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Southern Indian Ocean Fisheries Agreement

1st PERFORMANCE REVIEW

SIOFA Performance Review Panel



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Abstract	<p>On the 10th anniversary of its 1st Meeting of the Parties (MoP), SIOFA carried out a review of its performance in the pursuit of the objectives laid down in its establishing Agreement. A Panel of four independent experts was appointed by the MoP to assess the results of SIOFA's efforts since its inception. The Panel proceedings – between late November 2022 and the convening of the 10th MoP in early July 2023 – as well as its deliverables, have been guided by the Terms of Reference adopted by the MoP (in Annex III of this Report). These include the set of criteria against which SIOFA's performance is to be assessed, structured around five key areas: conservation and management, compliance and enforcement, decision-making and dispute settlement, international cooperation and financial and administrative issues. The Terms of Reference also stipulate the openness of the process, whereby the Panel requested and received input from SIOFA staff and officials by means of interviews as well as from stakeholders by means interviews and a questionnaire. The input received from stakeholders is summarised in Annex II of this Report.</p> <p>The work carried out by the Panel reviews the development of SIOFA as an organisation and the progress made since its inception towards the establishment of a cooperative fisheries</p>

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² Documents available only to members invited to closed sessions.

governance framework for the fisheries under its purview, in a region of the global marine commons, such as the Southern Indian Ocean, for which international governance was very much needed. By examining the extensive amount of materials documenting the work and decisions taken by the various SIOFA bodies over the last ten years, and assessing the decisions taken by the MoP and their reflection in adopted measures, the Panel has identified the issues that – from its perspective – need addressing in order to improve SIOFA's performance and has issued its recommendations accordingly. As per the Terms of Reference, the Panel's recommendations are accompanied by a priority rating, determined according to the potential improvement in SIOFA's performance which would be achieved by implementing them. In total, 50 recommendations are formulated, of which 17 are ranked as high, 11 are ranked as high/medium, 16 as medium, 5 as medium/low and one as low. All recommendations will, in the Panel's view, result in performance improvements. However, a lower priority rank is also assigned to issues on which SIOFA is already starting to take action. High-priority recommendations seek to assist SIOFA in addressing what the Panel sees as the more significant challenges faced by the organisation.

This Report also offers an overview of findings before entering into a detailed assessment by thematic areas under each criterion. This important Section intends to shed light on what the Panel assesses as underlying root causes for the challenges met by SIOFA when discharging its duties as an organisation. This helicopter view of SIOFA's business focuses in particular on the struggles that a young and small organisation must bear in order to ensure its work is given the necessary degree of priority, visibility and commitment to invest resources. In these times of generalised budget restrictions many parties have had, and still may have, difficulties in contributing resources to SIOFA, both human and financial, when faced with other priorities. It is also a finding of the Panel that SIOFA needs to become better equipped to attract all States which should join its efforts but are still not decided to become members. SIOFA is the steward of an ocean extremely rich in biodiversity, a hugely valuable heritage all coastal States in the region should indeed contribute to protecting.

This Report recognises SIOFA's significant achievements in the area of fisheries monitoring, control and enforcement, as the organisation has developed a quite robust set of measures in this area, and done so rather speedily, especially when compared with other RFMOs. When it comes to the management of the fisheries resources under its purview, however, the Panel's assessment is less comforting. Major efforts are indicated for SIOFA to overcome a number of crucial challenges: the need to progress towards regional management rather than preserving the current reliance on fishery controls established at the national level; the need to progress from interim management arrangements or measures to permanent ones; the need to espouse the Precautionary approach in a more committed way in the face of persistent uncertainty; the need to introduce modern approaches and technologies for the reporting, verification, processing and dissemination of data, and crucially, the need to step up from a reactive stance in management towards a proactive stance where the objective would no longer be to try and maintain the fishing activity on-going as present, but that of recovering stocks that suffered atrocious levels of overexploitation in the past and have never quite recovered since. Finally, SIOFA's good work should gain relevance at the international level and contribute to best practices, while also opening up to closer, structured cooperation and collaboration with other RFMOs and organisations, particularly those with which SIOFA shares or overlaps competences over species or marine areas.

Throughout this process, the Panel has been supported most effectively and kindly by the SIOFA Secretariat Staff and SIOFA officials, for which the Panel is very grateful.

It is now for the SIOFA Contracting Parties, participating Fishing Entity and Cooperating non-Contracting Parties to decide to what extent they accept the Panel's assessment and Recommendations. For this process to bear fruit, it is essential that the interested parties make it their own to provide appropriate follow-up to the Panel's findings.