

The Southern Indian Ocean Fisheries Agreement (SIOFA) 6th Meeting of the Parties
01-05 July 2019

Pearle Beach Resort & Spa conference centre, Flic en Flac, Mauritius

MoP6-WP02

Questions for clarification on CMM 2016/03 Data Confidentiality

Relates to agenda item: 13.5

Proposal ☐ Working Document ☒ Information Paper ☐ Other Document ☐

SIOFA Secretariat

Abstract

Secretariat and SC4 noted that some clarifications are required within CMM 2016/03 on data confidentiality. Secretariat raises a few questions to improve its understanding and clarity

Recommendations *(proposals only)*

- MoP to confirm on the interpretation made by the Secretariat
 - MoP to improve clarity of the paragraph where the Secretariat has an incorrect understanding or misinterpretation of these paragraphs
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Introduction

Secretariat and other SIOFA parties are required to provide information on the fisheries, mostly for the Scientific Committee activities like scoping studies and stock assessment.

The Secretariat refers to CMM 2016/03 on data confidentiality before providing any information or data. It experienced several issues of understanding due to a lack of clarity of the CMM when it comes to deal with real datasets.

For each unclear or improvable situation, the relevant paragraph is quoted, interpreted and opened to comments.

A. Para 2 b) catch-effort, length frequency and observer's data

Current paragraph:

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”.

A.1. The Secretariat understand that any aggregation of data where the catch of an individual vessel can still be identified is not public data. The Secretariat extend its understanding to the individual vessel **effort** as well.

A.2. It is also understood that even if the aggregation of data is made across several months (or years) and/or on areas larger than 5° square, if the resulting sum of catch/effort is still made from only 1 vessel, the data is confidential.

A.3. If several vessels participate in the data aggregation but not simultaneously (e.g Vessel A fish from 2003 to 2005, then Vessel B fish from 2007 to 2018 and the aggregation is done from 2003 to 2018, see illustration below), the resulting aggregated data is considered public.

periods	2003	2005		2007	2018	
	Vessel A catch			Vessel B catch		NOT PUBLIC DOMAIN
	Vessel A + Vessel B catch					PUBLIC DOMAIN

A.4. Considering the example above, if vessel A caught species SP1 and SP2, and vessel B caught species SP2 and SP3, the total catch of SP2 is public domain (done by 2 vessels) but the total catch of SP1 and SP3 are confidential (done by 1 vessel).

The Secretariat notes that, for fishing fleets composed of a single same vessel over any time period, its related catch and effort shall always remain as “not public”. This prevent to disclose any catch or effort information to any bodies (FAO, NGOs, etc.).

B. Para 2 c) catch-effort, length frequency and observer's data

Current paragraph:

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 (CMM2018/01). 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.

B.1. It is understood that The Meeting of the Parties has not acted on the advice of the Scientific Committee in relation to a *SIOFA bottom fishing footprint*.

B.2. At that point that no catch and effort data (public or confidential) can be communicated at all but to the Scientific Committee, on a confidential basis, to undertake its missions. This is preventing to post any sort of information about SIOFA catch or effort at any aggregation level in any public place (such as public website, public reports, etc.). This has not been respected either by the CPs or by the Secretariat as some data have been made available (e.g. data contained within National Reports and publicly available from the SIOFA website)

B.3. The Secretariat recommend that this paragraph should be amended (or erased) to permit that *some* data can be published even if a *SIOFA bottom fishing footprint* has not been issued.

C. Para 2 e) f) catch-effort, length frequency and observer's data (finer level stratification)

Current paragraphs:

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.

C.1. **Paragraph e)** make clear that the Scientific Committee can use finer scale data on a confidential basis to undertake its work (finer scale data is understood with resolution below the month and 5° square)

C.2. **paragraph f)** prevent the Scientific Committee to undertake its work unless the flag state gave its written authorisation to use such data. The Secretariat is also involved in such release as the Secretariat permission is required.

C.3. If the usage conditions on finer scale data stated in **paragraph e)** and data grouped stated in **f)** are independent or linked it is very different in regard of the procedure to release data to the SC. If the 2 paragraphs are linked (their conditions add up) then it would be better to merge the 2

paragraphs into one and use the same data definition in order to make sure that the Scientific Committee cannot use fine scale data unless it has written authorisation from both the CP and the Secretariat.

Conclusion

The Secretariat would like to be confirmed or corrected on the proper interpretations of these specific paragraphs. If the MoP agrees that some rewriting is required, that this rewriting is done in order to leave as little as possible ambiguities.