientific interest and whether it would be sufficient on its own for justifying the designation of a zone as protected, or even its closure. The Scientific Committee Chair noted this criterion was used when supported by evidence in the proposal.
37. The EU noted that in the Scientific Committee report the criterion related to the presence of VMEs was not satisfied for any of the proposals. It also noted that the protocol was not precise enough to

enable the decision of meaningful and appropriate management measures. EU proposed that the Scientific Committee revise the protocol to further elaborate the application of criteria, how the Meeting of the Parties should use the criteria, which criteria may warrant closure and to provide guidance on management options.

38. France (Territories) noted that the protocol should be subject to regular improvement, that there should be different implications for the different criteria and that VMEs were a key principle.
39. The DSCC highlighted Article 4 of the Agreement calling for the precautionary approach to be applied. Some Contracting Parties agreed that adopting the protocol would be one way to implement the precautionary approach.
40. The Meeting of the Parties agreed to adopt the recommended SIOFA protocol for designation of protected areas, as per Annex K, as an interim protocol. The Meeting of the Parties requested the Scientific Committee to review the interim protocol for the designation of protected areas. In particular, the Scientific Committee is requested to clarify the use of the criteria and provide in particular a ranking and a key for using these criteria in view to developing appropriate management plans/measures. The Scientific Committee is also requested to identify taxa indicators of VMEs presence and define a common VME encounter protocol.
41. **With respect to the proposed protected areas**, the Scientific Committee Chair summarised the process and the SC's recommendations and advice. The information on catch and fishing effort in the proposed areas had been provided by the Secretariat (MoP5-INFO-03, classified as restricted in accordance with CMM 2016/03 on Data Confidentiality). In response to questions, the Scientific Committee Chair clarified the intersessional process, including the informal steering committee led by Australia, and the use of the protocol.
42. Australia noted its proposal (MoP5-Prop06) to create protected areas responded to the Scientific Committee advice. Some Contracting Parties noted that the advice on the five areas designated for protection was made by consensus. Some Contracting Parties noted that there was no advice from the Scientific Committee for closing these areas. The Cook Islands expressed its support for closure of the proposed areas to fishing activity.
43. The EU noted the desire of some Contracting Parties to protect some areas but inquired information underpinning the urgency in proceeding before establishing a clear framework, given the lack of clear scientific advice, the absence of trawling activities and the low level of other gears activity in these areas.

44. Some Contracting Parties shared their experience and processes in the development of protected areas under their relevant jurisdictions. Some Contracting Parties noted the role of management plans for protected areas and there was discussion on the timing for development of the research and management plans and the potential role of the Scientific Committee in developing the research and management plans.
45. IUCN noted a usual sequence of events regarding protected areas was the identification of important areas, declaration, description of threats and identification of management objectives, followed by the development of a management plan.
46. Further discussion of the proposals was deferred to Agenda 8.1
47. **With respect to the Scientific Committee work on stock assessments**, the Scientific Committee Chair noted the progress of the work in line with CMM 2017/01 and the work of the Stock Assessment Working Group (SAWG). The Meeting of the Parties noted the rapid and substantive progress made to deliver the assessments of orange roughy stocks.
48. In response to questions, the Scientific Committee Chair noted; the process of data consolidation and review, the intersessional development of the assessment approach and review by the SAWG and SC; that the assessment covers seven 'stocks', including all currently fished, with the exception of one stock that has had little catch taken and no acoustic surveys; retrospective analyses have not been conducted.
49. The SAWG Chair noted that estimates in relation to biomass at MSY (B_{MSY}) were available in the original stock assessment papers. The Meeting of the Parties noted that all assessed stocks, for which MSY estimates were available, were estimated to be well above the estimated B_{MSY} . and that this was an important issue for the credibility of SIOFA to present this to the world, that the SIOFA orange roughy stocks had never been overfished, were in a very healthy state, and currently being fished sustainably.
50. The Meeting of Parties discussed the SC's request for further direction from the Meeting of Parties on the establishment of reference points to develop advice on stock status. The EU stated that their understanding was that the Agreement, Article 4, specifies the reference point of MSY and that stock status should be reported against this, including Kobe plots or equivalent. Australia and the Cook Islands noted their understanding that the Agreement calls for maintaining stocks at least at MSY levels but that reference points could be more conservative. The EU noted this did not prevent

the Meeting of Parties seeking advice to assist in defining different management objectives that were at least as conservative as MSY.

51. In clarifying the request in CMM2018/01 paragraph 6a, the Meeting of the Parties requested the Scientific Committee provide advice on the status of stocks in relation to MSY until species/stock/fisheries specific reference points are adopted by the Meeting of the Parties.
52. Noting the advice from the SC03 (para 234) requesting further direction from the Meeting of the Parties on the establishment of reference points, the Meeting of the Parties requests the Scientific Committee by the end of SC04 to provide advice on candidate target (TRP) and limit reference points (LRP) for SIOFA orange roughy, alfonsino and toothfish. The LRPs should be related to the resilience of the species concerned and to a risk of recruitment failure or collapse. The range of TRPs on which advice is requested would range from Bmsy to 50% of the unfished biomass Bo. The advice requested should address implications of the use of the various reference points.
53. The Scientific Committee (SC04) is requested to develop a framework and a work plan for the establishment of harvest strategies for key SIOFA stocks. Such a plan should include to the extent possible: management objectives, reference points, monitoring strategy, HCR, MSE and any other elements the Scientific Committee might consider appropriate. The Scientific Committee is also requested to facilitate a scientists-fisheries manager dialogue dedicated to the key concepts of harvest strategies.
54. DSCC provided an intervention in relation to orange roughy and the issue of target and limit reference points (Annex L).
55. The Meeting of the Parties expressed its thanks to the SIOFA Secretariat, the Cook Islands, Australia, the EU, the FAO and industry in resourcing and contributing to the assessment (particularly in relation to data collection and acoustic surveys) because it was recognised that this was a significant amount of work.
56. **With respect to progress on the assessment of Patagonian toothfish** in line with CMM 2017/01 by 2019, the Scientific Committee Chair reiterated the request for the Secretariat, Chair and Contracting Parties to assist in progressing this work in collaboration with CCAMLR and countries with EEZs in which the shared stock is likely to occur. Australia noted the work undertaken in CCAMLR to ensure sustainable management of toothfish stocks and the need to ensure SIOFA activities complemented this. Australia expressed a keenness to progress this work and a wish to see

assessments undertaken in collaboration with CCAMLR and relevant countries (with EEZs in which the shared stock is likely to occur).

57. **With respect to the assessments of other species**, in line with CMM 2017/01, including those fished on the Saya de Malha Bank, Mauritius noted they will provide stock assessments, conducted by the Marine Resource Assessment group (MRAG) and Mauritian scientists, that have been completed for some species in the Saya de Malha Bank to the Scientific Committee. Scientific Committee Chair noted that these stock assessments would be a very welcome contribution to the work of the Scientific Committee.
58. **With respect to the work of the Ecological Risk Assessment Working Group**, the Scientific Committee Chair noted the progress of the work led by Australia in conjunction with James Cook University and CSIRO on deepwater chondrichthyans and next steps towards completing this in line with CMM 2017/01. The EU noted the value of ERAs in informing the vulnerability of fish species to particular gears which however was not informative in terms of stock status. It suggested also exploring the usefulness of other methods such as MIST (Maximum Impact Sustainable Threshold) which may be able to generate quantitative indicators related to the ability of a stock to withstand fishing pressure. The Scientific Committee Chair noted the SAFE approach generates quantitative estimates of indicators and welcomed the presentation of other approaches to the Scientific Committee. There was discussion on the species identification and data limitations, particularly for historic data, and the efforts by some CCPs to ensure robust species identification and improved data collection for deepwater chondrichthyans.
59. The Meeting of Parties agreed that the Scientific Committee Chair convene the Stock and Ecological Risk Assessment Working Group (SERAWG) co-chaired by Japan and Australia. The SERAWG terms of reference were adopted as recommended by the Scientific Committee (SC3 Report, Annex K).
60. The Meeting of Parties agreed that the Scientific Committee Chair convene the Protected Areas and Ecosystems Working Group (PAEWG) chaired by France (Territories). The PAEWG terms of reference were adopted as recommended by the Scientific Committee (SC3 Report, Annex I).
61. In relation to the MoP4 request for the Scientific Committee to provide advice and recommendations in relation to the development of the EU's draft CMM to regulate fisheries research, the Scientific Committee Chair noted the Scientific Committee recommendations. The EU agreed to lead an intersessional drafting group to further develop the draft CMM, including consultation with the Scientific Committee.

62. With respect to cooperation with other RFMOs and international bodies, the Seychelles noted their and Mauritius' engagement in recent research conducted by the EAF-Nansen program on the Saya de Malha Bank. The Seychelles noted they will bring research outcomes to the Scientific Committee as they become available.
63. With respect to the Scientific Committee operational work plan (SC3 Report, Annex M), some Contracting Parties suggested providing additional guidance on priorities. The Scientific Committee Chair noted the current work plan has been set in line with the directions and associated timelines in CMMs and from the Meeting of the Parties.
64. A small working group of Scientific Committee representatives provided additional information (Annex M) on the prioritization of recommended research activities to be considered in the budget consideration (Agenda item 10.2).

Agenda Item 5 – Interim Bottom Fishing Measures

5.1 Definition of the term ‘recently fished areas’

65. This agenda item was withdrawn.

5.2 Definition for ‘new fisheries’

66. The Meeting of the Parties noted the good progress of the working group on defining ‘new fisheries’ and agreed that it should continue its work lead by France (Territories).
67. France (Territories) noted the interaction of this work with the draft CMM to regulate fisheries research, which may assist in defining ‘scientific campaigns’ but was not yet complete. It further noted that it was important to establish the SIOFA-wide footprint of fishing activities in the Agreement Area so that the picture of existing fisheries might help inform where new fisheries occur.

Agenda Item 6 – Vessel catch, effort and scientific observer data

68. The SIOFA Data Manager presented a summary of data submission reports to the Secretariat in accordance with CMM2017/02 paras 6, 7 and 13 and the status and structure of the databases held at SIOFA Secretariat in June 2018. The presentation is at Annex N.

69. The Meeting of the Parties agreed that the Secretariat should look at the procedures for data reporting in other RFMOs and in particular WCPFC where Contracting Parties have an opportunity to rectify reporting issues in advance of the Meeting of the Parties.
70. It was decided that the Executive Secretary and Data Manager would develop a draft spreadsheet template for data submission under CMM 2017/02.

Agenda Item 7 – Listing of IUU vessels

71. The Meeting of the Parties considered two Comoros flag vessels on the provisional SIOFA IUU vessel list agreed by CC2.
72. The Meeting of the Parties noted the advice of the CC2 notably that these vessels were engaged in fishing in the Agreement Area and that, as they were flagged to a non-CP, this constituted IUU fishing. The Meeting of the Parties considered the action taken by Comoros to address this issue but noted that it did not yet meet the threshold for removal from the provisional IUU list.
73. The Meeting of the Parties noted the commitment from Comoros to provide an update on the outcome of its sanctions committee in relation to these vessels and on this basis the Meeting of the Parties agreed to consider intersessional delisting on the basis of further advice to be received from Comoros.
74. The Meeting of the Parties noted that the Comoros had attended both CC2 and MoP5, had taken swift actions to begin to address the IUU listing, shown goodwill to cooperate and a clear commitment to fighting IUU by becoming a CNCP of SIOFA.
75. The Meeting of the Parties adopted the final SIOFA IUU Vessel List (Annex O).
76. Mauritius informed the Meeting of the Parties that Mauritius claims that it has historic rights on the Saya de Malha bank as mentioned in a letter dated 14 June 2018 sent to the secretariat. There has been a management plan since 2012 for this area which would be made available for the Contracting Parties. Mauritius was currently undertaking legal evaluation of the situation
77. Australia noted that Mauritius had at times claimed or suggested that its EEZ extends beyond 200nm from its territorial sea baselines, and that it possesses sovereign rights over fisheries resources in the water column outside its EEZ. Australia, the EU and Thailand expressed their views that Mauritius had not in any way substantiated these claims and that the area in question is clearly within the SIOFA area.

78. Mauritius reiterated its claim for historical rights on the Saya de Malha Bank and stated that the Secretariat would be informed of the progress on the legal evaluation undertaken by Mauritius.

Agenda Item 8 – Amendments to Conservation and Management Measures (CMMs) currently in force

8.1 MoP5-Prop06 Australian proposal to modify CMM 2017/01 for Interim Management of Bottom Fishing

79. Australia presented its proposal to amend CMM 2017/01, citing its desire to implement the Scientific Committee's advice in relation to protected areas. Australia explained that the proposed measures include closing 5 biodiversity-rich features (annex 2: Atlantis Bank, Coral, Fool's Flat, Middle of What, Walter's Shoal) to all fishing and an VME encounter protocol, along with 100% observer coverage, for an additional seven features (annex 3: Banana, Bridle, East Broken Ridge, Gulden Draak, Mid-Indian Ridge, Rusky Knoll and Del Cano Rise).
80. Australia recalled that the Meeting of the Parties first received Scientific Committee advice in relation to these areas in 2016, and further recalled work undertaken by the Scientific Committee in subsequent years in relation to a protocol for protected area designation. Australia noted that, in relation to the Annex 2 areas, each had satisfied at least one criterion in the Scientific Committee's proposed revised protocol for protected area designation, and noted that advice considered evidence from IUCN and Convention on Biological Diversity scientific processes. Australia recalled the Scientific Committee's advice that these areas could be designated as protected areas, and that fishing by all gear may degrade the biodiversity and scientific value of these areas.
81. Australia, the Cook Islands and the EU highlighted the need to apply the precautionary approach – specifically that the absence of adequate scientific information shall not be used as a reason for postponing or failing to take conservation and management measures - the need to act on scientific committee advice and urged the Meeting of the Parties to avoid delaying action in this regard.
82. The EU highlighted the fact that the criterion on the presence of VMEs was not fulfilled in any of the proposals assessed by the Scientific Committee. The EU also noted that currently there was no information about immediate risks in these areas, since there was no trawling activity on-going and very limited activity of other gears. Australia noted that the limited fishing activity was because these areas were closed to trawling by some Contracting Parties' domestic arrangements and the

reported effort was enough to pose a risk. Australia stated that the Meeting of the Parties should consider the need to forecast and prevent.

83. In response to questions regarding the Scientific Committee advice on proposed protected areas and the use of criteria relating to VMEs. The Scientific Committee Chair noted that the Scientific Committee advice had not specifically used criteria 2 (VME are known to occur and/or triggering of VME indicator thresholds) in the protocol and that this was a reflection of the lack of a common definition of VMEs in the SIOFA context. However, the Scientific Committee Chair noted the proposals for protected areas included evidence of VMEs, defined by the proponents. The Scientific Committee Chair clarified that most of the other criteria in the protocol reflected the characteristics of VMEs identified within the FAO Guidelines, for example 3a) Bioregional representation; know to contain unique, rare or distinct habitats or ecosystems that fishing operations will disturb. Therefore, these criteria reflect areas that have characteristics of VMEs consistent with the FAO Guidelines.
84. EU indicated that the only clear recommendation from the Scientific Committee was that research and management plans should be prepared for each zone within the next 12 months.
85. EU also indicated that it was important to ensure that the process for the designation of protected areas in SIOFA, including the interim protocol for such designation, is further elaborated in order to become robust enough to support science-based designations and dedicated meaningful management regimes tailor-made for each area.
86. Despite the clear advice from the Scientific Committee, and noting the current measures in place in these areas by some Contracting Parties and the interest for the scientists to get data, in order to elaborate management plans, EU agreed to put in place temporary measures in the designated areas.
87. The Meeting of the Parties had a robust discussion on the merits of the proposal and the opportunities for further work, including in relation to the SC-proposed protocol for protected area designation and the development of research and management plans for each area.
88. Several Contracting Parties shared their successful experiences in developing fisheries management plans. They indicated that the evaluation of the resources and the activities in the zone is essential to develop efficient and adequate management measures within a protected area.
89. The Cook Islands noted that a number of known VMEs were included in its benthic fisheries impact assessment submitted to the Scientific Committee and noted that vessels flying its flag are

prohibited from fishing on known VMEs. The Cook Islands reiterated its view that any Contracting Party fishing in a closed area, or known VME area, should be providing VMS data to the Secretariat.

90. The Cook Islands also quoted the Australian bottom fishery impact assessment (SC-03-06 (07)) noting that the potential impacts of demersal auto-longline fishing on VMEs evaluated using the four elements of the draft BFIAS are 'potentially medium for intensity', 'long' in terms of their duration, 'low' in spatial extent' but with 'definite' cumulative impacts.
91. There was no consensus on action to be taken in relation to protection from bottom impacts in Annex 3 areas with some Contracting Parties stating that, in their view, this was a failure to take into account consensus advice from the Scientific Committee and others saying that there was absolutely no advice from the Scientific Committee regarding those zones. However, the Meeting of the Parties agreed to interim protected area designation for Annex 2 areas, which included closing those features to trawling and implementing 100% observer coverage for all other gears while fishing in these areas. It was agreed that the concerned parties would cooperate closely through the WG on Ecosystems and Protected Areas (led by France (Territories)) to work on these management plans and that the Scientific Committee would provide advice on research and management plans for each area by 2019. It was also agreed that the Scientific Committee will review the interim protocol for protected area designation. The Meeting of the Parties subsequently agreed to review Annex 2 when a new protocol for protected area designation is adopted. The amendments to the bottom fishing measure were adopted (Annex P).
92. Australia expressed its gratitude to Contracting Parties, in particular the Cook Islands, and observers (SIODFA, DSCC and IUCN) for their support and constructive participation in this proposal. While Australia and EU emphasised the concessions that had been made in the spirit of cooperation, they also welcomed the amended proposal as a positive step forward, and reaffirmed their commitment to meaningful protected areas as an integral part of fisheries management. Australia and the Cook Islands confirmed that all 12 areas would remain closed to all bottom fishing by their vessels under domestic arrangements. The Cook Islands specified that these areas are closed pursuant to domestic legislation.
93. The EU thanked Australia for leading this important work, which has resulted in improved management and protection of the areas listed in Annex 2.
94. IUCN, DSCC and SIODFA all expressed disappointment at the amended CMM's lack of ambition (IUCN, Annex Q and DSCC, Annex R).

95. Australia observed that the current bottom fishing measure (CMM 2017/01) could be improved in other ways, noting that the current measure envisages the development of a cumulative impact assessment, shared footprint and common thresholds for VME indicator taxa for all Contracting Parties. The Meeting of the Parties agreed to form a working group, led by Australia, to advance the current bottom fishing measure until the development of the SIOFA-wide bottom fishing footprint to, *inter alia*, update the measure to reflect progress achieved to date, develop common rules for managing SIOFA's bottom fisheries including in relation to catch and/or effort requirements, and to take steps towards the SIOFA-wide bottom fishing footprint referred to in CMM 2017/01. The Meeting of the Parties agreed the working group would be open to all Contracting Parties and SIOFA observers

8.2 MoP5-Prop08 EU proposal to amend CMM 2017/02 on Data Standards

96. The Meeting of the Parties agreed to the amendments to this proposal and adopted it (Annex S).

8.3 MoP5-Prop11 EU proposal to amend CMM 2016/06 on IUU List

97. The Meeting of the Parties agreed to the amendments to this proposal and adopted it (Annex T).

8.4 Merged MoP5-Prop09 & 11 EU & Thailand proposal to amend CMM 2017/09 for Control

98. The Meeting of the Parties agreed to the proposal and adopted it (Annex U).

8.5 MoP5-Prop07 Australia and EU proposal to modify CMM 2017/10 on Monitoring

99. The Meeting of the Parties adopted the proposal (Annex V).

Agenda Item 9 – New Conservation and Managements Measures (CMMs)

9.1 Proposal for Orange Roughy Biological Reference Points and HCR

100. The Cook Islands presented its proposal regarding the setting of biological reference points for Orange Roughy following a recently completed stock assessment focusing on whether the Meeting of the Parties was willing to set reference points, or whether to revert back to the Scientific Committee.

9.2 MoP5-Prop02 Cook Islands proposal for a strategy to collect, share & use information on Persons of Interest (POI)

101. Not discussed, closed at CC2.

9.3 MoP5-Prop04 Australian and EU proposal to establish a SIOFA Compliance Monitoring Scheme.

102. Australia and the EU introduced the proposal and noted they were willing to re-engage with Contracting Parties that were not present at Compliance Committee.

103. With minor amendments relating to points raised by Japan and the Cook Islands, the Meeting of the Parties adopted the proposal (Annex W).

9.4 MoP5-Prop05 Australian proposal to establish a SIOFA high seas boarding and inspection regime.

104. Australia introduced its proposal, noting it had been considered at CC2. Contracting Parties continued discussions on the text of the proposal, but no agreement was reached on issues including the carriage of arms, the use of force and jurisdiction of claims. The progress made in discussions of the Meeting of the Parties including on these outstanding issues is set out in Annex X.

105. The Meeting of the Parties asked the Secretariat to develop a secure section of the SIOFA website accessible by individual usernames and passwords.

Agenda Item 10 – Secretariat Administration

10.1 Report of Staff Resources and Report on Secretariat Activities

106. The SIOFA Executive Secretary presented an overview of Secretariat's resources and activities for the 12 month period between MoP4 and MoP5 highlighting the recruitment of a new data-manager and areas of international cooperation with other RFMOs and international organizations.

107. The Meeting of the Parties thanked the Executive Secretary and the Data Manager for the good work conducted during the past year, and acknowledged the good progress made by the Secretariat in the management of SIOFA data and IT since the recruitment of the Data Manager.

108. The Meeting of the Parties instructed the Executive Secretary to provide reports to the Contracting Parties of all SIOFA missions in the future and that the SIOFA Chairperson would keep the Contracting Parties informed of any authorization for missions of the Executive Secretary.

10.2 Report on Financial Resources

109. The Executive Secretary presented a report on Financial Resources (MoP5-Doc15) outlining contributions received to date and an overview of SIOFA's financial position. Contracting Parties were encouraged to pay contributions on time and to rectify any arrears. At this point Seychelles provided assurance to the Meeting of the Parties that payment for arrears to 2017 had been secured and payment for the 2018 contribution was in the process of being secured.

110. The Meeting of the Parties took note of the SIOFA Financial Report and the External Auditor's report for 2017 (MoP5-Doc11). The Meeting of the Parties instructed the Secretariat to ensure that financial statements are included in the Financial Report prepared for the forthcoming Meeting of the Parties as is required by the Financial Regulations.

111. The Executive Secretary also presented the draft SIOFA 2019 budget (MoP5-Doc14Rev1). The Meeting of the Parties identified a structural issue in the budget formula and noted that, with the emergence of high volume but low value fisheries, that the current formula may be inequitable for Contracting Parties. Thailand, with the assistance of Australia, offered to lead intersessional discussions to consider the best way to resolve this.

112. The Meeting of the Parties agreed to increase the Data Manager's role from 0.5FTE to 0.75FTE and to provide 100% of the allowance rental subsidy and to budget for 100% of the spouse allowance.

113. The Meeting of the Parties requested the Secretariat to publicise calls for scientific services on the SIOFA website and circulate them to CCPs.

114. Japan expressed concern at increasing the budget.

115. The Meeting of the Parties adopted the budget and contributions at Annex Y.

116. The Meeting of the Parties adopted an amendment to SIOFA Financial Regulation 5.5 (Annex Z).

Agenda Item 11 – Cooperation with other RFMOs and international bodies

11.1 South West Indian Ocean Fisheries Commission (SWIOFC)

117. The Executive Secretary presented a concept note for SIOFA and SWIOFC collaboration (MoP5-Prop15). This was welcomed by many Contracting Parties and the Executive Secretary was thanked for this initiative.
118. The Meeting of the Parties supported the Executive Secretary continuing to develop the relationship with SWIOFC and World Bank. To assist the development of the proposal, the Scientific Committee was requested to provide advice on scientific activities that could be conducted on straddling demersal stocks of the Saya de Malha bank.
119. In addition to scientific activities, objectives identified for collaboration activities included ensuring compatibility of Conservation and Management Measures between the two organisations and activities aimed at improving monitoring and control of fishing activities as well as fighting IUU fishing.
120. The Meeting of the Parties suggested that the Secretariat invite the World Bank to be a SIOFA observer.

11.2 Draft arrangement between SIOFA and CCAMLR

121. Following the draft arrangement adopted at MoP4 (MoP4 Report, Annex M) the Executive Secretary presented a revised draft arrangement between SIOFA and CCAMLR which had been adopted by CCAMLR in October 2017.
122. The Meeting of the Parties considered how to best cooperate with CCAMLR under the auspices of the MoU.
123. The Meeting of the Parties noted advice from the Scientific Committee that toothfish caught in the SIOFA Area were likely to be part of a stock shared with CCAMLR and other states' EEZs. To this end, Australia noted the importance of cooperating with CCAMLR in toothfish stock assessments (of relevance to Article 2(iv)).
124. Meeting of the Parties considered that SIOFA should explore avenues to cooperate with CCAMLR's catch documentation scheme (CDS) as a means to ensure whole-of-stock traceability and

that this could be achieved under Article 2(v) of the MoU noting that this is already done bilaterally by some CCPs.

125. Some Contracting Parties therefore suggested that the Secretariat obtains from CCAMLR all the necessary information regarding cooperation with the CCAMLR CDS and informs Contracting Parties and CNCPs of the requirements for its implementation.
126. The MoU text was adopted (Annex AA).

11.3 Agreement on the Conservation of Albatrosses and Petrels

127. In support of a proposal for a MoU between SIOFA and the Agreement for the Conservation of Albatross and Petrels (ACAP) the Executive Secretary of ACAP, Dr Marco FAVERO, gave a brief presentation, covering the key species (Wandering Albatross, Sooty Albatross and Amsterdam Albatross) and the work of ACAP. His presentation is at Annex BB.
128. Following some minor amendments a Memorandum of Understanding was adopted (Annex CC).
129. The ACAP Executive Secretary thanked SIOFA MoP5 for the support to the proposed MoU. The ACAP Executive Secretary also noted that although the proposed changes were minor, some of them affected paragraphs relevant to ACAP. Consequently, he will trigger an intersessional consultation seeking final approval from ACAP Parties, hence allowing the signature of the Memorandum of Understanding within the next few weeks.
130. France (Territories) indicated that the Réserve des Terres Australes et Antarctiques Françaises had just launched a national action plan for Amsterdam Albatross and hope they will be able to present it to SIOFA.

Agenda Item 12 – Election of a Chairperson and Vice Chairperson

131. Mauritius proposed the current Chair, Mr Kristofer Du Rietz continue as Chair of the Meeting of the Parties. Contracting Parties supported the proposal that Mr Du Rietz continue for an additional two year term as Chair.
132. Thailand nominated Mr Tim Costelloe from the Cook Islands as Vice Chair of the Meeting of the Parties. This was supported by other Contracting Parties.

Agenda Item 13 – Future Meeting Arrangements

13.1 Dates and venues for the SERAWG and Scientific Committee 2019 and 2020

133. Japan offered to host the Stock Assessment and Ecological Risk Assessment Working Group (SERAWG) and fourth Scientific Committee at National Research Institute of Fisheries Science in Yokohama with the provisional dates of 19-22 March 2019 for SERAWG1 and 25-29 March 2019 for SC4 subject to consultation with Scientific Committee members for suitability.
134. Mauritius offered to host SERAWG2 and SC5 in 2020, dates to be decided.

13.2 Dates and venues for the Compliance Committee and Meeting of the Parties in 2019 and 2020.

135. Mauritius will host CC3 and MoP6 with proposed dates 27-29 June 2019 and 01-05 July 2019 respectively.
136. No venues were offered for 2020.

Agenda Item 14 – Participation of CNCP, PFE and observers

14.1 New applications for participation as a cooperating non-Contracting Party or as a cooperation non-participating fishing entity

137. MoP5 noted that Comoros requested CNCP status and accepted Comoros as a CNCP to SIOFA. Contracting Parties welcomed Comoros and looked forward to working with them. Noting this, Meeting of the Parties agreed that all CMMs and should be translated into French and that all documents provided by Comoros should be translated into English.
138. Comoros thanked Contracting Parties for the encouragement and support for Comoros to join SIOFA and join in the good governance of Indian Ocean fisheries resources.

14.2 Status of registered cooperating non-Contracting Party or as a cooperation non-participating fishing entity

139. Not discussed as no registered CNCPs prior to MoP5.

Agenda Item 15 – Any other Business

15.1 Sustainable Ocean Initiative Global Dialogue with RSOs and RFBs.

140. In relation to the Convention on Biological Diversity's Sustainable Oceans Initiative, the Chair asked Contracting Parties if he had a mandate to attend in both capacity as an EU official and SIOFA Chair, on proviso that participation was funded by the EU.
141. Meeting of the Parties expressed support for this providing that the capacity in which the Chair attended should be clear.

15.2 Deadlines for proposal submissions for Compliance Committee and Meeting of the Parties Meetings

142. Document MoP5-Prop12 was presented. The Meeting of the Parties agreed to continue to observe two deadlines - one for Compliance Committee and one for the Meeting of the Parties.

15.3 Classification of Compliance Committee and Meeting of the Parties meeting documents.

143. Document MoP5-Prop13 was presented and Meeting of the Parties adopted 'Working papers' as a 4th category of meeting documents to be submitted to SIOFA meetings. It was agreed that Working Papers would be decision making documents and should be provided 30 days in advance of the relevant meeting.

15.4 Legal advice requested from the Secretariat

144. EU proposed that the Secretariat explore options for obtaining legal advice on behalf of the Meeting of the Parties. Some Contracting Parties were not comfortable with the idea of obtaining third party legal services and the proposal was withdrawn.

15.5 Amendments to Rules of Procedure

145. The Meeting of the Parties discussed a letter from the FAO regarding its Rules of Procedure. Despite a reservation expressed by the France Territories, the Meeting of the Parties adopted a revision to the Rules of Procedure (Annex 1). The amendment to Annex 1 was adopted (Annex DD).

Agenda Item 16 – Adoption of the report

- 146. Meeting of the Parties thanked the Chair, Secretariat, interpreters and Pailin Munyard for their respective contributions to the successful running of the meeting.
- 147. Meeting of the Parties also thanked Thailand for hosting the meeting.
- 148. Meeting of the Parties formally adopted the Meeting Report at 22:10pm on 29 June 2018.

Agenda Item 17 – Close of the meeting

- 149. The Chair closed the meeting at 22:11pm on 29 June 2018.

List of Annexes

Annex A	Opening speech of SIOFA Chairperson opening speech	25
Annex B	Opening speech of Deputy Director General of Thailand Dept of Fisheries	26
Annex C	List of meeting participants	28
Annex D	Opening statement from China	30
Annex E	Opening statement from DSCC	31
Annex F	Opening statement from IUCN	32
Annex G	Opening statement from SIOFDA	33
Annex H	Agenda	35
Annex I	Presentation of the second Compliance Committee	39
Annex J	Presentation of the third Scientific Committee	47
Annex K	SIOFA Interim protocol for the designation of protected areas	105
Annex L	DSCC intervention in relation to orange roughy target and limit ref. points	109
Annex M	WG paper on prioritization of recommended research activities	115
Annex N	Summary of data submission reports	117
Annex O	SIOFA IUU Vessel List	133
Annex P	CMM 2018/01 for Interim Management of Bottom Fishing	135
Annex Q	IUCN intervention on CMM 2018/01 for Interim Mgmt of Bottom Fishing	151
Annex R	DSCC intervention on CMM 2018/01 for Interim Mgmt of Bottom Fishing	153
Annex S	CMM 2018/02 on Data Standards	157
Annex T	CMM 2018/06 on IUU Vessel List	177
Annex U	CMM 2018/09 for Control	187
Annex V	CMM 2018/10 on Monitoring	193
Annex W	CMM 2018/11 for a Compliance Monitoring Scheme	205
Annex X	Draft CMM for a SIOFA High Seas Boarding Inspection Regime	215
Annex Y	SIOFA Budget 2019	235
Annex Z	Financial Regulation of the Meeting of the Parties	237
Annex AA	Arrangement between SIOFA and CCAMLR	245
Annex BB	Presentation from ACAP	249
Annex CC	MoU between SIOFA and ACAP	257
Annex DD	Rules of Procedure of Meetings of the Parties	261