

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-Prop07

Proposal to establish a Framework for Scientific Research and
Fisheries-based research in the SIOFA Area

Relates to agenda item: CC3 4.2, MoP6 12

Proposal Working Paper Information Paper Other Document

Delegation of the European Union

Abstract

At MoP5 the European Union volunteered to progress the work towards the elaboration of a framework governing scientific research in the SIOFA area.

Following a review of various conservation and management measures (CMMs) already adopted in other RFMOs a proposal assembling the key elements of such a framework and adapting them in the SIOFA context has been developed. It proposes definitions of key concepts such as “scientific research” and “fisheries-based research”, as well as, the role of the Scientific Committee the MoP in the proposed processes.

Recommendations *(proposals only)*

1. [The CC3 and MoP6 are invited to review, discuss and adopt this proposal.]
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Proposal to establish a Framework for Scientific Research and Fisheries-based research in the SIOFA Area
[EU proposal]

The Meeting of the Parties to the Southern Indian Ocean Fisheries Agreement:

RECALLING the relevant provisions of the Southern Indian Ocean Fisheries Agreement, in particular Article 4 and 6;

ADOPTS the following CMM in accordance with Article 4 and 6 of the Agreement:

Objective

1. The objective of this CMM is to govern the undertaking of fisheries-related scientific research in the SIOFA Area and to set out a clear legal framework for fisheries-related scientific research under the precautionary approach.

Application

2. This CMM applies to all Contracting Parties, cooperating non-Contracting Parties (CNCs) and participating fishing entities (PFEs) engaged in fishing operations for scientific research purposes in the SIOFA Area.

Definitions

3. For the purposes of the CMM, “fisheries-based research” (FbR) is defined as fishing activities collecting data from SIOFA fisheries resources under a Fisheries Research Plan (FRP) possibly with commercial or artisanal use of catch.
4. For the purposes of this CMM “scientific research” (SR) is defined as:
 - a) Vessel-based activities collecting environmental data and information without extraction of fisheries resources under the purview of SIOFA, and/or
 - b) Fishing activities collecting data from marine living resources without commercial, industrial, or artisanal use of catch.

Specific provisions for FbR activities

5. Contracting Parties, CNCs and PFEs shall ensure that their flagged vessels conducting FbR comply with SIOFA CMMs in force, except when differently provided under this CMM.
6. Contracting Parties, CNCs and PFEs shall not permit their flagged vessels to conduct FbR without approval from the Meeting of the Parties.
7. Any Contracting Party, CNC and PFE seeking to authorise any vessel flying its flag to conduct FbR shall, at least 30 days prior to the commencement of the ordinary meeting of the Scientific Committee, submit a FRP, following the template in Annex 1.

8. Contracting Parties, CNCPs and PFEs conducting FbR shall report the summarised outcomes to the Secretariat within 15 days after the completion of the survey. A detailed report of the results of the research undertaken shall be provided to the Secretariat within 180 days from the completion of the FRP. The Secretariat will ensure that the report is submitted to the Scientific Committee at least 30 days before its annual meeting.
9. Catches taken by any vessel during the implementation of a FRP will be considered as part of any catch limits in force for each species taken when they exceed 2% of the quota of the species and CCP concerned, unless the catch limit in an area is set at zero.
10. Catches taken during the implementation of a FRP in areas where the catch limit is set at zero may not exceed the amount recommended by the Scientific Committee in a season.
11. Contracting Parties, CNCPs and PFEs shall ensure that any vessel that flies their flag only conduct FbR in accordance with the corresponding FRP prepared and approved in respect of that vessel's proposed fishing activity.
12. Notwithstanding paragraph 11, Contracting Parties, CNCPs and PFEs shall be entitled to authorise the conduct of research fishing by a vessel other than that identified respectively in the FRP if the initially notified vessel is prevented from participation due to legitimate operational or force majeure reasons. In such circumstances, the Member concerned shall immediately inform the Secretariat thereof, providing:
 - i. full details of the intended replacement vessel(s);
 - ii. a comprehensive account of the reasons justifying the replacement and any relevant supporting evidence;
 - iii. a confirmation that the other elements of the FRP approved by the MoP will not be modified.

The Secretariat shall immediately circulate this information to all Contracting Parties, CNCPs and PFEs.

13. Each Contracting Party, CNCP and PFE shall ensure that any vessel flying its flag, engaged in FbR activities shall carry at least two scientific observers dedicated to the collection of data throughout the duration of these activities.

Specific provisions for SR activities

14. Any Contracting Party, CNCP and PFE planning to use a vessel or vessels for SR purposes as defined in paragraph 4, shall notify the SIOFA Secretariat at least 30 days prior to the commencement of the survey, and provide a copy of the survey plan. The Secretariat in turn will notify all Members immediately, and post all notified survey plans to the password-protected part of the SIOFA website.
15. Catches taken by any vessel during the implementation of a notified survey plan will be considered as part of any catch limits in force for each species taken when they exceed 2% of the quota of the species and CCP concerned, unless the catch limit in an area is set at zero.

16. Catches taken during the implementation of a notified survey plan in areas where the catch limit is set at zero may not exceed the amount recommended by the Scientific Committee per season.
17. Catches of SIOFA fisheries resources taken during the implementation of a notified survey will be recorded and reported as per CMM 2018/02.

Scientific Committee

18. Latest at its 6th annual meeting the Scientific committee shall develop a template for the SIOFA Research Plan (FRP) for the purpose of this CMM. At minimum, FRPs shall include clearly stated scientific objectives, a detailed survey design and a plan for dissemination of scientific outputs and knowledge.
19. At its annual meeting, the Scientific Committee shall consider any new FRPs submitted and any other relevant information.
20. The Scientific Committee shall provide recommendations and advice on FRPs to the Meeting of the Parties.
21. The Scientific Committee at each annual meeting shall review available data and reports from ongoing or ended FRPs, in view to enabling an assessment of the stocks covered by these plans, the feasibility and appropriateness of establishing a fishery and the impact of fishing activities on non-target, associated or dependent species and the marine ecosystem in which these plans apply.
22. The Scientific Committee may request updated reports on the outcomes of FRPs and amend the FRP as necessary.

Meeting of the Parties

23. The Meeting of the Parties, taking into account the recommendations and advice of the Scientific Committee, shall decide whether to authorise FbR in accordance with the corresponding FRP.

Review

24. When a FRP expires, any Contracting Party CNCP and PFE may submit a new FRP to the Scientific Committee in accordance with paragraph 7.
25. This CMM shall be reviewed no later at than the ordinary Meeting of the Parties in 2021. This review shall also take into account the latest advice of the Scientific Committee on previous or ongoing scientific research activities in the SIOFA area.

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Annex 1: Research Activities Plan Template to be developed by the SC.