



Report of the Fourth Meeting of the
Compliance Committee of the
Southern Indian Ocean Fisheries
Agreement
(SIOFA)

09 – 11 November 2020

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Agenda Item 1 – Opening of the session

1.1 Opening Statement from the Chair

1. The Chair, Mr. Johnny Louys, opened the meeting via SIOFA Circular n° 2020/22 on 09 November 2020 at 04:00UTC (Annex A). The videoconference was opened at 06:00UTC and the Chair opened the floor for delegation introductions, the list of participants is available in Annex B.

1.2 Opening statement from the SIOFA Executive Secretary

2. The opening statement from the Executive Secretary was provided via correspondence (Annex C).

1.3 Admission of observers

3. The following delegations were admitted as observers: the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), the Food and Agriculture Organization (FAO), the Environmental Justice Foundation (EJF) (the EJF provided an opening statement in Annex D), and the Southern Indian Ocean Deepsea Fishers Association (SIODFA). The Chair welcomed the observers to the meeting.

Agenda Item 2 – Administrative arrangements

2.1 Adoption of the agenda

4. The Committee noted that the agenda, outlined in CC-04-03_Rev2 (Annex E), was adopted by the Meeting of the Parties prior to the meeting pursuant to SIOFA Circular n° 2020/21, which agreed to exceptionally adopt the agenda for the Compliance Committee in advance of its meeting, derogating from Rule 11 of the Rules of Procedure, noting that this would ordinarily be adopted by the Compliance Committee itself.

2.2 Confirmation of meeting documents

5. The Executive Secretary advised that all meeting documents were available on the website, and that the table of agenda items and related papers is presented in CC-04-06 (Annex F).

2.3 Appointment of rapporteurs

6. With the agreement of the Northwest Atlantic Fisheries Organisation (NAFO) Executive Secretary, the SIOFA Executive Secretary nominated Ms Jana Aker as independent rapporteur.
7. The Compliance Committee agreed to appoint Ms Jana Aker as rapporteur.

2.4 Guidance for the meeting

8. The Compliance Committee noted the guidance for the meeting and the technical information for the virtual meeting platform, outlined in CC-04-19. The Executive Secretary established communications prior to the beginning of each videoconference session to ensure a quorum was present consistent with Rule 12 of the Rules of Procedure.

Agenda Item 3 – SIOFA Compliance Monitoring Scheme

9. The Executive Secretary presented an overview of the information in the draft SIOFA Compliance Report (dSCR) outlined in CC-04-18. CCPs provided comments and noted inconsistencies in the treatment of compliance matters and in the way the 'not assessed' status had been applied. The Secretariat presented a revised version of the dSCR in CC-04-18Rev1. The Compliance Committee reviewed the dSCR and assigned the compliance status and relevant follow-up actions in accordance with the terms of CMM 2018/11. During the discussions, CCPs noted concerns with the information provided in CC-04-08 on entry and exit reports, noting it was inconsistent with the dSCR in places, incorrect in many cases and CCPs had not been given the opportunity to review or correct

information prior to CC-04-08 being made publically available. One CCP stated that it was not prepared to note CC-04-08 in view of these issues. CCPs requested that the Secretariat include this information in the draft compliance report process going forward. The Compliance Committee noted some confusion relating to the compliance assessment period of the compliance report, particularly with the time period to assess with respect to the obligation to submit an implementation report, and noted that it is required to assess compliance with the obligations that were applicable during the relevant compliance assessment period (1 January 2019 to 31 December 2019).

10. Chinese Taipei maintains that the paragraphs with respect to transshipments in CMM 2019/10 are designed for bottom fisheries without taking into account the long-standing practice established for transshipment conducted by pelagic longline fishing vessels operating in the Indian Ocean. Therefore, Chinese Taipei maintains that its compliance status regarding the above paragraphs in the CMM shall be indicated as “not assessed” instead of “non-compliant”.
11. The European Union noted that many instances of non-compliance were attributable to only two CCPs and encouraged CCPs to improve their compliance with SIOFA obligations, including by providing any missing reports and other information.
12. **The Compliance Committee adopted the provisional Compliance Report (pSCR) outlined in CC-04-18Rev1 and agreed to forward it to the Meeting of the Parties for its consideration.**
13. The provisional SIOFA Compliance Report (pSCR) report is outlined in Annex G.

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

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

14. The European Union presented their proposal in CC-04-14 to amend SIOFA CMM 2017/08 (establishing a Port Inspection Scheme) to introduce clear timeframes for completion of port inspections and transmission of the written results of each inspection, and to clarify the roles of the master and port inspector. CCPs thanked the European Union for the proposed amendments and following discussions, the EU presented revised versions of their proposal in CC-04-14Rev1 and CC-04-14Rev2. The latter sets the timeframes for completing port inspections at within 72 hours of port entry (paragraph 21) and for transmitting reports at 30 days (paragraph 24bis). It was also noted that the roles of the master and port inspector are already set out in paragraph i) of Annex III to CMM 2017/08. CCPs thanked the European Union for the revisions. **The Compliance Committee agreed to forward the proposal outlined in CC-04-14Rev2 (Annex H) and to recommend it to the Meeting of the Parties for adoption.**
15. China proposed changes via correspondence to Paragraphs 6 in the Preamble and 1 in the main text of CMM 2017/08. However, the Compliance Committee clarified that, in line with Rule 10 of the Rules of Procedure, those changes could be submitted by China at the next Compliance Committee meeting.
16. France (on behalf of its Indian Ocean Territories) noted their decision to withdraw the proposal for modification of CMM 2017/08 (establishing a Port Inspection Scheme), outlined in CC-04-15, as the changes required further review.

4.2 Proposals for new Conservation and Management Measures (CMMs)

17. The European Union presented their proposal in CC-04-11 for a Conservation and Management Measure for the establishment of the Vessel Monitoring System (VMS) in the SIOFA Area, as outlined in CC-04-13, and noted that this was a revised proposal following comments received at the last meeting. The European Union acknowledged that the virtual format of the meeting was not conducive to discussing items of such complexity and importance and invited CCPs to provide comments on this proposal in writing. The European Union also proposed to continue work during

the intersessional period on the basis of a paper setting out options for the design and implementation of a future SIOFA VMS. The Compliance Committee thanked the European Union for this proposal. Some CCPs noted the benefit of a VMS and agreed on the importance of establishing a SIOFA VMS which is a core tool for monitoring, control and surveillance.

18. **The Compliance Committee agreed that CCPs submit comments to the European Union on the proposal for a CMM for the establishment of the Vessel Monitoring System in SIOFA, outlined in CC-04-13 and recommended that the European Union, with support from the SIOFA Secretariat, lead the intersessional work on this proposal in advance of the next Compliance Committee meeting.**

Agenda Item 5 – Listing of IUU vessels

5.1 Draft SIOFA IUU List

19. The Chair highlighted that this item was opened by correspondence and responses have been received by CCPs on the draft SIOFA IUU list outlined in CC-04-05. The Executive Secretary noted that there were three vessels on the draft IUU list, the Abishak Putha 3 (flag: not known), the Mariam 1 (flag: Mauritius), and the El Shaddai (flag: South Africa) and provided a summary of the relevant information for each vessel.
20. In relation to the Abishak Putha 3,
- a. the European Union noted that it has provided the information under consideration by CC4, which shows that the vessel was very likely engaged in fishing in the SIOFA Area despite not being on the SIOFA Record of Authorised Vessels. The current state of the investigation suggests that the vessel is stateless.
 - b. Australia stated: Australia notes Sri Lanka's advice to the Secretariat of 6 November 2019 that Sri Lanka cannot identify the vessel. Australia seeks to clarify the status of this vessel as we note Lloyd's report (as of 4 November 2020) and other information indicating that the vessel is still flagged to Sri Lanka. We would appreciate a deletion certificate or equivalent from Sri Lanka to confirm that the vessel is without nationality. Australia supports the inclusion of the Abishak Putha 3 on the Provisional IUU Vessel List on the basis that the information was provided in accordance with CMM 2018/06 and demonstrates that the vessel has engaged in fishing for fishery resources in the Agreement Area and was not on the SIOFA Record of Authorized Vessels (paragraph 5(a) of CMM 2018/06) at the time. Australia further notes that the vessel has engaged in fishing activities contrary to any other SIOFA CMM (paragraph 5(k) of CMM 2018/06), namely paragraph 2 of CMM 2016/04 as a vessel without nationality fishing in the Agreement Area.
21. In relation to the Mariam 1,
- a. Thailand stated: We confirm our position that the whole area of the Agreement is under the SIOFA jurisdiction, however based on the statements of Mauritius, it is the historic right claim where fisheries resources apart from sedentary species are not in the jurisdiction of the subject claim. So, without listing of the vessel in the authorization List, such fishing is fishing without authorization which breaching the CMM 2019/07 and other relevant CMMs.
 - b. The European Union stated: The European Union welcomes the information provided by the Environmental Justice Foundation (EJF) in relation to the vessel Mariam 1 flagged to Mauritius. Paragraph 6 of CMM 2018/06 provides that the Secretariat is required to draw up the draft IUU Vessel List on the basis of the information received pursuant to paragraphs 2 or 26 of CMM 2018, and any other information at its disposal,

such as the information provided by the EJF. The EU notes that Mauritius has confirmed that the vessel was fishing on the Saya de Malha Banks with a valid fishing licence issued by the Mauritius authorities. However, the EU notes that the area in question is included in the SIOFA Area and that the Mariam 1 was not included in the SIOFA Register of Authorised Vessels.

- c. Australia stated: Australia notes that Mauritius has repeated its claims of historical rights on the Saya de Malha Bank. Australia also notes that Mauritius has not provided further information in relation to the international legal basis for its claims despite repeated requests from Australia and others at MoP5 and MoP6. Australia refers to our previous statements at CC3 and MoP6 on historical rights and confirms that Australia's position has not changed. Without further information, Australia cannot consider Mauritius' claims and Australia continues to consider that SIOFA has the competence to regulate SIOFA fishery resources within the whole of the Agreement Area. Australia takes this opportunity to express again that Australia does not acquiesce to Mauritius' claims. Australia notes that the information on the Mariam 1 has been provided by an NGO and confirmed by the flag State, and considers that the Secretariat included the vessel in the Draft IUU Vessel List in accordance with paragraph 6 of CMM 2018/06. Australia notes that it is not the practice of other RFMOs to include a vessel on an IUU list solely on the basis of information provided by an NGO. Australia supports the inclusion of the Mariam 1 on the Provisional IUU Vessel List unless Mauritius demonstrates in accordance with paragraph 14 of CMM 2018/06 that either the vessel did not take part in IUU fishing activities (because they were not operating in the Agreement Area and/or were not fishing for fishery resources as defined in Article 1(f) of the Agreement) or that effective action has been taken in response to the IUU fishing activities in question. At a minimum, given that Mauritius has confirmed that the vessel fished in accordance with its licence conditions, Australia considers that effective action would need to include revocation of the licence until Mauritius includes the vessel on the SIOFA Record of Authorized Vessels and assurances from Mauritius that it will authorise fishing by its vessels in the Agreement Area in a manner consistent with SIOFA CMMs. Australia notes also that Mauritius cannot authorise vessels to bottom fish in the Agreement Area until it has submitted a Bottom Fishing Impact Assessment (BFIA) or measures required under paragraph 10 of CMM 2019/01.
- d. China stated: In line with CMM 2018/06, only CPs, PFEs and CNCPs have the right to propose a suspected vessel into the draft SIOFA IUU vessels list and according to the Rules of Procedure, it is in question whether the Secretariat has the right to add any vessels into the draft SIOFA IUU vessels list based on the information from non CCPs. Besides the information by the NGO derived from AIS, which is not legal tool for tracking vessels, and no RFMOs determined IUU vessels list according to AIS.

22. In relation to El Shaddai,

- a. Australia stated: Australia notes that the Secretariat has sought to confirm with South Africa the information provided by the vessel's representative and that South Africa has not responded. Australia considers that South Africa, as the responsible flag State, must engage with SIOFA in relation to this case. Australia supports the inclusion of the El Shaddai on the Provisional IUU Vessel list until further information is received and unless South Africa demonstrates in accordance with paragraph 14 of CMM 2018/06 that either the vessel did not take part in IUU fishing activities (because they were not operating in the Agreement Area and/or were not fishing for fishery resources as defined in Article 1(f) of the Agreement), or that effective action has been taken in

response to the IUU fishing activities in question. At a minimum, and noting the vessel may have fished in accordance with its licence conditions, Australia considers that effective action would need to include revocation of the licence until South Africa becomes a Contracting Party or Cooperating Non-Contracting Party to the Agreement and authorises fishing consistent with SIOFA CMMs.

- b. The European Union stated: The European Union notes that the information provided shows that the vessel *El Shaddai* was engaged in fishing in the SIOFA Area without being included in the SIOFA Record of Authorised Vessels, as required by CMM 2019/07. While appreciating the information made available as a result of the exchanges with the vessel representative, the EU is of the view that all formal communication with SIOFA on compliance issues should be channelled through the official flag State authorities. The EU is also concerned that South Africa, as flag State, has not provided its official position to SIOFA, nor does it appear to have carried out an investigation into the matter. The European Union notes that in these circumstances, it is difficult for the Compliance Committee to consider the case. The European Union recommends that South Africa be invited to carry out a full investigation and provide a report with their findings to SIOFA, as well as any effective action taken with respect to the vessel in response to these findings. The report should be accompanied by verifiable evidence and other documents including the VMS tracks and catch data of the vessel for the period 2019-2020.
 - c. Korea stated: Korea notes the background information and the current progress regarding the listing of this vessel on the draft SIOFA IUU vessels. Korea is concerned about the non-response from the flag state, which makes it difficult for the Compliance Committee to sufficiently consider the matter. Korea supports the inclusion of the *El Shaddai* in the provisional IUU vessel list for the time being and supports that the Compliance Committee recommend the MoP to contact South African Authorities to participate in SIOFA and comply with all SIOFA CMMs and to request the vessel to be added to the SIOFA authorized vessel list.
23. **The Compliance Committee agreed to include the three vessels on the provisional IUU vessel list in CC-04-05 and submit the provisional IUU vessel list to the Meeting of the Parties and recommended that the Meeting of the Parties include the vessels on the provisional IUU vessel list on the new IUU vessel list.**
24. **The Compliance Committee recommended that the Meeting of the Parties encourages South Africa to participate in SIOFA and requests that it comply with all SIOFA CMMs. The Compliance Committee tasked the Secretariat to send a request to South Africa to conduct an investigation into the potential IUU fishing activities and to provide SIOFA with a report on the outcome of that investigation.**
25. **The Compliance Committee recommended that the Meeting of the Parties request Mauritius to comply with all SIOFA CMMs, including CMM 2019/07 (Vessel Authorisation) and once the vessel has been duly authorised by Mauritius to operate in the SIOFA area, CCPs could consider de-listing the vessel in the intersessional period in accordance with the process in CMM 2018/06.**
26. The provisional IUU list is available in Annex I.
27. During the discussions on the draft IUU list, some CCPs raised concerns about the use of NGO information for placing vessels on the draft IUU list, noting that more guidance to the Secretariat is required for processing this information. Divergent opinions were expressed: on the one hand, some CCPs noted that paragraph 6 of CMM 2018/06 requires the Secretariat to draw up the draft IUU list on the basis of all information available to it, including information received from NGOs. On the other hand, some CCPs noted that the information provided by NGOs may not be the sole basis of

the information, especially when no such information is provided by CCPs, CNCPs nor other relevant States, to draw up the draft IUU vessel list. Some CCPs noted that the information provided by NGOs may not be the basis of the information to draw up the draft IUU vessel list. As a result, **the Compliance Committee recommended that the Meeting of the Parties clarify the treatment of NGO information under the CMM and requested guidance from the Meeting of the Parties on how to proceed intersessionally prior to the next Compliance Committee meeting.**

5.2 Current SIOFA IUU Vessel List

28. The Chair highlighted that this item was opened by correspondence. Australia noted the information that was circulated to CCPs on 21 September 2020 on behalf of Australia in relation to the boarding of the *FV Cobija*, notifying CCPs of the updated information available on this vessel, and requested that the IUU Vessel List be updated to reflect the updated information (including name and statelessness) on the *FV Cobija*. Australia stated that it understands that as at 10 November 2020 this vessel and its crew remain detained in port in Yemen and a number of IOTC members have undertaken enquiries within their fisheries and registry authorities to locate the beneficial owners of this vessel. Australia encouraged all CCPs to continue to investigate and take effective action in holding the perpetrators of IUU fishing to account. **The Compliance Committee requested that the Meeting of the Parties update the current IUU vessel list with the information on the *FV Cobija*, specifically the change of name and flag status.**

5.2.1 Management of cross-listed vessels in the SIOFA IUU list

29. The Chair highlighted that this item was opened by correspondence. France (on behalf of its Indian Ocean Territories) proposed that the Secretariat include links to the relevant listing RFMOs for each vessel on the SIOFA cross-listed IUU vessel list to ensure that the vessel has not been de-listed in that RFMO. The Compliance Committee noted that while such links could be useful, paragraphs 24 to 27 of CMM 2018/06 outline a special procedure for incorporating into or deleting from the SIOFA IUU Vessel list during the intersessional period vessels that have been added to or deleted from other RFMOs' final IUU Vessel Lists.

Agenda Item 6 – Sightings of vessels reported to the Secretariat

30. The Chair highlighted that this item was treated by correspondence. The Compliance Committee noted that no vessel sighting report had been provided to the Secretariat since its last meeting (CC3, July 2019).

Agenda Item 7 – High seas boarding and inspection (CMM 2019/14)

31. The Chair opened this agenda item by reminding CCPs of the intersessional work that was required following the adoption of the High Seas Boarding and Inspection (HSBI) Procedures in CMM 2019/14. The Executive Secretary provided a summary of the three working documents (HSBI questionnaire, SIOFA Inspection Flag, and Identity Card for Inspectors) drafted by the Secretariat during the intersessional period.
32. The draft HSBI multi-language questionnaire was outlined in CC-04-10, and the Chair noted the agreement from Heads of Delegation that the version of the questionnaire outlined in Annex B of this document was the version being considered at this meeting. Several CCPs reiterated that the purpose of the questionnaire is to provide guidance and facilitate communications. CCPs were supportive of the questionnaire, but noted the outstanding comments that remained unresolved, and some CCPs expressed that they had further comments to provide on the questionnaire. Given the limited time at this meeting, **the Compliance Committee agreed to continue the work on the**

questionnaire outlined in CC-04-10 Annex B intersessionally. CCPs will submit comments to the questionnaire to the Secretariat to compile in advance of the next Compliance Committee meeting.

33. The proposal for the SIOFA Inspection Flag was outlined in CC-04-11 (Annex J) and CCPs agreed with the proposal. **The Compliance Committee agreed to forward the proposal for the SIOFA Inspection Flag outlined in CC-04-11 to the Meeting of the Parties for adoption.**
34. The proposal for the SIOFA Identity Card for Inspectors was outlined in CC-04-12. Several concerns and divergent opinions were raised during the discussion of the identity card : some CCPs prefer to use only their National identity cards for inspectors, some others prefer the harmonized SIOFA identity cards. Other proposals included : having the flag of the nationality of the inspector on the harmonized SIOFA identity card, using both the harmonized SIOFA and National identity cards, identifying the authority for issuing the identity cards (CCP versus the Secretariat), maintaining a list of identified inspectors, developing and issuing a system for serial numbers for inspectors, etc. Some Members considered the small size of the SIOFA Secretariat and the need to ensure consistency with CMM 2019/14. Given the limited time at this meeting, **the Compliance Committee agreed to continue discussions on the SIOFA Identity Card intersessionally and at the next Compliance Committee meeting.**

Agenda Item 8 – Port inspections reports (CMM 2017/08 Port Inspection)

35. The Chair highlighted that this item was treated by correspondence. The Secretariat reported that 19 Inspection reports from the European Union covering the year 2019 had been received by the Secretariat on the 16th October 2020. The secretariat noted that these reports and other information were presented using CCAMLR templates.
36. The European Union confirmed that 19 inspections were carried out by the French authorities in the port of La Réunion in 2019. All inspections concerned vessels carrying/landing toothfish harvested in the CAMLR Convention Area. In accordance with paragraph 22 of CMM 2017/08 on Port Inspections, these vessels were inspected when they entered La Réunion. The European Union also clarified that the written information transmitted by the European Union to the SIOFA Secretariat on the results of each inspection did include at least the information set out in Annex IV, as required by paragraph 24 of CMM 2017/08. The European Union acknowledged that the information was presented using the CCAMLR template for information collected during a port inspection (CCAMLR CM 10-03, Annex 10-03/B), it noted that paragraph 24 of CMM 2017/18 does not oblige CCPs to use the template set out in Annex IV, but rather to provide to SIOFA all the information set out in that Annex.

Agenda Item 9 – Entry/Exit reports (CMM 2019/10 Monitoring)

37. The Chair highlighted that this item was treated by correspondence, that the Secretariat had provided a report in CC-04-08 about the entry and exit reports submitted by vessels when entering or leaving the SIOFA Area. The Chair noted that several CCPs provided relevant updates and clarifications to the Secretariat. Several CCPs noted that the compliance issues reported in the report were not completely reflected into the dSCR. The Compliance Committee noted the report and expressed concerns about it, noting it was inconsistent with the dSCR in places, incorrect in many cases, and CCPs had not been given the opportunity to review or correct information prior to CC-04-08 being made publicly available. One CCP expressed that it was not comfortable noting the report given these issues. The Compliance Committee requested that the Secretariat include this information in the dSCR going forward.
38. Australia clarified two reporting discrepancies identified in the paper for Australia. In relation to the vessel Atlas Cove, Australia stated that the vessel made an error in the notification sent on 22 March 2020 which should have specified the exit date (not the entry date) of 21 March 2020. In relation to

the vessel Corinthian Bay, Australia stated that the vessel submitted duplicate notifications and that the entry notification at 5:47 on 16 September 2019 is the confirmed notification of the two.

Agenda Item 10 – Report of Interim measures implemented during suspension of observer requirements in light of COVID-19 Pandemic

39. The Chair highlighted that this item was treated by correspondence and the Secretariat outlined the relevant documentation for decisions taken in relation to the COVID19 pandemic in SIOFA Circulars 2020/01, 2020/04, 2020/05, 2020/09, and 2020/15.
40. Japan stated: Japan appreciates the Secretariat for compiling and presenting the document CC-04-16. Please kindly note that we have agreed as described in the SIOFA Circular 2020/15 to extend the derogation period of observer obligation to 31 January 2021.
41. The Cook Islands stated: Firstly, the Cook Islands thank the CCPs for their consideration and support for the necessary derogation from CMM 2019/01, para 39 as a result of the pandemic and its impact on our ability to fulfil this obligation. The health, safety and welfare of our fisheries observers and vessel crews are of paramount importance, and have required a reprioritisation of our attention and resources to manage the impacts and consequences of this unprecedented situation. The Cook Islands has two trawl vessels affected by this situation. Despite the derogation the Cook Islands has maintained 100% observer coverage on one vessel, however on the second vessel only 50 days of observer coverage were achieved from a 2019 trip that extended through the beginning of 2020. Three trips of the second vessel have been without observer coverage, however data normally collected by observers is being collected by the vessel and reported to the Ministry of Marine Resources after each trip. Currently, we are still experiencing the same challenges expressed intersessionally for the placement and disembarkation of observers, along with access to ports and services. In particular, our current concern is the inability to get observers home, and we have had one observer on a vessel for over a year. We are working with several government agencies in various countries to repatriate the observer, however health, immigration and travel restrictions continue to hamper access to flights and a pathway to return the observer home. Aside from physical health, mental health is also a concern for us, given the extended period of time at sea and relative isolation from family and friends. Finally, whilst we are appreciative of the support we have received for these intersessional decisions, we have had to go through an extensive process to achieve this. This has included at least five intersessional decision-making processes within a period of 7 months, to address circumstances that are beyond our control and unlikely to change in the near future due to the pandemic. We are glad that the intersessional decision in SIOFA circular 2020-10-06 has provided for a more realistic timeframe and derogation through to 31st January 2021, which relieves some of the administrative burden and provides operational certainty for our vessels. However we would like any future processes to take this in to account. We are a small administration and our national priorities are focused on responding to the impacts of the pandemic, particularly the health and economic security of our country, as well as providing for the business continuity for our fleets.
42. Thailand stated: Thailand acknowledges the derogations of the obligations set by CMM 2019/01 paragraph 39 regarding observer coverage for the Cook Islands and Japan and also acknowledges the interim measures implemented by Japan during the suspension of observers.
43. The European Union stated: The EU acknowledges the unprecedented challenges presented by the COVID-19 pandemic and appreciates the efforts made by Japan and the Cook Islands to ensure 100% scientific observer coverage on their trawl vessels, despite the temporary derogations introduced by the intersessional decisions to paragraph 39(a) of CMM 2019/01. Data collection by scientific observer is essential for the work of the Scientific Committee and other subsidiary bodies. The EU considers that these derogations, including the on-going derogation introduced by SIOFA circular 2020/15 until 31 January 2021, are an appropriate response to the difficulties encountered by the trawler fleets concerned. The EU is ready to examine the need for further extensions depending on

how the COVID-19 pandemic evolves. In this regard, the EU considers that the burden on CCPs to request renewal of the derogation via new intersessional decisions is not unreasonable in view of the importance of data collection by scientific observers.

44. Australia stated: Australia thanks the Secretariat for the preparation of the report on interim measures implemented during the suspension of observer requirements in light of the COVID-19 pandemic. Australia notes that the relevant intersessional decisions require the CCPs concerned to report on the measures implemented during the period of suspension of observers, and that both CCPs have done so. Australia has no further comments from a compliance perspective and thanks the CCPs for the information they have provided.

Agenda Item 11 – Vessel Catch and Effort Reporting

45. The Chair highlighted that this item was treated by correspondence and the Secretariat prepared document CC-04-09 (Annex K) to summarize the submission made in 2019 of vessel catch and effort data (2018 data) under CMM 2019/02 on data standards.
46. Japan stated: Japan appreciates the Secretariat for compiling and presenting the document CC-04-09. It indicates that there were some concerns with the 2018 trawl datasets submitted by Japan (as highlighted in yellow and orange: time resolution, spatial accuracy, gear details and species). Japan is however pleased to inform that we have recently resolved those problems as we have already started to collect set-by-set data, thus believes the status would turn to be green (fully compliant) from the 2019 Summary and on. With regard to the incidental bycatches highlighted in red, although actually we submitted the bycatch data the Secretariat might failed to recognize them as our submitted data failed to follow the designated template. It would be appreciated if you could check with the data set we submitted or if we can take an additional communication with the Secretariat regarding this matter. Regarding the data on discarded catch, which is also highlighted in red, we submitted such data in the observer report as they are not available in the logbook. For this problem, we understand that discussions are going on at the Scientific Committee (SC) and are waiting for a result to be provided at the next SC on the possible revision of the data collection requirements for scientific observers and logbooks. Once the situation is settled, we will submit such data either through the logbook or the observer report.
47. The European Union stated: The EU thanks the Secretariat for its work in producing an analysis of the 2018 vessel and catch effort data submitted by CCPs in 2019 under CMM 2019/02. The EU agrees that it is important that CCPs submit complete and accurate data. The EU notes the analysis presented in CC-04-09, which it is still examining in view of improving its data collection and submission processes. The EU considers that in future exercises, it would be useful for the analysis to also take into account data from other sources, including data collected and provided by the on-board scientific observers, and for a cross-verification of data consistency to be carried out.
48. Australia stated: Australia notes the paper prepared by the Secretariat on submission of vessel catch and effort data. Australia has concerns about the implementation of an arbitrary scoring system in relation to the compliance of each CCPs submission. We would prefer that the Secretariat work with each CCP to correct any issues in relation to their individual data submissions. In relation to the spatial accuracy of data, Australia considers that provision of data to 5 decimal places (i.e. 0.00001 decimal degrees) is in accordance with CMM 2019/02 and is fit for purpose, and requests that this be reflected in the paper. In relation to the resolution of species data, Australia notes that it can be difficult for crew and observers to identify all specimens to a species level and that Australia is continuously working to improve the capabilities of crew and observers in this regard. Australia supports the EU's suggestion that in future exercises, it would be useful for the analysis to also take into account data from other sources, including data collected and provided by the on-board scientific observers, and for a cross-verification of data consistency to be carried out.

49. The Cook Islands stated: The Cook Islands thanks the Secretariat for the paper, however have some general comments and concerns with the approach taken in the paper. It is not the role of the Secretariat to determine compliance as that responsibility lies with the Compliance Committee and ultimately the MOP. The paper should instead be presented and focussed on data gaps, with the aim of providing guidance and assistance to CNCPs to meet their reporting obligations. The Cook Islands rejects the suggestion in the conclusion and recommendations section of the paper that suggests a review to determine whether only one source of data should be used. It is imperative that we maintain the integrity of existing data collection programmes within SIOFA. Different data sources serve different purposes as well as a means of verification. In this vein, this paper could be expanded to include catch and effort related data reporting requirements from other relevant CMMs and obligations.

Agenda Item 12 – Review of the status of Cooperating Non Contracting Parties (CNCP)

50. The Chair noted that Comoros has expressed their interest in retaining CNCP status in SIOFA and sent regrets that due to technical issues they were not able to participate in this meeting. **The Compliance Committee noted that Comoros submitted a statement confirming its commitment to respect the objectives of the agreement and all related obligations. On that basis, the Compliance Committee recommended that the Meeting of the Parties determines that Comoros qualifies to retain its CNCP status, and requested the Secretariat to obtain more information from them in relation to Rule 17 Paragraph 4 and submit a statement of its commitments as a CNCP each year that it wishes to retain its CNCP status.**

51. The statement from Comoros is available in Annex L.

Agenda Item 13 – Election of a future Vice Chairperson

52. There were no nominations for Vice Chairperson.

Agenda Item 14 – Adoption of the Report

53. **The Compliance Committee agreed to adopt its report intersessionally with CCPs to submit their comments on the draft report to the Chair by 0600 UTC Friday 13 November to provide the Chair with an opportunity to reconcile and clarify any outstanding issues. The reconciled report will be circulated in track changes on Friday evening. The report will be finalised by 0600 UTC Monday 16 November. CCPs cannot make changes to attributed statements of other CCPs.**
54. **The Compliance Committee adopted the report of its 4th Meeting on Tuesday the 17th of November at 09.13GMT.**

Agenda Item 15 – Close of the meeting

55. The Chair closed the video conference at 11:52UTC on 11 November 2020 and the Chair closed the meeting on 11 November 2020 through SIOFA Circular 2020/22E at 16:00UTC.

List of Annexes

Annex A	Opening statement from the Chairperson
Annex B	List of Participants
Annex C	Opening statement from the SIOFA Executive Secretary
Annex D	Opening statement from the Environmental Justice Foundation (EJF)
Annex E	Agenda (CC-04-03_Rev2)
Annex F	Table of agenda items and related papers (CC-04-06)
Annex G	Provisional SIOFA Compliance Report (pSCR)
Annex H	Proposal to amend SIOFA CMM 2017/08 establishing a Port Inspection Scheme (CC-04-14Rev2)
Annex I	provisional IUU list
Annex J	Intersessional consultations on the HSBI SIOFA Inspection Flag (CC-04-11)
Annex K	Catch and effort data – 2019 submission summary (CC-04-09)
Annex L	Message from Comoros (CC-04-22)