



SOUTH EAST ATLANTIC FISHERIES ORGANIZATION

**REPORT OF THE 7th ANNUAL MEETING OF THE
COMMISSION, 2010**

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1. Opening of the Meeting

1.1 The 7th Annual Meeting of the SEAFO Commission was convened at the Safari Hotel, Windhoek, Namibia, from 11-15 October 2010. The list of participants is provided in Annex 1.

1.2 The Meeting was called to order by the Chairperson, Mr. Jan Pieter Groenhof (Norway). In his opening remarks, the Chairperson warmly welcomed the delegates and expressed his wishes for a successful Meeting. The Chair welcomed in particular the Japanese delegation who attended the meeting for the first time as a Contracting Party.

2. Adoption of Agenda and Meeting Arrangements

The Meeting adopted the agenda with a few amendments (Annex 2).

3. Introduction and Admission of Observers

Observers present were NAFO and NAMMCO (represented by Norway), CCAMLR (represented by Namibia), NEAFC (represented by EU), ICCAT (represented by Angola), Korea, USA, FAO, Iceland and Fisheries Observer Agency.

4. Opening Statements

4.1 The Heads of Delegations introduced members of their delegations. All six of the SEAFO Contracting Parties, namely Angola, Japan, European Union, Namibia, Norway and South Africa were represented.

4.2 All Contracting Parties presented opening statements (Annex 3).

4.3 Opening Statements were also made by FAO, USA, Iceland, Korea and CCAMLR (Annex 4).

5. Status of the Convention in Respect of Membership

5.1 The Executive Secretary informed that Japan has officially become a member of SEAFO in January 2010.

5.2 At the 6th annual meeting of SEAFO in 2009, Korea expressed its intention to participate in the conservation and management efforts in the SEAFO Convention Area by becoming a full member of the Organization before the seventh annual meeting.

Several communications took place during the course of the year with the Republic of Korea regarding the ratification process. The latest official correspondence received from the Republic of Korea was circulated to the Heads of Delegations.

5.3 Korea stated that it is making efforts to complete the ratification process. However, consultation with the Ministry of Foreign Affairs and Trade, which is a critical stage in the process to secure the necessary financial resources including the member contribution fee, and the legal assessment processes, has been taking longer than expected.

Though it was hard to pinpoint the exact timeline for the completion of the ratification process, as it needs to go through the National Assembly of Korea before being fully ratified, MIFAFF is doing its utmost to expedite the process so that the accession to the SEAFO Convention could be completed towards the end of 2010 or in early 2011.

5.4 The Commission took note of the progress made by Korea regarding accession to the SEAFO Convention. However, the Commission noted that if Korea does not ratify the Convention by the 1st April 2011, any Korean vessel subsequently recognized as fishing in the Convention Area could be subject to a procedure for placing on the IUU list by mail vote.

6. Feedback from Namibia regarding SEAFO offices

The meeting was informed that the building of the SEAFO office has commenced and the completion date is set for February 2012. Namibia reiterated its commitment to honour the signed Head Quarters Agreement.

7. Performance Review of the Organisation/Composition of the Review Panel

7.1 Ms Judith Swan, Chair of the Review Panel presented the recommendations of the Review Panel. (Annex 5).

7.2 The Commission took note of the panel's observations that SEAFO as an organisation is consistent with the setup of other RFMO's and the recommendations from the panel are basically the same as for other RFMO's.

7.3 Ms. Swan compiled a list of the review panel recommendations and suggested possible ways for SEAFO to deal with the recommendations.

7.4 The Commission proceeded by allocating the various review panel recommendations for examination and consideration by the Commission, the Committees, the State Parties, and the Secretariat or a combination of these, as appropriate. Any considerations or observations regarding the recommendations so far was noted, and is reflected in the summary list of recommendations (Annex 6). It was agreed to review the recommendations and the progress on their implementation during the next annual meeting.

8. Report of the Scientific Committee

8.1 The Chairperson of the Scientific Committee, Dr. Phil Large (EU), presented the Report of the Scientific Committee which included specific recommendations and advice (Annex 7).

8.2 Dr. Large emphasised that the provision of catch statistics have improved.
improved.

8.3 As in previous years and in accordance with the Commission' practice, the Scientific Committee took into account the state of toothfish in areas where this resource is likely to be shared with CCAMLR. The distribution of this species is driven by the sub-Antarctic front which extends into the SEAFO area. Whilst there is no information available from tagging experiments it is reasonable to assume that this species is a transboundary species between SEAFO and CCAMLR region 48.6. This year new information was available from Japanese trot and South Korean and Spanish Parallel longline vessels fishing for toothfish in SEAFO Division D. This comprised nominal and standardized LPUE indices for the trot (2003-2009) and parallel longlines (2005-2009). The standardized indices are considered to be the most scientifically informative as they attempt to adjust for spatial, temporal and depth effects. A concern, however, is that both standardization procedures only explain 10-12% of the observed variation in LPUE. This indicates that other unknown factors not included in the standardization model are impacting on LPUE.

8.4 Information and data on reported commercial bycatches of benthic organisms (including corals and sponges) from a single Spanish longline trip fishing for Patagonian toothfish in 2010 in Division D of the SEAFO CA were presented. A total of 17 taxa of benthic organisms were identified with a total weight of 94 kg (maximum catch per set was 7 kg). The two most predominant taxa were of the Order Gorgonacea (mostly branching corals) and the phylum Porifera (sponges). However, very few specimens of sponges captured were alive. The Gorgonacea were mostly found in the western area of Division D on a seamount (47°S 8°W) to the south and outside the EEZ of Gough Island.

8.5 Given that some of the data on the fishing footprint provided to the Secretariat was not in the format requested by the Commission and that some Contracting Parties and Non Contracting Parties did not make any data available, Scientific Committee proceeded to develop a fishing footprint using the criteria defined by the Commission and the Contracting Party data supplied in the requested format. The data used were those supplied in the format requested by the Commission, namely those for EU and Namibia. Scientific Committee emphasises that these data do not constitute all the data needed to develop an accurate and final footprint.

8.6 The final elements of the NOCS report suggest that data on South East Atlantic seamounts, especially in terms of biologically-significant data is at best described as very patchy and of variable quality. The report discusses the outcomes and these are described below. Appropriate protective/conservation measures should therefore consider all isolated topographic features that rise above 1000m water depth.

8.7 The Scientific Committee reviewed three Conservation Measures namely CM 06/06, CM 16/09 and CM 17/09 and amendments were proposed.

8.8 As in previous years, the Scientific Committee has identified the responsible entities to take action under each recommendation. These should not be interpreted as instructions, but are provided to facilitate responses and needs in a non-prescriptive manner. The Scientific Committee gave advice and made specific recommendations to the Commission as follows:

8.8.1 The Scientific Committee recommended an annual catch limit of 200 or 260 tonnes of Patagonian toothfish in the SEAFO Convention area is fixed for 2011 and 2012.

The Commission approved a 230 tonnes TAC for 2011 and 2012.

8.8.2 The Scientific Committee recommended an annual catch limit for deep-water red crab of 200 tonnes for Sub-division B1 and 200 tonnes for the remainder of the SEAFO Convention Area for 2011 and 2012.

The Commission approved a 200 tonnes for area B1 and 200 tonnes for the remainder of the SEAFO Convention Area.

8.8.3 The Scientific Committee recommended the maintenance of a zero TAC for orange roughy in Sub-division B1 and a TAC of 50 t for the remainder of the SEAFO CA.

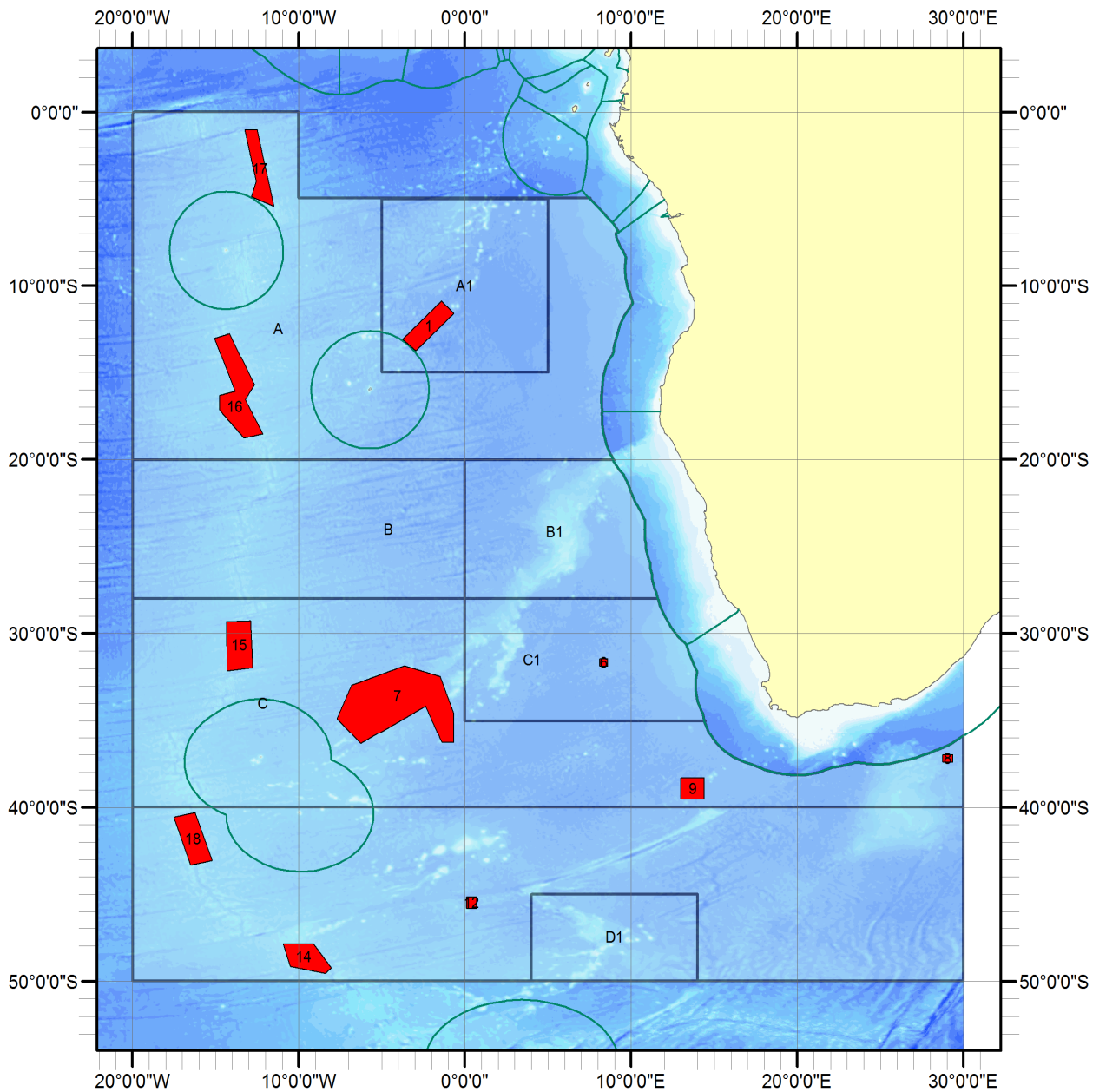
The Commission adopted a zero TAC for area B1 and 50 tonnes for the remainder of the SEAFO Convention Area for 2011 and 2012.

8.8.4 The Scientific Committee recommended a precautionary annual catch limit of 200 t for alfonsino in the SEAFO CA for 2010 and 2011 or until additional information becomes available to identify sustainable fishing levels.

The Commission adopted a 200 tonnes TAC for alfonsino for 2011 and 2012.

8.8.5 The Scientific Committee recommended that the seamount closed areas in the SEAFO Convention Area will be revised as described in Figure 6.

The Commission agreed to close 11 seamounts.



6. Map of the closed areas.

8.8.6 The Scientific Committee recommended that, in advance of all future meetings, the Secretariat revise all landings tables, develop new tables for species not previously tabulated and include incidental bycatch and discard data in all tables.

The Commission adopted the recommendation that the Secretariat shall revise all landing tables.

8.8.7 The Scientific Committee recommended that the Scientific Sub-Committee should be dissolved as attendance at last years' WG has gradually diminished. It had largely fulfilled its role and there would be significant cost savings for the Secretariat and Contracting Parties.

The Commission approved the recommendation as it was in line with the Rules of Procedures of the Scientific Committee.

8.8.8 The Scientific Committee recommended that an ID guide for fish, crustaceans, incidental bycatch species such as seabirds and cetaceans (a turtle guide is already in use) be developed. The Scientific Committee considers that the hiring of consultant to prepare such a guide would be the best way forward, possibly working in conjunction with Birdlife International.

The Commission noted the view but no decision was taken at this stage.

8.8.9 The Scientific Committee recommended that any future Panel shall include a scientist working actively in the field of data-poor deep-water assessments and deep-water ecosystem studies.

The Commission noted the view but no decision has been taken and the recommendation should be tabled again in future

8.8.10 The Scientific Committee recommended a comprehensive list of species found in commercial and research catches in the SEAFO Convention Area be developed.

The Commission adopted the recommendation on the condition that the species list will be compiled intersessionally by the Scientific Committee.

8.8.11 The Scientific Committee recommended that the Secretariat explore with NAFO and NEAFC the protocols used for excluding VMS signals when vessels are steaming and to trial suitable methodologies in the SEAFO Convention Area.

The Commission adopted the recommendation.

8.8.12 The Scientific Committee recommended that the species profile template developed for toothfish shall be adopted for all species profiles.

The recommendation was adopted by the Commission. The Scientific Committee has to compile to species profile and the Secretariat will post the profiles on the webpage.

8.8.13 The Scientific Committee recommended that Scientific Coordinators should ensure that all catches sampled for length are raised to the total catch of that trip, raising by division and/or sub-division initially if the vessel has fished in more than one area.

The Commission adopted the recommendation.

8.8.14 The Scientific Committee recommended that the protocol described under the Terms of Reference in the Scientific Sub-Committee Report be adopted for referencing Working Documents.

The protocol was adopted by the Commission. The protocol is contained in Annex 8.

8.8.15 The Scientific Committee recommended that a series of Working Documents be initiated commencing with documents submitted in 2010 adopting the following referencing format [i.e. Scientific Committee Working Document: SEAFO SCW Doc 01/YYYY].

The Commission adopted the recommendation.

8.8.16 The Scientific Committee recommended that it shall review Working documents and select those suitable to be placed on the public part of the SEAFO website by the Secretariat.

The Commission adopted the recommendation. The Chair of the Scientific Committee must indicate to the Secretariat which documents shall be listed on the webpage.

8.8.17 The Scientific Committee recommended that the Secretariat forward a copy of the NOCS report and data to the MARECO South Atlantic coordinator.

The Commission adopted the recommendation.

8.8.18 The Scientific Committee recommended that Secretariat explores the possibility of accessing and uploading historical VMS data for NEAFC vessels fishing in the SEAFO Convention Area.

The Commission adopted the recommendation.

8.8.19 The Scientific Committee recommended a more formal work arrangement be put in place to address the development and maintenance of the SEAFO database. Scientific Committee recommended that funds be made available to pay for database related work including data input.

The Commission adopted the recommendation with the following directives:

- a. N\$ 120 000 be approved for the data capture and further development of the database, and
- b. Cost estimation be obtained for a part time and full time database manager to commence working in 2010. The cost estimation to be tabled by the next annual meeting in 2011.

8.8.20 The Scientific Committee recommended that the Secretariat combines the existing SEAFO Observer forms into an excel workbook template. This template will be supplied to all sea-going observers for use at sea.

The Commission adopted the recommendation.

8.8.21 The Scientific Committee recommended that the Secretariat solicit the views of Contracting Parties on the suitable maximum limits for the total length of fixed gear fleet gear/sets, soak time and vessel gear capacity.

The matter was referred to the Compliance Committee.

The EU expressed the view that the Compliance Committee was not responsible for setting limits on fishing gear and vessel capacities but shall focus on the implementation and compliance of such measures. The EU further suggested that information should be sourced from other RFMO's/FAO on problems encountered with this measure to better equip the Compliance Committee to make tangible recommendations.

The Scientific Committee recommended that funds be made available to facilitate the attendance of the Executive Secretary of the Coordinating Working Party on Fisheries Statistics (CWP) in 2011.

The matter was referred to the Standing Committee on Administration and Finance.

8.8.22 The Scientific Committee recommended that observers be reminded to include maturity data for deep-water crabs on observer sampling sheets.

The Commission adopted the recommendation.

8.8.23 The Scientific Committee recommended that all Contracting Parties be requested to provide the Secretariat with all available historical catch and effort data subject to approval by the data owner.

The Commission adopted the recommendation.

8.8.24 The Scientific Committee recommended that stock assessments be carried out only using tried and tested assessment packages and programs.

The Commission adopted the recommendation.

8.8.25 The Scientific Committee recommended that the rules relating to decision making in the SC including the election of Chair and Vice-chair be reviewed.

The Commission referred the issue back to the Scientific Committee. According to Article 10 of the Convention, the Scientific Committee should make their own rules. The Scientific Committee to come up with rules for future elaboration by the Commission.

8.8.26 The Scientific Committee recommended that available catch and effort data be used to develop abundance indices for red crab.

The Commission adopted the recommendation.

8.9 A proposal by the Scientific Committee on the access and use of SEAFO data was adopted by the Commission.

8.10 Dr Phil Large was re-elected as Chair of the Scientific Committee by the Commission.

9. Report of the Compliance Committee

The Chairperson of the Compliance Committee, Mr. B. Amutse (Namibia), presented the Report of the Compliance Committee including specific recommendations and advice (Annex 9).

10. Consideration of the Compliance Committee Report

10.1 The EU welcomed the first SEAFO Compliance Report, which is a key element for the factual analysis of the fisheries in the SEAFO area and the implementation of compliance provisions by the Contracting Parties.

10.2 The Commission noted that recommendations from the Review panel are relevant for continuous consideration and the Compliance Committee should address the issues in future.

10.3 The Commission was informed that working papers pertaining to the recommendations made by UNFSA 2010 Resumed Review Conference and the FAO 2009 Agreement on Port State Measure to prevent, deter and eliminate IUU fishing shall be compiled and circulated before the 2011 Compliance meeting by Contracting Parties.

11. Report of the Standing Committee on Administration and Finance

11.1 The Chairperson of the SCAF, Ms. G. D'Almeida (Namibia), presented the Report of the Standing Committee on Administration and Finance including recommendations and advice (Annex 10).

12. Consideration of the Standing Committee on Administration and Finance Report

12.1 The Commission took note that the Angolan contributions were in arrears and the effect thereof on the status of SEAFO financial situation.

12.2 The Secretariat was charged to seek advice from the auditors regarding the necessity of the 1-day call account and report back to Heads of Delegations.

12.3 After discussions, the 2010 revised budget was approved. The Commission approved the Budget for 2011. (Annex 11).

12.4 The Commission adopted the Contracting Parties contributions for 2011 as depicted in Annex 12.

12.5 The Contracting Parties were encouraged to make a voluntary contribution the Special Requirements Fund.

12.6 Contracting Parties were encouraged to pay the annual contribution as early as possible.

12.7 The head of the Norwegian delegation indicated that Norway would again contribute a N\$ 100,000.00 towards the Special Requirements Fund in 2011.

13. Discussion on the implementation of Coral and Sponges Identification guide.

13.1 The Commission endorsed the payment to the author of the SEAFO Coral and Sponges identification guide upon receipt of an invoice.

14. Report back from meetings attended by the Executive Secretary

The Commission was informed that the reports submitted by the Executive Secretary were discussed in the Compliance Committee and the Standing Committee on Administration and Finance. Moreover the reports were circulated to Heads of Delegations in advance for perusal.

14.1 The Executive Secretary reported back on the Maritime safety and security in Africa seminar that took place from the 18 to 23 April 2010 in Dar Es Salaam, Tanzania. The seminar was organized by the African Center for Strategic Studies, USA. A total of 92 participants representing 35 African countries, three (3) European countries, two (2) UN organizations and three (3) regional organizations. The main theme of the seminar was capacity building for maritime safety and security in Africa: comprehensive and coherent strategic approach. Anticipated outcomes of the seminar were:

- Maritime strategy template able to conform to individual country's challenges.
- Stimulation of innovative thinking for more informed policy debate relating to the links between development and maritime security in Africa.
- Enhanced capacity among Africa's civilian and military officials to appreciate the appropriate regulatory, operational, and institutional arrangements needed to achieve maritime security in Africa.
- Exchange of sound practices for addressing the maritime challenges confronting Africa as well as the potential opportunities presented by the maritime domain.
- Identification of key police, institutional and capacity gaps.
- More informed policy debate to the links between development and maritime security in Africa.

14.2 The Executive Secretary reported back on the resumed Review Conference on the UN Fish Stocks Agreement that was held in New York, from 24 to 28 May 2010, The Review Conference decided to keep the agreement under review through the resumption of the Review Conference not later than 2015.

The resumed Review Conference focused on three substantive issues: areas in which implementation of recommendations adopted at its first session in 2006 are proceeding well overall; areas in which implementation of recommendations from the 2006 Review Conference are at an early stage or where little progress has been made and means to further strengthen the substance and methods of implementation of the agreement.

14.3 The Executive Secretary reported back on the Benguella Current Commission management Board meeting in Windhoek, Namibia. A total of 43 science projects were evaluated and approved by the Management Board on condition of availability of funding. The Executive Secretary indicated that the relationship between SEAFO and the BCC should be strengthening as some of the scientific projects might be to the benefit of SEAFO.

15. Report back of SEAFO representatives at 2009/2010 meetings on other International organisations

15.1 Norway reported back on the 28th Meeting of the Commission for the Conservation of Antarctic Marine Living Resources held in Hobart, Australia from 26 October to 6 November 2009. Major topics discussed at this meeting include: illegal, unreported and unregulated fishing in the Convention Area; vulnerable marine ecosystems and bottom fishing; assessment and avoidance of incidental mortality of Antarctic marine living resources; new and exploratory fisheries; current operation of the System of Inspection and the Scheme of International Scientific Observation; compliance with conservation measures in force; review of existing conservation measures and adoption of new conservation measures; management under conditions of uncertainty; and cooperation with other international organisations including the Antarctic Treaty System.

15.2 Norway reported back on the 19th Meeting of the Council of the North Atlantic Marine Mammal Commission (NAMMCO), which was held at Torshavn, the Faroe Islands, 31 August – 2 September 2010. During their discussion at the NAMMCO Council meeting, the Parties (Members and Observers) noted the usefulness and desirability of extending the cooperation with other International Organisations, including RFMO's attending and reporting from their respective activities. There was, in particular, agreement to invite SEAFO to participate, on a mutual basis, in such attendance and reporting as already takes place between NAMMCO and a number inter governmental organizations (IWC, NAFO and NEAFC).

15.3 Angola reported back on the 21st meeting of the ICCAT Commission and permanent group held in Brazil. Various topics were address during the meeting namely biomass and recommendations for the various species, concerns with regards to Parties not fulfil their obligations, adopted new measures to evaluate each Party performance, review the IUU vessel list and the Committee on Administration and Finance revised the budget for the various programmes. One area of concern is the timely payment of contributions by the Parties.

15.4 The EU reported back on the 2010 Annual meetings of NAFO and NEAFC. Links to various website are provided for more information.

16. Nominations of Parties to represent SEAFO at 2010/2011 meeting of other International Organisations

The Commission approved the following nominees to represent SEAFO as observer at the following meetings:

- Angola – ICCAT (2010)
- EU – NAFO (2011)
- EU – NEAFC (2010)
- Norway – CCAMLR (2010)

17. Elections of Chair: Commission

17.1 Mr. Jan Pieter Groenhof was unanimously re-elected as Chairperson for a two-year continuation.

17.2 Mr. Saasa Pheeha of South Africa was elected as Vice Chair subject to approval by -the South African authorities.

18. Any Other Matters

18.1 Timing of the Annual Commission meeting

The Commission discussed the possibility to move the timing of the Commission meeting to the middle of the year. It was noted by the Commission that the Scientific Committee should be convened back to back with the Commission meeting. It was agreed by the Commission to raise the matter on the agenda of the next annual meeting of the Commission.

19. Venue and Date of 2010 Commission Meeting

- 19.1 The date for the next Commission meeting: 10 – 14 October 2011.
- 19.2 The next meeting will be in Namibia and the Secretariat is tasked to make proposals on a venue.

20. Closure of the Meeting

The Chairperson closed the meeting at 11h00 Friday 15th October 2010 and commended the Parties for the efficient and effective conduct of the meeting. He thanked delegates for their positive inputs and wishes everyone a safe journey back home. The Chair thanked Taiyo (Namibia and Japan) for the sponsoring of bags and the Secretariat for their special effort in preparation for and during the Annual Meeting.

ANNEX 1
LIST OF DELEGATES

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**Agenda of the 7th Annual Meeting of the Commission
Windhoek, Namibia, 11 – 15 October 2010**

Venue: Safari Hotel, Windhoek

Chair: Mr. Jan Pieter Groenhof

1. Opening of the Meeting
2. Adoption of the Agenda and Meeting Arrangements
3. Introduction and Admission of Observers
4. Opening Statements
5. Status of the Convention in Respect of Membership
6. Feedback from Namibia regarding SEAFO Offices
7. Report on Performance Review of the Organization
8. Consideration of the Report on Performance Review of the Organization
9. Report of the Scientific Committee
10. Consideration of the Scientific Committee Report
11. Report of the Compliance Committee
12. Consideration of the Compliance Committee Report
13. Report of the Standing Committee on Administration and Finance
14. Consideration of the Standing Committee on Administration and Finance Report
15. Discussion on the implementation of Coral and Sponges Identification guide
16. Reports from meetings attended by the Executive Secretary
17. Reports of SEAFO Representatives at 2009/2010 meetings of other International Organisations
18. Nominations of Parties to represent SEAFO at 2010/2011 meetings of other International Organizations
19. Election of Chair: Commission
20. Any Other Matters
 - 20.1 Timing of the Annual Commission meeting
21. Venue and Date of 2011 Commission Meeting
22. Closure of the Meeting

Annex 3

Opening Statements by Contracting Parties:

Angola

Mr. Chairman, distinguished delegates, ladies and gentlemen.

It is a great pleasure for me to take part once again in the Annual meeting of SEAFO, and on behalf of the Angolan Government, I would like to greet all the present delegates and express my gratitude for the invitation made by the Executive Secretary of the Organization and also thank the Namibian Government for the excellent conditions created for the development of our work.

Mr. Chair, SEAFO Convention is still a very important Convention for Angola, taking into account the role it plays on the Conservation and Management of the Fisheries resources of the Southern East Atlantic Ocean.

We indeed feel, the delays that Angola has registered on the contributions for the Budget of the Organization, mainly in the past two years due to the difficulties encountered, following the World economic and financial crisis. The Country has been contributing so that the objectives set by the Organization may be attained. I have a letter from the National Director of the Treasure in the Ministry of Finances dated from 04 May 2009, testifying the Payments of our contribution for 2008/09.

Mr. Chair I would like to say that scientific research is one of the vital activities of SEAFO. In this field the Angolan scientists have been contributing to the activities during the Scientific meetings organized by SEAFO and there is assurance that they will contribute more.

On the other hand, in order to finalise I would like to emphasize that though Angola is not yet exploring the fisheries resources of the Convention Zone, this factor does not constitute a problem, since our intention is to support the efforts of SEAFO in terms of Conservation and Management of resources to ensure food availability for the present and the future generations.

We thank you for your attention.

EU

Mr Chairman,
Distinguished Delegates,
Ladies and Gentlemen.

The EU Delegation is once again very happy to be here in Windhoek for the 7th Annual Meeting of SEAFO, after our very interesting visit to Swakopmund last year. Once again, we would also like to thank the government and people of Namibia for the very warm welcome that has been extended towards us, and the Executive Secretary, Ben, and his team for providing us with the optimum environment for us to undertake our work.

At this time we would like to extend a very warm and long over-due welcome to Japan following its accession to SEAFO in January this year. As a result this will enable Japan to fully play its part in the functioning of SEAFO, in all its senses. Japan also brings to the organisation a wealth of knowledge which can only serve the growth and further development of SEAFO.

However, against this positive note, there still remains a cloud on the horizon and this relates to the continued delay in the accession of Korea. This is most worrisome, as despite the assurances previously given by Korea, it has still to take that final step. As we have mentioned in previous meetings, we are of the view that long-distance fishing nations who operate in the SEAFO area have an international responsibility to the organisation, and should therefore honour that responsibility by become a Party to SEAFO.

We find it unacceptable that countries which participate in a fishery and take the benefits that brings without playing their part fully in the body that has the responsibility to manage and conserve the resources in the Convention Area. We are, nonetheless, fully aware that this delay is most probably due to internal processes and procedures, and we would strongly encourage Korea to take all possible measures to ensure that the final hurdle to accession is cleared as rapidly as possible, and hopefully, before the end of this year. We would be most disappointed if we were to be faced with a similar situation this time next year.

This year presents SEAFO with an opportunity to further consolidate its functioning and operation, specifically as a result of the favourable outcome of the Performance Review carried out earlier in the year by our Review Panel. This Report indicates where the organisation should make the necessary adjustments, which we think are acceptable, notably in the areas of science and compliance that will lead to SEAFO becoming more effective and efficient.

We also look forward to receiving the report from the Scientific Committee as regards the situation of stocks under the management of SEAFO, and also to possible additional measures that maybe required to enhance the current protection of vulnerable marine ecosystems. For the EU, decisions on the conservation and management of species and ecosystems under the purview of SEAFO should follow scientific advice.

In closing, I would like to underline our willingness to work constructively and co-operatively with all the other SEAFO Parties this week, to move forward through consensus, in order to arrive at a successful and positive outcome on Friday.

Thank you.

Japan

Mr. Chairman, Distinguished Delegates, Observers, Ladies and Gentlemen.

It is a great pleasure for my delegation to be able to participate in the 7th Annual Meeting of SEAFO in this beautiful city of Windhoek this year as a new member state of this organization. We would like to express our sincere gratitude to the Government of the Republic of Namibia for hosting this meeting, and to the SEAFO Secretariat for the excellent preparations for this meeting. We would also like to express our appreciation for the valuable support given to us by you Mr. Chairman, all the member states, the Executive Secretary and the FAO as the Depository for Japan's accession to the Convention.

Now that Japan, which has been one of the major fishing states in the Convention Area, has become a full fledged member of this organization, we are determined to work together even more closely with other member states to achieve its objectives of the Convention as defined in Article 2, namely, to secure long-term conservation and sustainable use of the fisheries resources in the Convention Area through the effective implementation of the Convention.

In this connection, Mr. Chairman, we are grateful to the Performance Review Panel for its views and recommendations, particularly in regard to the performance of the Scientific Committee.

We fully share the view with the Panel that "the Scientific Committee suggested in 2005 that "its advice be guided by the Precautionary Approach because of the lack of information" may undermine its credibility" and that the Scientific Committee should address the status of the fishery resources in the Convention Area as soon as possible.

We repeatedly expressed in the previous occasions that the optimum utilization and the conservation need to be balanced and that excessive application of the concept of the Precautionary Approach will hinder the stable operation of the fishing vessels and will force them to leave the Convention Area.

If there are no fishing activities by the member states , we are not able to obtain from the vessels such fundamental information as catch and effort data, biological information including VME, IUU fishing activities and so forth.

We would like to urge all the delegations around the table to take these views fully into account in order to strengthen the role and functions of SEAFO so that SEAFO would be able to demonstrate to the international community its effectiveness and relevance in undertaking its responsibilities to conserve and manage fisheries resources in a sustainable way for generations to come.

Having said that, Mr. Chairman, we look forward to a productive dialogue with other delegations for the successful outcomes of this meeting.

Thank you very much.

South Africa

Thank you Mr. Chairperson,

Heads of Delegations and their teams

NGO's and representatives

Ladies and Gentlemen,

Chairperson, on behalf of the South African Delegation, Mr. Mnqonsisi Ngadlela, The Director: Compliance, Mr. Mzondeleli Dlulane, Assistant Director: Compliance and myself Mr. Saasa Pheeha, Director: Offshore and High Seas Fisheries Management, I would first like to take this opportunity to extend a special word of thanks to the Government and the People of the Republic of Namibia for the warm hospitality they have accorded us since the inception of SEAFO. It is a great pleasure for South Africa once again to be back in the "Land of the Brave" and be part of the 7th Annual Meeting of the SEAFO Commission.

Secondly Chairperson, South Africa wishes to express gratitude and appreciation to the Office of the Executive Secretary for the remarkable work they have done to put together this meeting, as well intercessional Committee Meetings that have taken place prior to this one and those that will be taking place in parallel.

Chairperson, the past year has been the most exciting in the history of South Africa we have witnessed watershed activities that have completely changed our country. We have witnessed the successful hosting of the Soccer World Cup. We have witnessed the Government reaffirming its commitment to the People of South Africa to eradicate poverty, improve food security, reduce unemployment and contribute to sustainable livelihoods. We have witnessed a change in orientation of the South African Authority responsible for the management of fisheries resources from the Department of Environmental Affairs to the Department of Agriculture, Forestry and Fisheries. As a result of all those experiences Mr. Chairman, there has been a need to realign government priorities and expenditure. This consequently had an impact in the role South Africa is playing on the international stage as well as our participation in various RFMO's.

It is very important to note that we are meeting against the backdrop of 36th Session Committee on World Food Security which is being held in Rome starting from today until the 14th October. The world will be celebrating World Food Day on the 16th of October. Chairman it is sad to note that to date; the contribution made by fishing to global food security is very minimal despite the fact that water covers the vast majority of the earth's surface. Widespread unsustainable fishing practices and IUU have left capture fisheries with a shrinking resource base which translates into a shrinking contribution to food security.

We are now faced with the challenge of finding the balance between keeping fish production on the rise against meeting the increasing needs of a growing global population, while at the same time allowing overfished populations to recover and preventing other species from joining the list of the overfished. There are various threats identified that makes it very difficult to perfect this acrobatic act, with IUU being identified as the major one.

We all are aware of the threats that are being posed by IUU to biodiversity, social and economic development as well as food security. South Africa has made concerted efforts to ensure that our ports are not used as ports of convenience by foreign fishing vessels. We have voluntarily implementing gradually the provisions of the Agreement on Port State Measures to prevent, deter and eliminate IUU. As a result of our commitment, during the month of August, South Africa hosted regional training workshop for coastal countries on Port State Measures to prevent in partnership with CCAMLR. The increasing evidence suggest that operators of IUU vessels target African States to obtain 'flag state' licenses and port services prior to engaging in illegal fishing activities across the Southern Oceans. Through tools such as port state measures, SEAFO will be better positioned to mitigate these problems.

In conclusion Mr. Chairperson, I hope that once again, all countries here today will continue to display improved commitment though discussions as they have done in past Commissions to find a balance between long-term conservation and sustainable use of living marine resources in the South East Atlantic Ocean.

Eliminating hunger and providing food security to the people we are representing here today Mr. Chairman, should be our priority and the theme for this year Commission Meeting.

I thank you.

Namibia

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Norway

Mr. Chairman, distinguished representatives, ladies and gentlemen.

It's a pleasure for Norway to once again meet in beautiful Namibia and to participate at an annual SEAFO meeting. On behalf of the Norwegian delegation, I would like to thank the Government of Namibia for its hospitality, and the secretariat for organising the meeting.

Norway wholeheartedly welcomes Japan as a member of SEAFO, and looks forward to fruitful cooperation with this very important fishing nation. We have noted the steps taken by the Republic of Korea to accede to the organisation, which welcome. We would, however, request Korea to terminate fishing operations in the Convention Area until it has completed the accession procedures. Norway further urges the remaining

non-member coastal State in the region, namely the United Kingdom also to ratify the Convention as soon as possible.

Last year the Commission agreed to a framework for capacity building, for the implementation of the SEAFO Convention, and Norway made a contribution of N\$ 100 000 to the fund. We would of course expect adequate and transparent reporting on the use of the fund. That aside, I am pleased to announce a similar contribution for next year, and Norway calls on other parties to contribute to this important fund.

SEAFO has taken a series of measures in response to calls from the UN General Assembly to protect vulnerable marine ecosystems, including the establishment of a comprehensive framework concerning identification of existing and new areas, assessment of bottom fishing, operational procedures as well as explanatory and data collection protocols. Work is, however, ongoing, and we have at this meeting to develop further measures specifically aimed at fishing activities and habitats typical to SEAFO.

In response to international calls for regional fisheries management organizations to undertake performance reviews, a panel has since the last annual meeting reviewed the functioning of SEAFO, and Norway looks forward to the presentation of the panel's findings by its chair later today. Norway notes with satisfaction that the secretariat already has acted on some of the recommendations by the panel, and we are prepared in particular to discuss the comprehensive draft of the system of observation, inspection, compliance and enforcement.

All in all, the Norwegian delegation is prepared to work hard for the next days to achieve a favourable outcome also from this year's annual meeting.

Annex 4

Opening Statements by Observers:

FAO

FAO wishes to thank the Secretariat of the South East Atlantic Fisheries Organization (SEAFO) for extending an invitation to attend the Seventh Annual Meeting. FAO is thankful for the effective working relationship with SEAFO and the warm hospitality provided by the host government.

FAO would like to emphasize the unique role Regional Fishery Bodies (RFBs) play in facilitating international cooperation for the conservation and management of shared, straddling and high seas fish stocks. RFBs represent the primary means of governing these stocks. Therefore, strengthening RFBs to ensure effective conservation and management of fish stocks and their associated ecosystems remains a priority in international fisheries governance and of course for FAO.

FAO has undertaken a variety of activities which may be of interest and useful for the discussions over the coming days. Many of you were involved in the development of the FAO International Guidelines for the Management of Deep-sea Fisheries in the High Seas agreed in August 2008. During its 28th session of FAO Committee on Fisheries (COFI) recognized that RFMOs are among the primary driving forces in the implementation of the Guidelines and that several RFMOs, including SEAFO, and a number of coastal States have since been working on the implementation of the Deep-seas Guidelines and UNGA Resolution 61/105. In order to support these efforts, FAO, with the assistance of the Republic of Korea, held a workshop in May 2010 examining the challenges in the implementation of the Deep-sea Guidelines and possible solutions. The results are being published as a FAO Report and the recommendations of this meeting will be incorporated into the ongoing FAO Programme on the Implementation of the Deep-Sea Guidelines. This Programme includes including the initial development of a vulnerable marine ecosystem (VME) information system, guidance on collaboration with the deepwater fishing industry and species identification guides. A discussion group for experts interested in deep-sea fisheries in the high seas has also been initiated to facilitate communication between stakeholders. FAO is committed to the continuation of its activities in support of the important efforts by SEAFO and other RFMOs to implement the Deep-Sea Guidelines.

Many distinguished delegates may also be aware that the legally-binding FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing was adopted by FAO Members in late 2009 and is now open for signature. As of today, a total of 17 countries have now signed the Agreement including European Union, Norway and the United States of America. Both the Review Conference of the 1995 UN Fish Stocks Agreement and the United Nations General Assembly, in resolution 64/72, encouraged States to become parties to the 2009 FAO Agreement and to cooperate to adopt all necessary port State measures consistent with international law. FAO is in the process of initiating a programme to build human and material capacity through regional capacity-development activities to ensure that countries will be better placed to enhance and harmonize the implementation of the Agreement.

There are two upcoming technical consultations at FAO which may be of importance to delegates. The first is the Technical Consultation to Identify a Structure and Strategy for the Development and Implementation of the Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels which will be held from 8 to 12 November 2010 in Rome. A second technical consultation will be held from 6 to 10 December 2010 on the development of International Guidelines for Bycatch Management and Reduction of Discards.

I also wish to touch briefly upon the issue of climate changes and fisheries. A partnership was recently developed - the Global Partnership for Climate, Fisheries and Aquaculture (PaCFA),¹ comprising 20 organizations and including both ICES and PICES. This group was established out of a mutual desire to draw together potentially fragmented and redundant climate change activities and to address the pressing need to raise the profile of fisheries and aquaculture in the global climate change discussions. PaCFA has been active in raising awareness on the issues facing the sector and actively participated in

COP15 in Copenhagen. In the regard of climate change, FAO is participating in the symposium on Energy Use in Fisheries to be held this November in Seattle, Washington with a focus on improved alternative operational and management strategies to reduce energy use in fisheries and aquaculture.²

With respect to the impacts of fishing on the environment, I wish to draw your attention to the work of FAO with IMO in revision of MARPOL Annex V and its guidelines especially those related to marine pollution in general and the specific issues of impacts associated with abandoned, lost or otherwise discarded fishing gear on the environment

You will probably be interested in FAO's recent work regarding the Ecosystem Approach to Fisheries (EAF), in particular in the development of a toolbox of suitable methods as a proactive mechanism to assist countries, fishery agencies and the various stakeholder groups to implement the EAF. This "toolbox" is a first attempt at such a guide and will present a large number of tested tools that are already available. In addition to the development of the toolbox, in 2009 FAO with the help of an international expert group reviewed for application of EAF. The report is being finalised and covers ecological, socio-economic and governance indicators for EAF. A workbook on the use of indicators for fisheries management is also underway.

In the highly internationalized fisheries arena, it is now nearly impossible for FAO to work on global, regional or even national fisheries issues without strong cooperation and collaboration with RFBs. Therefore, I would like to reaffirm FAO's commitment to work with all RFBs and to encourage their members to strengthen their activities and to implement fully and speedily decisions made by these organizations.

SEAFO's approach to protection of vulnerable marine ecosystems and completion of the Performance Review process in order to strengthen its function and performance is highly appreciated. FAO is now preparing a Fisheries Circular on Performance Reviews conducted by a couple of RFBs and wishes to include SEAFO's exercise in a following volume on the same subject. FAO, in collaboration with RFBs, will continue playing a significant role in regional action to secure sustainable and more responsible fisheries management.

I would also like to inform the meeting that the next session of COFI will be held from 31 January to 4 February 2011 and the Third Meeting of the Regional Fishery Body Secretariats Network (RSN) will take place immediately after COFI. Active participation of SEAFO in both meetings as previous sessions would be highly appreciated.

I would like to thank the SEAFO Secretariat again for the invitation to observe this important meeting and I assure you that I will follow the discussions over the coming week with much interest. I wish you a very fruitful and productive meeting.

USA

Thank you Mr. Chairman. Good morning distinguished delegates and fellow observers. My thanks to the Republic of Namibia for once again hosting this event, and my thanks also to SEAFO for organizing this event.

The United States remains very interested in the work of SEAFO, and while we do not have any immediate plans to become a member, we have not ruled that out for the future.

Secretary of State Hillary Clinton has made clear to those of us working in the areas of oceans, environment, and scientific affairs of her concern to strengthen water resources and her commitment to global food security.

While the work of RMFOs is very distinct, Secretary Clinton understands the interrelationship of such organizations to broader objectives. She has asked us in the concerned bureau (OES) to work diligently to fit these scientific priorities into the broader concerns of the U.S. given the current challenges of global security and economic reality both at home and abroad.

Thank you Mr. Chairman.

Annex 5



REPORT OF THE PERFORMANCE REVIEW PANEL

**7th Annual Meeting of the Commission
Windhoek, Namibia
11- 15 October 2010**

Judith Swan

SUMMARY

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-
-

INTRODUCTION

RFMO Performance Reviews

- Outcome of international momentum to respond to challenges of fisheries governance
- Aim: Strengthen the overall performance of RFBs for fisheries management and compliance
- Approach: Independent element, agreed criteria

INTRODUCTION	INTRODUCTION
<p style="text-align: center;">RFMO Performance Reviews</p> <ul style="list-style-type: none"> ■ Completed, currently in reform process <ul style="list-style-type: none"> – CCAMLR, CCSBT, ICCAT, IOTC, NEAFC ■ Underway or planned <ul style="list-style-type: none"> – GFCM, NAFO, NASCO WCPFC 	<p style="text-align: center;">RFMO Performance Reviews</p> <ul style="list-style-type: none"> ■ Calls for reviews at regular intervals <ul style="list-style-type: none"> – e.g. 2010 Resumed Review Conference, UNFSA ■ FAO Circular on Performance Reviews to be published (supported by Gvt of Japan) <ul style="list-style-type: none"> – Introduction, summaries, synthesis and best practices

BACKGROUND	BACKGROUND
<p style="text-align: center;">SEAFO Performance Review</p> <ul style="list-style-type: none"> ■ Agreed in 2009 ■ Review Panel <ul style="list-style-type: none"> – Judith Swan Fisheries management expert nominated by FAO, Chair of Panel – Hans Lassen Fisheries scientist nominated by ICES – Moses Maurihungirire Namibia/SEAFO – Terje Lobach Norway/SEAFO 	<p style="text-align: center;">SEAFO Performance Review</p> <ul style="list-style-type: none"> ■ Review Criteria (Annex 1) <ul style="list-style-type: none"> – Conservation and management – Compliance and enforcement – Decision-making and dispute settlement – International cooperation – Financial and administrative issues

BACKGROUND	BACKGROUND												
<p style="text-align: center;">SEAFO Performance Review</p> <ul style="list-style-type: none"> ■ Recommendations <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding-left: 20px;">– Conservation and management</td> <td style="text-align: right;">21</td> </tr> <tr> <td style="padding-left: 20px;">– Compliance and enforcement</td> <td style="text-align: right;">8</td> </tr> <tr> <td style="padding-left: 20px;">– Decision-making and dispute settlement</td> <td style="text-align: right;">2</td> </tr> <tr> <td style="padding-left: 20px;">– International cooperation</td> <td style="text-align: right;">5</td> </tr> <tr> <td style="padding-left: 20px;">– Financial and administrative issues</td> <td style="text-align: right;">1</td> </tr> <tr> <td>Total:</td> <td style="text-align: right;">37</td> </tr> </table> 	– Conservation and management	21	– Compliance and enforcement	8	– Decision-making and dispute settlement	2	– International cooperation	5	– Financial and administrative issues	1	Total:	37	<p style="text-align: center;">SEAFO Performance Review</p> <ul style="list-style-type: none"> ■ Structure of report <ul style="list-style-type: none"> – Explanation of relevant authority, institutional arrangements and practice – Panel analysis – Panel recommendations – Compendium of recommendations
– Conservation and management	21												
– Compliance and enforcement	8												
– Decision-making and dispute settlement	2												
– International cooperation	5												
– Financial and administrative issues	1												
Total:	37												

BACKGROUND

SEAFO Area of Competence



BACKGROUND

SEAFO Fisheries

- Fisheries
 - Alfonsino, orange roughy, tuna and tuna like species, deep sea red crab, deep water shrimps, swordfish, wreckfish, Patagonian toothfish, Argentines, boarfish, grunts, octopus, lobster
- TACs for 2009 (tonnes)

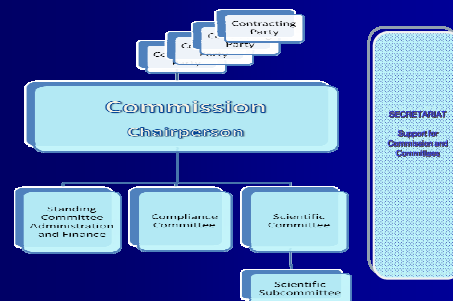
– Patagonian toothfish	200	Alfonsino	200
– Deep sea red crab	400	Orange roughy	50

BACKGROUND

SEAFO Objective and responsibilities

- Objective: Ensure long-term conservation and sustainable use of the fishery resources in the Convention Area through the effective implementation of the Convention (Art. 2)
- To achieve this, modern principles of responsible fisheries management must be used (Art. 3)

BACKGROUND



BACKGROUND

SEAFO Convention

Relationship with international instruments, initiatives

- 1995 UN Fish Stocks Agreement
 - Basis for SEAFO Convention
 - SEAFO participates in Review Conference
- Other relevant international instruments
 - 1993 FAO Compliance Agreement
 - 1995 FAO Code of Conduct
 - 1999 FAO IPOAs Capacity, Seabirds, Sharks
 - 2001 FAO IPOA-IUU fishing
 - 2005 FAO Model Scheme on Port State Measures
 - 2009 FAO Agreement on Port State Measures

BACKGROUND

SEAFO Convention

Relationship with international instruments, initiatives

- UN General Assembly, FAO/COFI
 - Measures on VMEs, regulation of bottom fishing activities, reduction of sea turtle mortality
 - Response to UN, FAO questionnaires

PERFORMANCE REVIEW Conservation and Management	PERFORMANCE REVIEW Conservation and Management
Conservation and Management Measures 11 Measures	Conservation and Management Measures
<ul style="list-style-type: none"> ■ Species-related <ul style="list-style-type: none"> – TACs – By-catch ■ Environment/ecosystem <ul style="list-style-type: none"> – Bottom fishing – Management of VMEs ■ MCS <ul style="list-style-type: none"> – Port State measures, transshipments, IUU vessel lists 	<ul style="list-style-type: none"> ■ 04/06 Conservation of Sharks Caught in Association with Fisheries Managed by SEAFO ■ 06/06 Management Of Vulnerable Deep Water Habitats And Ecosystems In The SEAFO Convention Area ■ 07/06 Relating to Interim Measures to Amend the Interim Arrangement of the SEAFO Convention ■ 08/06 Establishing a List Of Vessels Presumed to have Carried Out IUU Fishing Activities in the SEAFO Convention Area ■ 09/07 Consolidating Port State Measures ■ 11/07 Conditions for the resumption of closed fisheries

PERFORMANCE REVIEW Conservation and Management	PERFORMANCE REVIEW Conservation and Management
Status of living marine resources	Conservation and Management Measures
<ul style="list-style-type: none"> ■ Significant progress by Scientific Committee (SC) <ul style="list-style-type: none"> – e.g., VMEs, by-catch rules, data collection, management advice ■ But SC has not <ul style="list-style-type: none"> – provided information on the status of stocks – presented a strategy for assessing the resources – developed an assessment strategy, priorities ■ Transboundary nature of stocks recognized 	<ul style="list-style-type: none"> ■ 13/09 Interim Prohibition of Transshipments-at-Sea in the SEAFO Convention Area and to Regulate Transshipments in Port ■ 14/09 To Reduce Sea Turtle Mortality in SEAFO Fishing Operations ■ 15/09 Reducing Incidental By-catch of Seabirds in the SEAFO Convention Area ■ 16/09 Total Allowable Catches and related conditions for Patagonian toothfish, orange roughy, alfonsino and deep-sea red crab in the SEAFO Convention Area in 2010 ■ 17/09 Bottom Fishing Activities in the SEAFO Convention Area

PERFORMANCE REVIEW Conservation and Management	PERFORMANCE REVIEW Conservation and Management
Status of living marine resources Recommendations	Status of living marine resources Recommendations
<ol style="list-style-type: none"> 1. SC should develop a strategy for a status report of the fishery resources in the Convention Area. <ul style="list-style-type: none"> – Information to be included in strategy is identified – Red crab should be first priority 2. Scientific cooperation with other organisations is encouraged (e.g. CCAMLR), to address the transboundary nature of fishery resources. 	<ol style="list-style-type: none"> 1. SC should develop a strategy for a status report of the fishery resources in the Convention Area. <ul style="list-style-type: none"> – Information to be included in strategy is identified – Red crab should be first priority 2. Scientific cooperation with other organisations is encouraged (e.g. CCAMLR), to address the transboundary nature of fishery resources.

PERFORMANCE REVIEW Conservation and Management	PERFORMANCE REVIEW Conservation and Management
<p style="text-align: center;">Ecosystem approach</p> <ul style="list-style-type: none"> ■ SC and Commission have devoted much time to examining impacts of fisheries on the ecosystem ■ Outcomes include protection of sea mounts, areas with corals and sponges ■ Strategy unclear (guided by calls from UN GA?) 	<p style="text-align: center;">Ecosystem approach Recommendations</p> <ol style="list-style-type: none"> 3. The Commission should set priorities for the SC based on concerns relating to the ecosystem in general, and fisheries in particular. 4. Ecosystem-related priorities are highly relevant but should not overshadow other major tasks.

PERFORMANCE REVIEW Conservation and Management	PERFORMANCE REVIEW Conservation and Management
<p style="text-align: center;">Data collection and sharing</p> <ul style="list-style-type: none"> ■ The SC and Secretariat devote much attention to these tasks ■ Generally good compliance with specifications, time frame for data submissions ■ Lack of data on fishing effort, biological information ■ Significant progress by Secretariat in compiling data from the observer program 	<p style="text-align: center;">Data collection and sharing Recommendations</p> <ol style="list-style-type: none"> 5. Transparency of scientific data should be improved by providing more information in the report of the Sub-Committee of the Scientific Committee (SSC) and/or on the SEAFO website. 6. The SC should give a high priority to the completion of identification keys for fish. 7. Emphasis should be on extending the database for existing fisheries.

PERFORMANCE REVIEW Conservation and Management	PERFORMANCE REVIEW Conservation and Management
<p style="text-align: center;">Quality and provision of scientific advice</p> <ul style="list-style-type: none"> ■ Weak scientific basis of SCC and SC for advice on fisheries exploitation ■ Unclear whether there is consistent management of Patagonian toothfish and red crab across borders ■ Unclear how VMS data used in assessments, advice ■ Species profiles useful, but no indication of exploitation pressure or level 	<p style="text-align: center;">Quality and provision of scientific advice</p> <ul style="list-style-type: none"> ■ Role of SC is to present information and analysis, Commission may then decide on approach (e.g. precautionary) ■ Respective roles of SC and SCC unclear ■ Secretariat should carry out technical work for assessments (updating CPUE graphs)

PERFORMANCE REVIEW Conservation and Management	PERFORMANCE REVIEW Conservation and Management
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PERFORMANCE REVIEW Conservation and Management	PERFORMANCE REVIEW Conservation and Management
Quality and provision of scientific advice Recommendations	Quality and provision of scientific advice Recommendations
<p>8. The basis for SC advice should be clear and transparent.</p> <p>9. The SC should have a clear set of scientific data on which to formulate its advice, based on those in international fisheries instruments as agreed by the Commission.</p> <p>10. Where there is no scientific basis, Commission should instruct SC on interpretation, implementation of precautionary approach.</p>	<p>11. The Commission should provide guidance to the SC on priorities for its advice.</p> <p>12. The structure of the SC, readership of scientific reports should be analysed and reports redesigned.</p> <p>13. The roles and functions of the SC and SCC should be clarified.</p>

PERFORMANCE REVIEW Conservation and Management	PERFORMANCE REVIEW Conservation and Management
Quality and provision of scientific advice Recommendations	Adoption of conservation and management measures
<p>14. A review should be undertaken to explore arrangements for the Secretariat to compile data and produce working papers for the SC, SCC, to attain smooth workflow.</p> <p>15. Contracting Parties should support the scientific coordinators to allow efficient SC meeting time.</p>	<ul style="list-style-type: none"> ■ The Commission's decision to initially set a low level of fishing effort was wise, given the unregulated fishing and uncertainty of the status of the resource prior to SEAFO establishment ■ Robust measures have been adopted to protect biological diversity through habitat safety and regulation of fishers ■ Prudent measures have been adopted to minimize pollution, waste, discards, catch by lost or abandoned gear, non-target species etc.

PERFORMANCE REVIEW Conservation and Management	PERFORMANCE REVIEW Conservation and Management
Adoption of conservation and management measures Recommendations	Capacity management
<p>16. Efforts should be placed in data and information collection to build time series for resource assessment.</p> <p>17. The Commission should continue collecting data through observer program.</p> <p>18. The Commission should continue its policy to ensure that fisheries do not expand faster than the acquisition of information necessary for sustainable use.</p>	<ul style="list-style-type: none"> ■ Fleets operating in the Convention Area since SEAFO was established: <ul style="list-style-type: none"> – pole and line and purse seiners (tuna and tuna like species, pelagic sharks) – longliners (toothfish, pelagic sharks) – pot fisheries (red crab) – bottom trawl fisheries (orange roughy, alfonsinos, deepwater sharks)

PERFORMANCE REVIEW Conservation and Management	PERFORMANCE REVIEW Conservation and Management
Capacity management	Capacity management Recommendation
<ul style="list-style-type: none"> ■ 2009 <ul style="list-style-type: none"> ■ Actual fishing capacity: 4 vessels ■ List of authorized vessels: 35 vessels ■ If all authorized vessels fished <ul style="list-style-type: none"> – Potential destruction of fisheries resources – Increased risk of IUU fishing ■ SEAFO monitors level of fishing effort, compliance good, overcapacity negligent 	<p>21. The Commission should establish rules that assure that the authorised vessel list better reflects the actual capacity deployed in the Convention Area.</p>

PERFORMANCE REVIEW Compliance and Enforcement	PERFORMANCE REVIEW Compliance and Enforcement
Flag State Duties	Flag State Duties Recommendation
<ul style="list-style-type: none"> ■ Strong and detailed flag State duties are binding on Contracting Parties under the SEAFO Convention (Article 14) and in many of the conservation measures. ■ SEAFO has not established a comprehensive system of observation, inspection, compliance and enforcement. ■ It is therefore of fundamental importance for Contracting Parties to discharge their obligations as flag States 	<p>22. SEAFO should investigate whether its Contracting Parties comply with their obligations as flag States, and if not take steps to ensure that flag States provide the data required in relevant conservation measures.</p>

PERFORMANCE REVIEW Compliance and Enforcement	PERFORMANCE REVIEW Compliance and Enforcement
Port State Measures	Port State Measures Recommendations
<ul style="list-style-type: none"> ■ Port State measures are binding on Contracting Parties under the SEAFO Convention (Article 15) and CM 09/07 ■ The Panel and Compliance Committee are concerned about the implementation of the port State inspection scheme <ul style="list-style-type: none"> – Inspection reports unavailable to the Committee concerning vessels landing catch from the SEAFO Area; it is known that landings take place in ports of SEAFO CPs ■ SEAFO has had no opportunity to review its measures with a view to updating them to implement the FAO Agreement. 	<p>23. SEAFO should investigate whether Contracting Parties comply with their obligations as Port States.</p> <p>24. The implications of the FAO Agreement on Port State Measures for the SEAFO measures should be examined and the SEAFO measures amended as appropriate.</p>

PERFORMANCE REVIEW Compliance and Enforcement	PERFORMANCE REVIEW Compliance and Enforcement
Monitoring, Control and Surveillance	Monitoring, Control and Surveillance
<ul style="list-style-type: none"> ■ SEAFO MCS Measures <ul style="list-style-type: none"> – Port State Measures – IUU Vessel List – Transhipments – Interim measures (pending full operation of the Commission) ■ Panel not aware of violations; concerned about lack of data, but no evidence this is caused by compliance issues ■ Merging MCS measures would facilitate a more coherent MCS system 	<ul style="list-style-type: none"> ■ SEAFO Convention (Art 16) <ul style="list-style-type: none"> – Contracting Parties must establish a system of observation, inspection, compliance and enforcement ■ SEAFO Measures do not cover all requirements of Article 16, e.g. inspection at sea, reporting obligations regarding infringements ■ However, measures already adopted seem sufficient given limited fishing activity in Convention Area

PERFORMANCE REVIEW Compliance and Enforcement	PERFORMANCE REVIEW Compliance and Enforcement
Monitoring, Control and Surveillance Recommendations	Follow-up on infringements
<p>25. SEAFO should examine the pros and cons of implementing the provisions on observer programmes in Article 16(3)(c) of the Convention.</p> <p>26. The current MCS measures should be merged into one single conservation measure on MCS.</p>	<p>Obligations under SEAFO Convention</p> <ul style="list-style-type: none"> ■ CPs to provide Commission with annual statement of compliance measures implemented, including sanctions (Art 13(4)) ■ Flag State CPs to ensure immediate investigation and full report on actions in response to alleged violation by flag vessel (Art 14(3)(a)) ■ Commission to establish procedures to follow-up infringements detected under a system of observation, inspection, compliance and enforcement (Art 16(3)(d))

PERFORMANCE REVIEW Compliance and Enforcement	PERFORMANCE REVIEW Compliance and Enforcement
Follow-up on infringements	Follow-up on infringements Recommendation
<ul style="list-style-type: none"> ■ The Compliance Committee would benefit from a more detailed description of duties to implement Article 16(3), e.g. <ul style="list-style-type: none"> – date of infringement report – information on current status of the case – specific description of sanctions, penalties – why no action taken 	<p>27. More detailed provisions on procedures and requirements for follow-up actions to alleged infringements should be developed.</p>

PERFORMANCE REVIEW Compliance and Enforcement	PERFORMANCE REVIEW Compliance and Enforcement
Cooperative mechanisms to detect and deter non-compliance	Cooperative mechanisms to detect and deter non-compliance
<ul style="list-style-type: none"> ■ SEAFO seems to have in place adequate mechanisms for detecting and deterring IUU fishing ■ The mechanisms could be further improved by regularly taking on board global initiatives to combat IUU fishing ■ Fishing activities in the Convention Area are monitored through reporting requirements, VMS and a ban on at-sea transshipments; this might be improved by placing observers on fishing vessels 	<ul style="list-style-type: none"> ■ Measure 08/06 to establish an IUU Vessel List recognises Lists established by CCAMLR, NAFO and NEAFC ■ NAFO and NEAFC recognise the SEAFO IUU Vessel List

PERFORMANCE REVIEW Compliance and Enforcement	PERFORMANCE REVIEW Compliance and Enforcement
Cooperative mechanisms to detect and deter non-compliance Recommendations	Market-related Measures
<p>28. SEAFO should adopt measures for observation to give effect to Articles 14(3)(g) and Article 16(3)(c) of the Convention.</p> <p>29. SEAFO should consider amending Conservation Measure 08/06 in order to recognise IUU vessel lists of all relevant RFMOs.</p>	<ul style="list-style-type: none"> ■ In 2009, the Commission discussed the possible introduction of a Catch Documentation Scheme (CDS) for Patagonian toothfish, similar to CCAMLR ■ All SEAFO Contracting Parties are also Parties to CCAMLR, except Angola; there was no need for a specific scheme and Angola was encouraged to cooperate with CCAMLR ■ The Panel had no recommendations

PERFORMANCE REVIEW Decision-making and Dispute Settlement	PERFORMANCE REVIEW Decision-making and Dispute Settlement
Dispute Settlement	Dispute Settlement Recommendation
<ul style="list-style-type: none"> ■ The Convention contains a compulsory dispute settlement process, based on the UNFSA <ul style="list-style-type: none"> – Prevention – Consultation – Technical disputes – refer to an <i>ad hoc</i> expert panel – Binding decision ■ No disputes ■ <i>Ad hoc</i> expert panel or procedures not established 	<p>31. Procedures for the establishment and operation of an <i>ad hoc</i> expert panel should be adopted to implement Article 24(3) of the Convention.</p>

PERFORMANCE REVIEW International Cooperation	PERFORMANCE REVIEW International Cooperation
Transparency	Transparency Recommendation
<ul style="list-style-type: none"> ■ The SEAFO Convention and Rules of Procedure have a number of transparency-related provisions, e.g. <ul style="list-style-type: none"> – Attendance at meetings – Decision-making procedures – Partnerships ■ In addition, SEAFO practice is transparent in other areas, e.g. <ul style="list-style-type: none"> – Research, website content and operation, publications 	<p>32. The Panel endorses a continuation of the transparency in SEAFO administration and operations and has no further recommendations.</p>

PERFORMANCE REVIEW International Cooperation	PERFORMANCE REVIEW International Cooperation
Transparency Recommendation	Cooperation with other international organisations Recommendation
<p>32. The Panel endorses a continuation of the transparency in SEAFO administration and operations and has no further recommendations.</p>	<p>35. Current means of liaison is satisfactory. Linkages on website should be updated to reflect important areas of cooperation, such as sharing IUU vessel lists and areas of cooperation with the BCC.</p>

PERFORMANCE REVIEW International Cooperation	PERFORMANCE REVIEW International Cooperation
Special requirements of developing States	Special requirements of developing States
<p>SEAFO Convention requires cooperation with developing States (Art 21), including provision of financial assistance, human resource development, technical assistance, transfer of technology and activities directed towards:</p> <ul style="list-style-type: none"> - improved conservation and management of the fishery - stock assessment and scientific research - MCS, compliance and enforcement 	<ul style="list-style-type: none"> ■ 2009: Special Requirements Fund established ■ Well constructed principles, guidelines and operational procedures have been adopted ■ Norway contributed N\$ 100 000, EU undertook to examine possibility of contributing similar amount ■ SEAFO also encourages Contracting Parties to apply for available support from other sources

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PERFORMANCE REVIEW International Cooperation	PERFORMANCE REVIEW Financial and Administrative Issues
Special requirements of developing States Recommendation	Availability of resources for activities, efficiency and cost effectiveness
<p>36. Further contributions to the Special Requirements Fund are encouraged.</p>	<p>SEAFO Financial Cycle</p> <pre> graph TD A[Draft budget developed by Secretariat] --> B[Standing Committee on Administration and Finance recommendation] B --> C[SEAFO Commission approves budget and contributions] C --> D[Contributions provided by Contracting Parties] D --> E[Service provided by Secretariat or contracted] E --> F[Annual audit of accounts completed] F --> A </pre>

PERFORMANCE REVIEW

Financial and Administrative Issues

Availability of resources for activities, efficiency and cost effectiveness

- Budget contribution is divided equally among Contracting Parties
- The Convention (Art 12) and Financial Regulations set out requirements for financial contributions and activities, budgetary process and for Contracting Parties in arrears.
- A continuing concern is the failure by some Contracting Parties to pay their contributions on time

PERFORMANCE REVIEW

Financial and Administrative Issues

Availability of resources for activities, efficiency and cost effectiveness

Recommendation

37. Contracting Parties should strengthen their efforts to pay their SEAFO contributions on time.

CONCLUDING REMARKS

- The Panel has found that the Convention, based on relevant international law and practice, provides a clear and robust basis for the SEAFO mandate, structure and activities
- The Panel has identified many areas where SEAFO performance has been strong
- The Panel has analysed each of the performance review criteria and made clear recommendations for strengthening the performance of SEAFO, leading to improved governance over the fishery resources in the Convention Area

CONCLUDING REMARKS

CLEAR WAY FORWARD



Annex 6

RECOMMENDATIONS OF THE SEAFO PERFORMANCE REVIEW PANEL

DESIGNATION OF FOLLOW-UP RESPONSIBILITIES

DRAFT

C Commission **SCAF Standing Committee on Administration and Finance**
SC Scientific Committee **CP Contracting Parties**
CC Compliance Committee **S Secretariat**

***Priorities are indicated in the Recommendation**

	C	SC	CC	SC AF	CP	S
CONSERVATION AND MANAGEMENT						
Status of living marine resources						
1. The Scientific Committee should develop a strategy for the development of a status report, including a general overview, of the fishery resources in the Convention Area. The report should include information on the stock structure, total abundance, distribution of the biomass between zones and the fishing pressure by zone. Red crab should be given first priority for such a status report.		√		√		
SEAFO CONSIDERATIONS SC: SC supports this recommendation and proposes to adopt as a template an extended version of the recently developed Species Profile proforma. However, SC considers that toothfish should be given first priority since (i) it has the most fisheries and biological data available and (ii) red crab is not a transboundary stock as identified in the Panel Report. The species of red crab found in the SEAFO CA is not the same species found in the Angolan and Namibian EEZs. The Scientific Committee will do the reports intersessionally. C: Commission to note						
SEAFO FOLLOW UP:						

2. The transboundary nature of several fishery resources is recognised and scientific cooperation for evaluating of the status of the resources with other organisations should be encouraged, e.g. in the form of joint working groups with the CCAMLR for Patagonian toothfish and with Namibia and Angola for red crab.		√		√		
<p>SEAFO CONSIDERATIONS SC: SC considers that a joint working group between SEAFO and CCAMLR is not needed for toothfish because the SEAFO Secretariat is in regular contact with the CCAMLR Secretariat and obtains the latest updates on management regulations etc, and the SEAFO Scientific Coordinator for toothfish currently attends CCAMLR Working Groups and acts as a conduit for the exchange of information.</p> <p>Even though the species of red crab found in the Angolan and Namibian EEZs differs to that found in the SEAFO CA, SC considers that an improved exchange of information on sampling strategies and stock assessment methods could be achieved by correspondence between the SEAFO Species Coordinator for red crab and red crab experts in Angola and Namibia. SC is of the view that a joint working group is not needed</p>						
SEAFO FOLLOW UP:						
Ecosystem approach						
3. The Commission should expressly define priorities for the work of the Scientific Committee based on concerns relating to both the ecosystem in general and the fishery resources in particular.	√					
<p>SEAFO CONSIDERATIONS SC: Commission is currently not in a position to make any recommendations to the SC. SC is to present tasks and TOR to the Commission well in advance of the 2011 annual Commission meeting for scrutiny. C: Commission to define priorities during the 2011 Annual meeting.</p>						
SEAFO FOLLOW UP:						
4. While ecosystem-related priorities are highly relevant they should not overshadow other major tasks.	√					

SEAFO CONSIDERATIONS						
<p>SC: Regarding the balance between ecosystem related priorities and other tasks, this has been almost entirely driven by international obligations on SEAFO and resulting Commission requests. There is also the widely recognised pressing need to develop an ecosystem based approach to fisheries science and management.</p> <p>C: Commission to note</p>						
SEAFO FOLLOW UP:						
Data collection and sharing						
5. The transparency of the scientific data should be improved by providing more information in the report of the Sub-Committee of the Scientific Committee or alternatively, or in addition, by providing this information on the SEAFO website		√				
SEAFO CONSIDERATIONS						
<p>SC: It considered that the transparency of data in the Scientific Sub Committee and Scientific Committee reports is adequate and comparable with that of other RFMOs e.g. NAFO. Furthermore, these reports are available on the SEAFO website. Further transparency, particularly of more disaggregated biological data and observer data, is likely to result in problems regarding confidentiality and data ownership</p>						
SEAFO FOLLOW UP:						
6. The Scientific Committee should give a high priority to the completion of identification keys for fish. This is necessary for an observer programme.		√		√		
SEAFO CONSIDERATIONS						
<p>SC SC is of the view that a fish ID guide, rather than a key, is needed. Such an observer guide should also include crustaceans and incidental bycatch species such as seabirds and cetaceans (a turtle guide is already in use). It was agreed that the SC should first attempt to compile such as ID guide before tenders are called for the compilation of such an identification guide.</p>						
SEAFO FOLLOW UP:						

7.	Emphasis should be placed on extending the database for existing fisheries. The Panel notes that the scientific observers will provide essential data for this database.		√		√	
	<p>SEAFO CONSIDERATIONS SC: Extending the database is already ongoing. A more pressing concern is that observer data is currently manually punched. SC has agreed on a protocol to address this problem. C: N\$ 120 000,00 has been budgeted for the punching and further development of the database during 2011.</p>					
	SEAFO FOLLOW UP:					
	Quality and provision of scientific advice					
8.	The basis for the Scientific Committee advice should be transparent and clear to all involved. In this regard, the report of the Scientific Committee should clearly describe the information on which its advice is based and the report of the SSC should document all assessments relevant to such advice.		√			
	<p>SEAFO CONSIDERATIONS SC: SC fully supports this recommendation but wishes it be noted that in terms of stock assessments only two stocks have been described since SC commenced. A rule of thumb assessment for orange roughy based on trends in abundance indices (regularly documented since 2005) and an attempted surplus production model for toothfish carried out this year.</p>					
	SEAFO FOLLOW UP:					
9.	The Scientific Committee should have a clear set of scientific criteria on which to formulate its advice. Such criteria should be based on those in international fisheries instruments as agreed by the Commission, for example the objective to maintain or restore stocks to levels that can produce the MSY with the aim of achieving these goals for depleted stocks on an urgent basis and where possible not later than 2015 as stated in the 2002 Johannesburg Plan of Implementation.		√	√		
	<p>SEAFO CONSIDERATIONS SC: SC comprises competent, experienced fisheries scientists, many of whom have many years of experience of providing advice for data poor deep-water stocks at a national and international level. SC is of the view that it is fully competent to set the scientific criteria on which to</p>					

	<p>formulate its advice. SC recognizes the objective to maintain or restore stocks to levels that can produce MSY, however developing a framework to accomplish this for data-poor stocks is widely recognised as problematic. ICES is attempting to address this issue and SC will monitor and learn from the progress made.</p> <p>C: The Commission is not in a position to develop scientific criteria. However the Commission could give priorities if the Scientific Committee could give the Commission a better idea on the State of the Stocks and the risks associated.</p>						
SEAFO FOLLOW UP:							
10. When there is no scientific basis, the Commission should provide clear instructions to the Scientific Committee on the interpretation and implementation of the precautionary approach.	√						
<p>SEAFO CONSIDERATIONS</p> <p>SC:</p> <p>C: The Commission acknowledged that SEAFO is in a data poor situation and that the Convention (Article 7) made reference to the implementation of the precautionary approach. It is furthermore considered imperative that the Commission should not influence the modes operandi of the SC and should allow the SC to apply the precautionary approach e.g. recommending precautionary TACs and invoking the PA to recommend seamount closed areas in the absence of information on VMEs (both initiatives from SC).</p>							
SEAFO FOLLOW UP:							
11. The Commission should provide explicit guidance for the Scientific Committee on priorities for its advice. Consideration of such priorities might be facilitated through a modification of the structure of the Scientific Committee, such as more extensive use of focused expert groups working either by correspondence or at meetings.	√	√					
<p>SEAFO CONSIDERATIONS</p> <p>SC: FC sets the priorities for SC by adding ToRs to the SC Agenda. SC attempts to address all ToRs but gives priority to those concerned with reviewing CMs. SC is not aware, at least from the Commission, of any shortcomings in its advice to FC. On the contrary, SC has received much praise from FC for its work. Notwithstanding, if FC wishes to provide guidance on the priorities for SC advice then SC is comfortable with this. SC already makes use of focused expert groups at meetings, but less use of such groups working by correspondence. SC will review the use of the latter.</p> <p>C: The Commission is currently not in a position to provide explicit guidance on priorities for its advice. However the Commission could give priorities if the Scientific Committee could give the Commission a better idea on the State of the Stocks and the risks associated.</p>							
SEAFO FOLLOW UP:							

	<p>12. The structure of the Scientific Committee report and the readership of the various scientific reports should be analysed and the reports be redesigned to be fit for purpose taking the following considerations into account.</p> <ul style="list-style-type: none"> a. The Scientific Committee report should be an advisory report, with the Commission and highly interested stakeholders as its primary readership. It should include a summary of the scientific information that underpins the advice. b. The SSC report should present the technical assessments that form the basis for the deliberations by the Scientific Committee. The readership of that report is the Scientific Committee and the wider science community. c. There should be similar technical reports available as background analysis for other topics that require review by the Scientific Committee. d. The Secretariat should create a series of working papers, or research documents, which should be coded and a copy kept for future reference. Papers that are not properly coded may be discarded after the meeting. 		√			√	
	<p>SEAFO CONSIDERATIONS</p> <p>SC: (a) SC considers that the SC Report should be the primary source of all information addressing the ToRs set for both SC and SSC, except where there is explicit reference to the SSC Report (e.g. landings tables). SC considers this approach is easier for readers in that all pertinent information is in a single document. However, SC acknowledges that this results in some duplication between reports.</p> <p>(b) SC's comment to point a. above applies. It should be noted that because of cost restrictions by their CPs some assessment experts can only attend SC, so assessments sometimes have to be revisited in this meeting.</p> <p>(c) SC agrees. This year, SC had access to the relevant CCAMLR assessment reports for example.</p> <p>(d) Commission has adopted a protocol for coding and archiving of SC working documents.</p>						
	<p>SEAFO FOLLOW UP:</p>						

13. The roles and functions of the Scientific Committee and SSC should be clarified, duplication of work avoided and decision-making.		√				
SEAFO CONSIDERATIONS SC: SSC is a Sub-group created by SC, initially to collate available historical landings and biological data. Good progress has been made and SC considers that this Group has mostly served its purpose and can now be dissolved. SC is of the view that in future a single group (SC) will meet and produce a single report.						
SEAFO FOLLOW UP:						
14. A review should be undertaken to explore arrangements for giving the Secretariat the responsibility to compile data and produce working papers for the Scientific Committee and SSC, with a view to attaining a smooth workflow. The review should also identify the role of the coordinating scientists in this regard.		√				√
SEAFO CONSIDERATIONS SC: SC supports this and the Commission agreed that in future all landings tables currently in the SSC Report will be updated by the Secretariat in advance of SC meetings. Additionally, the Secretariat will compile new tables of data of incidental bycatch (seabirds, turtles etc) and discards. The Secretariat should resolve any arising data queries with the relevant national/scientific coordinators.						
SEAFO FOLLOW UP:						
15. The Contracting Parties should support the scientific coordinators to allow efficient use of meeting time at the Scientific Committee.					√	
SEAFO CONSIDERATIONS CP: Contracting Parties should take note and allow scientific coordinators efficient use of meeting time.						
SEAFO FOLLOW UP:						

Adoption of conservation and management measures											
16. Effort should be placed in collection of data and information in order to build up time series for usage in the assessment of the resources in the Convention Area.						√	√				
SEAFO CONSIDERATIONS SC: Commission encourage Contracting Parties to support the collection of data for scientific assessment. C: Commission to take note											
SEAFO FOLLOW UP:											
17. The Commission is encouraged to continue with the initiatives of collecting relevant data through scientific observers onboard fishing vessels as adopted through conservation measures since 2005.						√	√				
SEAFO CONSIDERATIONS CC The Compliance Committee urged all Contracting Parties to ensure compliance with this conservation measure although it was noted that some inconsistencies existed on the current measures that needed clarification and proposed a revision to ensure that they were workable and enforceable for the next meeting. C: Commission to take note											
SEAFO FOLLOW UP:											
18. Commission should continue its policy that ensures that the fisheries should not be allowed to expand faster than acquisition of information necessary to provide a basis for sustainable utilization.						√	√				
SEAFO CONSIDERATIONS CC: C: The Commission encouraged Contracting Parties to support the collection of data for scientific assessment.											
SEAFO FOLLOW UP:											

<p>19. In the presence of a high level of uncertainty regarding stock dynamics in the Convention Area it is recommended that the Commission's major management approach continue to be based on precaution in order to avert potential risks linked with unsustainable resources exploitation, while accumulating sufficient and essential data and information for stock management. A suitable prototype for the SEAFO to use is the CCAMLR's new exploratory fisheries approach and regulatory framework as it was developed for a situation associated with large levels of uncertainty, incomplete knowledge of stock potential and distribution, large geographical area from which data was to be collected under limited fishing.</p>	√					
<p>SEAFO CONSIDERATIONS</p> <p>C: Contracting Parties agreed with the implementation of Article 7 of the Convention dealing with the precautionary approach. Scientific Committee should scrutinise CCAMLR exploratory fisheries approach and make recommendations to the Commission in the next annual meeting in 2011 regarding the utilisation the precautionary approach in SEAFO. Commission to take note</p>						
<p>SEAFO FOLLOW UP:</p>						
<p>20. The conservation and management measures should be supported by an effective implementation regime and a robust enforcement mechanism in order for them to have the desired effect.</p>	√		√			
<p>SEAFO CONSIDERATIONS</p> <p>CC: The Compliance Committee urged that all Contracting Parties must ensure compliance with this conservation measure although it was noted that some inconsistencies existed on the current measures that needed clarification and proposed a revision to ensure that they were workable and enforceable for the next meeting.</p> <p>C: Commission to take note</p>						
<p>SEAFO FOLLOW UP:</p>						

COMPLIANCE AND ENFORCEMENT											
Capacity management											
21. The Commission should establish rules that assure that the list of authorised vessels better reflects the actual capacity deployed in the Convention Area.						√		√			
SEAFO CONSIDERATIONS CC: The Compliance Committee noted that the current vessel list contains a large number of vessels that were currently not fishing in the Convention Area and suggested to consider that the list of authorised vessels should be commensurate to the fishing opportunities. It also considered the possibility for Executive Secretariat to delete vessels from the list which were not active for a number of years. C: Commission to take note											
SEAFO FOLLOW UP:											
Flag State Duties											
22. SEAFO should investigate whether its Contracting Parties comply with their obligations as flag States, and if not, take steps to ensure that flag States provide the data required in relevant conservation measures.						√		√			
SEAFO CONSIDERATIONS CC: The Compliance Committee noted that the compliance report submitted by the Secretariat is the response to the request of the panel for the verification of compliance to the conservation measure and that this is an ongoing exercise C:											
SEAFO FOLLOW UP:											
Port State Measures											
23. The Panel recommends that SEAFO investigate whether Contracting Parties comply with their obligations as port States.						√		√		√	
SEAFO CONSIDERATIONS CC: The Compliance Committee noted that the compliance report submitted by the Secretariat is the response to the request of the panel for the verification of compliance to the conservation measure and that this is an ongoing exercise.											

	C: Commission to take note						
	SEAFO FOLLOW UP:						
24.	The Panel recommends that the implications of the FAO Agreement on Port State Measures for the current SEAFO port State measures be examined and the latter measures amended as appropriate.	√		√			
	SEAFO CONSIDERATIONS CC: The Compliance Committee noted that this exercise would not be possible at this meeting and Norway volunteered to prepare a working document on this issue at the next meeting for discussion. C: Commission to take note						
	SEAFO FOLLOW UP:						
Monitoring, Control and Surveillance							
25.	SEAFO should examine the pros and cons of implementing the provisions on observer programmes set out in Article 16(3)(c) of the Convention.	√		√			
	SEAFO CONSIDERATIONS CC: C: Commission to take note						
	SEAFO FOLLOW UP: After clarification that the review panel intended to envisage a compliance observer programme, in addition to the scientific observer programme, the EU volunteered to prepare a working document on this measure at the next meeting for discussion.						
26.	The current MCS conservation measures should be merged into one single conservation measure on MCS.	√		√			
	SEAFO CONSIDERATIONS CC: The Compliance Committee agreed that all conservation measures should be combined into one single conservation measure on MCS but emphasised on the inconsistencies that were noted on the current conservation measures that needed to be revised. Due to time constraints, delegates felt that they needed time to peruse the documents before making recommendations. The members also proposed that the CC needed additional days either in advance of the next annual Commission meeting or in parallel to the annual meeting. The CC underlined the						

	<p>financial constraints for the Secretariat of organising separate meetings. It was also suggested that each Contracting Party scrutinised the conservation measures and make proposals for improvements to be forwarded to the Executive Secretary, who will prepare a working document and disseminate to all members in advance of the next annual Commission meeting.</p> <p>C: Commission to take note</p>					
	SEAFO FOLLOW UP:					
Follow-up on Infringements						
27. More detailed provisions on procedures and requirements for follow-up actions to alleged infringements should be developed.	√		√			
	<p>SEAFO CONSIDERATIONS CC: After clarification that the review panel referred to better information on the follow up of infringements, the Compliance Committee agreed to create a template for this reporting exercise. C: Commission to take note</p>					
	<p>SEAFO FOLLOW UP: The EU volunteered to develop a draft template for discussion at the next annual commission meeting. The EU will provide this document to the Executive Secretary well in advance of the next annual meeting to be circulated to all CPs for consideration.</p>					
Cooperative Mechanisms to Detect and Deter Non-compliance						
28. SEAFO should adopt measures for observation to give effect to Article 14(3)(g) and article 16(3)(c) of the SEAFO Convention.	√		√			
	<p>SEAFO CONSIDERATIONS CC: Norway clarified that the review panel referred to observers to be onboard vessels flying the flag of another contracting party and participate in monitoring activities. This measure is linked to 25 and will be addressed in the working document prepared by the EU to be presented at the next annual Committee meeting. C: Commission to take note</p>					
	<p>SEAFO FOLLOW UP: The EU will provide this document the Executive Secretary well in advance of the next annual meeting to be circulated to all CPs for consideration</p>					

29. SEAFO should consider amending Conservation Measure 08/06 in order to recognise IUU vessel lists of all relevant RFMOs, which are probably those responsible for managing discrete high seas fish stocks, straddling fish stocks and highly migratory fish stocks.	√		√			
SEAFO CONSIDERATIONS CC: The Compliance Committee noted that SEAFO recognises IUU vessel lists established by CCAMLR, NAFO and NEAFC and suggested that SEAFO should recognise IUU vessel lists of other RFMO's, in particular ICCAT. C: Commission to take note						
SEAFO FOLLOW UP:						
DECISION MAKING AND DISPUTE SETTLEMENT						
Decision-making						
30. The Commission should undertake a review of the Scientific Committee Rules of Procedure in respect of the establishment of subsidiary bodies and decision-making for the generation and update of data, assessments and analyses.		√				
SEAFO CONSIDERATIONS SC: Scientific Committee to make recommendations to Commission pertaining assessments and analysis for the next annual meeting in 2011. C: Commission to take note						
SEAFO FOLLOW UP:						
Dispute settlement						
31. Procedures for the establishment and operation of the ad hoc expert panel should be adopted to implement article 24(3) of the SEAFO Convention.	√					
SEAFO CONSIDERATIONS C: There is an obligation in the Convention to establish a dispute panel if a dispute arises. Commission needs drafted text to establish such a dispute panel. CP's should come with a draft for the next annual Commission in 2011.						

	C: Commission to take note					
	SEAFO FOLLOW UP:					
INTERNATIONAL COOPERATION						
Transparency						
32. The Panel endorses a continuation of the transparency in SEAFO administration and operations and has no recommendations.						√
SEAFO CONSIDERATIONS S: Secretariat to continue operates in a transparent way and to place as many as possible on the website. C: Commission to take note						
SEAFO FOLLOW UP:						
Relationship to non-Contracting Parties cooperating with SEAFO						
33. The Commission should as a priority continue its efforts to encourage the Republic of Korea to complete the ratification process to become a Contracting Party, and in addition efforts should be made to encourage other relevant States to accede to the Convention.						√
SEAFO CONSIDERATIONS C C: The Commission take note of progress made by Korea and has not completed ratification by the 1 st April 2011, Korean vessel fishing in the SEAFO Convention Area will be listed on the IUU list.						
SEAFO FOLLOW UP:						

Relationship to non-cooperating non-Contracting Parties											
34. SEAFO should continue to monitor any future fishing activities by vessels from non-cooperating non-Contracting Parties in the Convention Area that may take place, and take action as appropriate						√					√
SEAFO CONSIDERATIONS S: The Commission is satisfied that Secretariat is performing excellent in tracking fishing activities in the SEAFO Convention Area and should continue doing so. C: Commission to take note											
SEAFO FOLLOW UP:											
Cooperation with other international organisations											
35. The current means of liaison with other international and regional organisations is satisfactory. However, for greater clarity, it would be useful to update the linkages site on the SEAFO webpage to reflect important areas of cooperation with other organisations (such as the sharing of IUU vessel lists and the cooperation with BCC) and to ensure that the list is complete and reflects all organisations with which SEAFO cooperates or which are important to its work.											√
SEAFO CONSIDERATIONS S: Secretariat took note.											
SEAFO FOLLOW UP: Secretariat will update the linkages on the webpage											
Special requirements of developing States											
36. The Panel encourages further contributions to be made to the Special Requirements Fund.						√					√
SEAFO CONSIDERATIONS S: CP's are encouraged to make voluntary contributions to the Special Requirements Fund C: Commission to take note											

SEAFO FOLLOW UP:						
FINANCIAL AND ADMINISTRATIVE ISSUES						
Availability of resources for RFMO activities - efficiency and cost-effectiveness						
37. Contracting Parties should strengthen their efforts to pay their SEAFO contributions on time.						
	√			√	√	
SEAFO CONSIDERATIONS						
C: The Commission encouraged all CP's to pay the annual contribution timely.						
SEAFO FOLLOW UP:						

Annex 7



SOUTH EAST ATLANTIC FISHERIES ORGANIZATION (SEAFO)

**REPORT OF SEAFO SCIENTIFIC COMMITTEE
2010**

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1. Opening and welcome remarks by the Chairperson, Mr Phil Large

The 6th Annual Meeting of the SEAFO Scientific Committee (SC) was convened on 4-9 October 2010 at the Arebbusch Travel Lodge, Windhoek, Namibia. The Meeting was opened by the Chairperson of the Scientific Committee, Mr. Philip A. Large, who welcomed participants and highlighted the importance of the work of the Committee and expected outcomes of the meeting.

2. Adoption of the Agenda and Arrangements

Minor revisions were made to the agenda to take account of progress by the Scientific Sub-Committee (SSC) and that there was no need to address the Spanish/Namibia joint survey as this had been addressed by SSC (see SSC Report ToR o. The revised agenda was adopted and is appended as Annex I of the SC Report. The Executive Secretary informed the Meeting of practical organisation and arrangements.

3. Appointment of rapporteur

The Chair appointed a rapporteur (Erich Maletzky). It was agreed that all participants should contribute to the writing of the report by using visual display media. The Meeting accepted the Chair's suggestion.

4. Introduction of observers

One observer from Birdlife International was present (see Annex II of the SC Report for name and address)

5. Introduction of participants

In response to the Chair, participants introduced themselves. A total of 27 scientists representing Angola, EU, Japan, Namibia, Norway and South Africa were present. Participants and their addresses are listed in Annex II of the SC Report.

6. Review the outcomes of the Performance Review Panel relevant to SC

SC and SSC adopted a positive attitude to this report as it provides a useful opportunity for our work to be peer-reviewed. The Chairperson of the SC gave a presentation on the main scientific outcomes cited in the SEAFO Performance Review Panel Report. The response from SC to each recommendation is given below.

Section 4.1.1. Status of living marine resources:-

- 1. The Scientific Committee should develop a strategy for the development of a status report, including a general overview, of the fishery resources in the Convention Area. The report should include information on the stock structure, total abundance, distribution of the biomass between zones and the fishing pressure by zone. Red crab should be given first priority for such a status report.***

SC supports this recommendation and proposes to adopt as a template an extended version of the recently developed Species Profile proforma. However, SC considers that toothfish should be given first priority since (i) it has the most fisheries and biological data available and (ii) red crab is not a transboundary stock as identified in the Panel Report. The species of red crab found in the SEAFO CA is not the same species found in the Angolan and Namibian EEZs.

2. The transboundary nature of several fishery resources is recognised and scientific cooperation for evaluating of the status of the resources with other organisations should be encouraged, e.g. in the form of joint working groups with the CCAMLR for Patagonian toothfish and with Namibia and Angola for red crab.

SC considers that a joint working group between SEAFO and CCAMLR is not needed for toothfish because the SEAFO Secretariat is in regular contact with the CCAMLR Secretariat and obtains the latest updates on management regulations etc, and the SEAFO Scientific Coordinator for toothfish currently attends CCAMLR Working Groups and acts as a conduit for the exchange of information.

Even though the species of red crab found in the Angolan and Namibian EEZs differs to that found in the SEAFO CA, SC considers that an improved exchange of information on sampling strategies and stock assessment methods could be achieved by correspondence between the SEAFO Species Coordinator for red crab and red crab experts in Angola and Namibia. SC is of the view that a joint working group is not needed.

Section 4.1.2. Ecosystem Approach

3. The Commission should expressly define priorities for the work of the Scientific Committee based on concerns relating to both the ecosystem in general and the fishery resources in particular.

Given the time constraints on SSC and SC, there may be a need for FC to allocate priorities to particular tasks.

4. While ecosystem-related priorities are highly relevant they should not overshadow other major tasks.

Regarding the balance between ecosystem related priorities and other tasks, this has been almost entirely driven by international obligations on SEAFO and resulting FC requests. There is also the widely recognised pressing need to develop an ecosystem based approach to fisheries science and management.

Section 4.1.3. Data collection and sharing

5. The transparency of the scientific data should be improved by providing more information in the report of the Sub-Committee of the Scientific Committee (SSC) or alternatively, or in addition, by providing this information on the SEAFO website.

SC considers that the transparency of data in the SSC and SC reports is adequate and comparable with that of other RFMOs e.g. NAFO. Furthermore, these reports are available on the SEAFO website. Further transparency, particularly of more disaggregated biological data and observer data, is likely to result in problems regarding confidentiality and data ownership.

6. *The Scientific Committee should give a high priority to the completion of identification keys for fish. This is necessary for an observer programme.*

SC is of the view that a fish ID guide, rather than a key, is needed. Such an observer guide should also include crustaceans and incidental bycatch species such as seabirds and cetaceans (a turtle guide is already in use). SC considers that the hiring of consultant to prepare such a guide would be the best way forward, possibly working in conjunction with Birdlife International who already has a Seabird Guide available.

SC asks that it be noted that in the last 18 months it has focused on developing a coral and sponge key for use by observers to obtain information on the spatial distribution and composition of VMEs (required to underpin management introduced in response to under UNGA Resolution 61/105).

7. *Emphasis should be placed on extending the database for existing fisheries. The Panel notes that the scientific observers will provide essential data for this database.*

Extending the database is already ongoing. A more pressing concern is that observer data is currently punched by hand into the database. SC has agreed a protocol to address this problem.

Section 4.1.4. Quality and precision of scientific advice

8. *The basis for the Scientific Committee advice should be transparent and clear to all involved. In this regard, the report of the Scientific Committee should clearly describe the information on which its advice is based and the report of the SSC should document all assessments relevant to such advice.*

SC fully supports this recommendation but wishes it be noted that in terms of stock assessments only two have been described since SC commenced. A rule of thumb assessment for orange roughy based on trends in abundance indices (regularly documented since 2005) and an attempted surplus production model for toothfish carried out this year.

9. *The Scientific Committee should have a clear set of scientific criteria on which to formulate its advice. Such criteria should be based on those in international fisheries instruments as agreed by the Commission, for example the objective to maintain or restore stocks to levels that can produce the maximum sustainable yield (MSY) with the aim of achieving these goals for depleted stocks on an urgent basis and where possible not later than 2015 as stated in the 2002 Johannesburg Plan of Implementation.*

SC comprises competent, experienced fisheries scientists many of whom have many years experience of providing advice for data poor deep-water stocks at a national and international level. SC is of the view that it is fully competent to set the scientific criteria on which to formulate its advice.

SC recognises the objective to maintain or restore stocks to levels that can produce MSY, however developing a framework to accomplish this for data-poor stocks is widely recognised as problematic. ICES is attempting to address this issue and SC will monitor and learn from the progress made.

10. *When there is no scientific basis, the Commission should provide clear instructions to the Scientific Committee on the interpretation and implementation of the precautionary approach.*

SC supports this recommendation but is of the view that SEAFO, as a new RFMO, has had the opportunity to develop a more dynamic, flexible relationship between FC and SC than perhaps seen in more long-established RFMOs and between ICES and its clients, where there can be a rigid partition between science and management that can give rise to tensions.

SC accepts that it is FC's competence to apply the PA, however the **majority** view of SC is that it should be allowed to take account of the PA in providing advice to FC e.g. recommending precautionary TACs and invoking the PA to recommend seamount closed areas in the absence of information on VMEs (both initiatives from SC). Conversely, FC has been able to submit entire Conservation Measures (CMs) to SC for review and we would hope that this has helped FC.

A **minority** view was that SSC and SC should not use the PA in its work and advice.

11. The Commission should provide explicit guidance for the Scientific Committee on priorities for its advice. Consideration of such priorities might be facilitated through a modification of the structure of the Scientific Committee, such as more extensive use of focused expert groups working either by correspondence or at meetings.

FC sets the priorities for SC by adding ToRs to the SC Agenda. SC attempts to address all ToRs but gives priority to those concerned with reviewing CMs. SC is not aware, at least from the Commission, of any shortcomings in its advice to FC. On the contrary, SC has received much praise from FC for its work. Notwithstanding, if FC wishes to provide guidance on the priorities for SC advice we are comfortable with this.

SC already makes use of focused expert groups at meetings, but less use of such groups working by correspondence. SC will review the use of the latter.

12. The structure of the Scientific Committee report and the readership of the various scientific reports should be analysed and the reports be redesigned to be fit for purpose taking the following considerations into account.

e. The Scientific Committee report should be an advisory report, with the Commission and highly interested stakeholders as its primary readership. It should include a summary of the scientific information that underpins the advice.

SC disagrees with this and considers that the SC Report should be the primary source of all information addressing the ToRs set for both SC and SSC, except where there is explicit reference to the SSC Report (e.g. landings tables). SC considers this approach is easier for readers in that all pertinent information is in a single document. However, SC acknowledges that this results in some duplication between reports.

f. The SSC report should present the technical assessments that form the basis for the deliberations by the Scientific Committee. The readership of that report is the Scientific Committee and the wider science community.

SC's comment to point **a.** above applies. It should be noted that because of cost restrictions by their CPs some assessment experts can only attend SC, so assessments sometimes have to be revisited in this meeting.

g. There should be similar technical reports available as background analysis for other topics that require review by the Scientific Committee.

SC agrees. This year, SC had access to the relevant CCAMLR assessment reports for example.

h. The Secretariat should create a series of working papers, or research documents, which should be coded and a copy kept for future reference. Papers that are not properly coded may be discarded after the meeting.

SC supports this and has introduced a protocol for coding and archiving of working documents.

13. The roles and functions of the Scientific Committee and SSC should be clarified, duplication of work avoided and decision-making clarified as described in section 4.3.1.

SSC is a Sub-group created by SC, initially to collate available historical landings and biological data. Good progress has been made and SC considers that this Group has mostly served its purpose and can now be dissolved. SC is of the view that in future a single group (SC) will meet and produce a single report.

14. A review should be undertaken to explore arrangements for giving the Secretariat the responsibility to compile data and produce working papers for the Scientific Committee and SSC, with a view to attaining a smooth workflow. The review should also identify the role of the coordinating scientists in this regard.

SC supports this and will recommend that in future all landings tables currently in the SSC Report will be updated by the Secretariat in advance of SC meetings. Additionally, the Secretariat will compile new tables of data of incidental bycatch (seabirds, turtles etc) and discards. The Secretariat should resolve any arising data queries with the relevant national/scientific coordinators.

15. The Contracting Parties should support the scientific coordinators to allow efficient use of meeting time at the Scientific Committee.

SC supports this.

Finally, a **majority** view of SC is that the Chair of SC should be a member of any future Performance Review Panel so that queries regarding the scientific work of SC can be dealt with efficiently. Also we recommend that, if possible, any future Panel should include scientists working actively in the field of data-poor, deep-water assessments and deep-water ecosystem studies.

7. Report by the Chair of the Scientific Sub-Committee and comments by SC

SC acknowledged the excellent work done by the SSC. All the terms of reference for the SSC have been addressed and, as anticipated, some ToRs were carried over to SC. The work in response to ToRs is presented in the SSC Report (Annex VII of the SC Report).

SC had no explicit responses to the work carried out by SSC. Any comments made by SC on the presentation of SSC Report were addressed in the work of SC and are not repeated here.

The recommendations made by SSC were reviewed, revised where necessary, and incorporated in the recommendations made by SC (see ToR 15 below) as appropriate.

8. Review Conservation Measures 06/06 on the Management of vulnerable deep-water habitats and ecosystems in the SEAFO Convention Area taking into account the outcomes from the NOC contract and the results from any other analyses arising.

The NOC Report

The Chair of SC gave a presentation on the outcomes from the NOC contract.

This work brought together various data-sets from a number of public sources around the world to produce the most up-to-date regional bathymetric map of the South Atlantic in both printed and digital form, along with an interactive 3D view of the same data. This allows not only an appreciation of the gross bathymetric features of the region, but the use of a data control layer in the GIS will allow users of this data an indication of the data accuracy and quality.

Physical and chemical parameters have also been included in the GIS, so that the temperature, salinity and oxygen content of the South Atlantic, all primary agents in the distribution of the various forms of biology can be examined, at different critical depths at the same time.

These critical depths were determined to be those that had most effect on the biology, and were the sea surface (0m), the lower limit of the photic zone, which we approximated to 200m, and the lower limit of the likely vertical migration of zooplankton, a major source of food at 1000m depth.

Other elements presented include:-

- information of biogeographical provinces defined by Longhurst;
- a geographic depiction of the formally UN-backed named Seamount gazetteer;
- a further seamount-science web-based product sponsored by the National Science Foundation (USA)
- a biological catalogue of data supported by the Census of Marine Life.

These final elements of this report suggest that data on South Atlantic seamounts, especially in terms of biologically-significant data is at best described as very patchy and of variable quality. The report discusses the outcomes and these are described below.

Any isolated topographic feature that rises to within 1000m of the ocean/sea surface should be regarded as having the potential to host vulnerable marine ecosystems (VMEs). This conclusion follows from two points:

- (a) Commercial fishing operations are possible at these depths.
- (b) Isolated topographic features at these depths may experience both enhanced primary production and interaction with vertically migrating zooplankton, providing increased food resources to seafloor populations. Combined with likely increased water movements over/across the topography and the possible occurrence of hard substratum (rocky terrain) these factors are

likely to produce “biological hotspots” with increased standing stocks (abundance and biomass of the seabed fauna) and species richness (biodiversity).

Appropriate protective/conservation measures should therefore consider all isolated topographic features that rise above 1000m water depth.

It is also important to consider the likely regional variations in the VMEs present. For example, the study area encompasses five major oceanic biogeochemical provinces; each of these may be home to significantly different seamount biological communities.

The designation of closed areas should, therefore, attempt to provide some protection in each province, rather than for example a large single closed area within a single province.

In addition, seamounts with summits at any depth do have the potential to host biological communities associated with hydrothermal systems. Such communities are generally thought to have high conservation value.

The occurrence of seamount ‘hotspot’ or hydrothermal biological communities can only be definitely established by direct survey. An assessment of bathymetry and oceanographic properties and processes can, however, provide sufficient information for the establishment of protective measures on a precautionary basis.

The study indicates that there is some biological data available over a more-or-less random selection of a few of the seamounts within the general South Atlantic region. Thus it may be possible to identify specific seamounts that have particularly vulnerable ecological systems, but it is highly probable that most of the vulnerable seamount communities in the region will go un-recognised unless, considering the paucity of available data, the most generic potential bio-markers as outlined in the discussion (as outlined above) are used. SEAFO are urged to review any catch records of both fish and invertebrates that they may have access to for use in vulnerable ecosystem assessments.

NOC recommends that a detailed study be undertaken to identify exactly what datasets are available for seamounts, and then to identify those whose ecosystems could be considered “at risk”. However, this would be very labour-intensive. NOC suggests that SEAFO examine alternatives. NOC suggests exploring the possibility of requesting this to be an MSc research topic at a suitable academic institution of one of the SEAFO CPs.

Comments by SC

SC noted the outcomes and recommendations from NOC include a number of assumptions and hypotheses, but SC was of the view that they provided a basis to proceed with caution. However, to account to some extent for the possible existence of chemosynthetic communities at depths >1000m and that the maximum potential depth of deep-water fishing is around 2000m, seamounts penetrating into the upper 2000m of the water column were considered in the following analyses.

Available information on VMEs

It is recognized that from a biological standpoint the knowledge of seamount VMEs and chemosynthetic communities continues to be sparse. Apart from information in the historical literature (which we agree could form part of a potential MSc. project) there are currently four potential sources of new information on VME:-

Surveys

- from the recent joint Spanish-Namibian surveys on the Valdivia Bank and Ewing seamount;
- a recent Norwegian survey of the Vema seamount;
- from surveys carried out by the South Atlantic MAR-ECO project

The results from the above surveys are not yet available.

Observer information collected on commercial fishing trips.

Information on reported commercial bycatches of benthic organisms (including corals and sponges) is presented under ToR o in the SSC report.

The data presented are from a single Spanish longline trip fishing for Patagonian toothfish in 2010 in Division D of the SEAFO CA. A total of 17 taxa of benthic organisms were identified (see Table 13 and Figure 19 in the SSC report) with a total weight of 94 kg (maximum catch per set was 7 kg). The two most predominant taxa were of the Order Gorgonacea (mostly branching corals) and the phylum Porifera (sponges). However, very few specimens of sponges captured were alive. The Gorgonacea were mostly found in the western area of Division D on a seamount (47°S 8°W) to the south and outside the EEZ of Gough Island.

This information was taken into account in considering the location of potential closed areas.

SC noted that available information collected by observers indicate there are no records of the VME encounter threshold levels being exceeded in the few trips that were carried out in 2010.

It is recognized that available information on the distribution of VMEs remains sparse. SC, as it did in 2006, decided to proceed on the basis of using currently available information consistent with precautionary approach and the requirement to protect VMEs as specified under UNGA Resolution 61/105.

Procedure adopted by SC for reviewing CM regulation 06/06.

SC adopted the following stepwise approach:

- Step 1: The existing closed/open areas were reviewed to determine if they were fit for purpose in relation to the new and improved information available on the distribution of seamounts;
- Step 2: Any changes necessary to the existing closed/open areas were identified;
- Step 3: The available information and the distribution of VME indicator species was considered;
- Step 4: Any revisions to the existing closed/open areas in were made using the modified NOC criteria;
- Step 5: Potential new seamount areas were identified on the basis of the modified NOC criteria;
- Step 6: Existing closed/open areas (including those proposed to be modified) and proposed new areas were reviewed taking into account the available information on the historical spatial distribution of fishing;
- Step 7: Suggested closed areas for inclusion in a revised Regulation 06/06 were identified.

SC reviewed the existing closed/open areas (Figure 1) to determine if they were fit for purpose in relation to the new and improved information available on the distribution of seamounts.

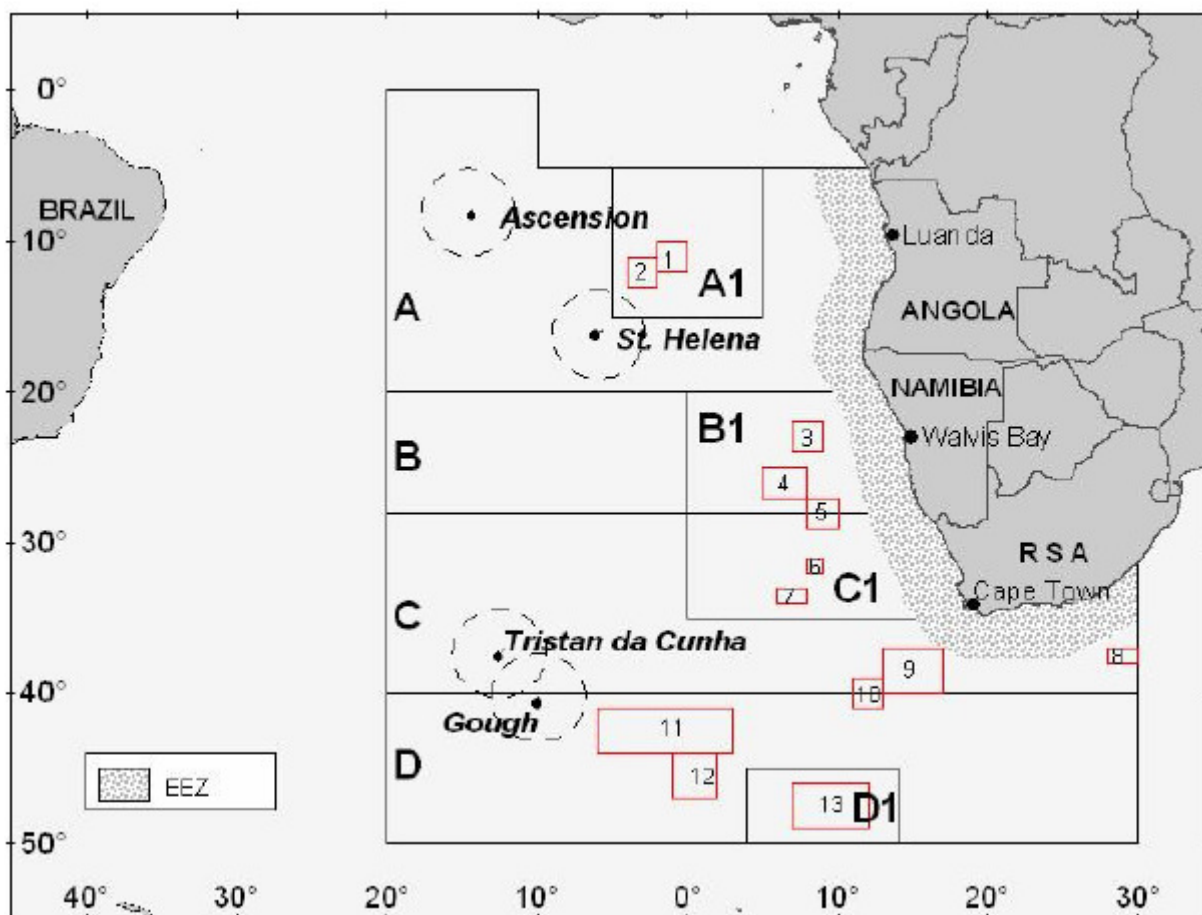


Figure 1. Map of the existing closed/open seamount areas in the SEAFO CA (cited in Reg. 06/06). Note Seamount areas: 3, 4 and 13 are currently open to fishing.

The following conclusions were made:

Closed Area 1 (Dampier Seamount): Only 1 seamount present penetrating into the upper 2000m depth range (signified in the remainder of this ToR as >2000m). Conclusion: Area too large – need to redraw.

Closed Area 2 (Malahiet Guyot Seamount): Only 1 seamount present >2000m. Conclusion: Area too large – need to redraw and possibly combine with area 1.

Open Area 3 – (Ewing Seamount): Only 1 seamount present >2000m. Conclusion: Area too large – need to redraw.

Open Area 4 – (Valdivia Bank): 4 seamounts present >2000m. Conclusion: Area needs to be enlarged and redrawn.

Closed Area 5 (Molloy Seamount): No seamounts >2000m. Conclusion: Re-open.

Closed Area 6 (Vema Seamount): Only 1 seamount >2000m. Conclusion: Area too large – need to redraw.

Closed Area 7 (Wüst Seamount): 4 seamounts >2000m. Conclusion: Area wrongly positioned – needs to be relocated and redrawn.

Closed Area 8 (Africana Seamount): Only 1 seamount >2000m. Conclusion: Area too large – need to be redrawn.

Closed Area 9 (Schmitt-Ott & Erica Seamounts): Only 1 seamount >2000m. Conclusion: Area too large – need to be redrawn.

Closed Area 10 (Panzarini Seamount): No seamounts >2000m. Conclusion: Re-open.

Closed Area 11 (Discovery, Junov & Shannon Seamounts): 10 seamounts >2000m. Conclusion: Redraw.

Closed Area 12 (Schwabenland & Herdman Seamounts): Only 1 seamount >2000m. Conclusion: Redraw and possibly combine with area 11.

Open Area 13 (Xhosa, Zulu, Swazi, Merz & Hintsa Seamounts): 22 seamounts >2000m. Conclusion: Area too small – need to redraw.

Step 3

SC took account of the available information and the distribution of VME indicator species (presence of Gorgonacea – mostly branching corals) mostly found in the western area of Division D on a seamount (47°S 8°W) to the south and outside the EEZ of Gough Island, and noted that this location is outside existing closed and open seamount areas.

Step 4

SC made revisions to the existing closed/open areas in relation to the modified NOC criteria and the new information available on the distribution of seamounts (>2000m) (Figure 2).

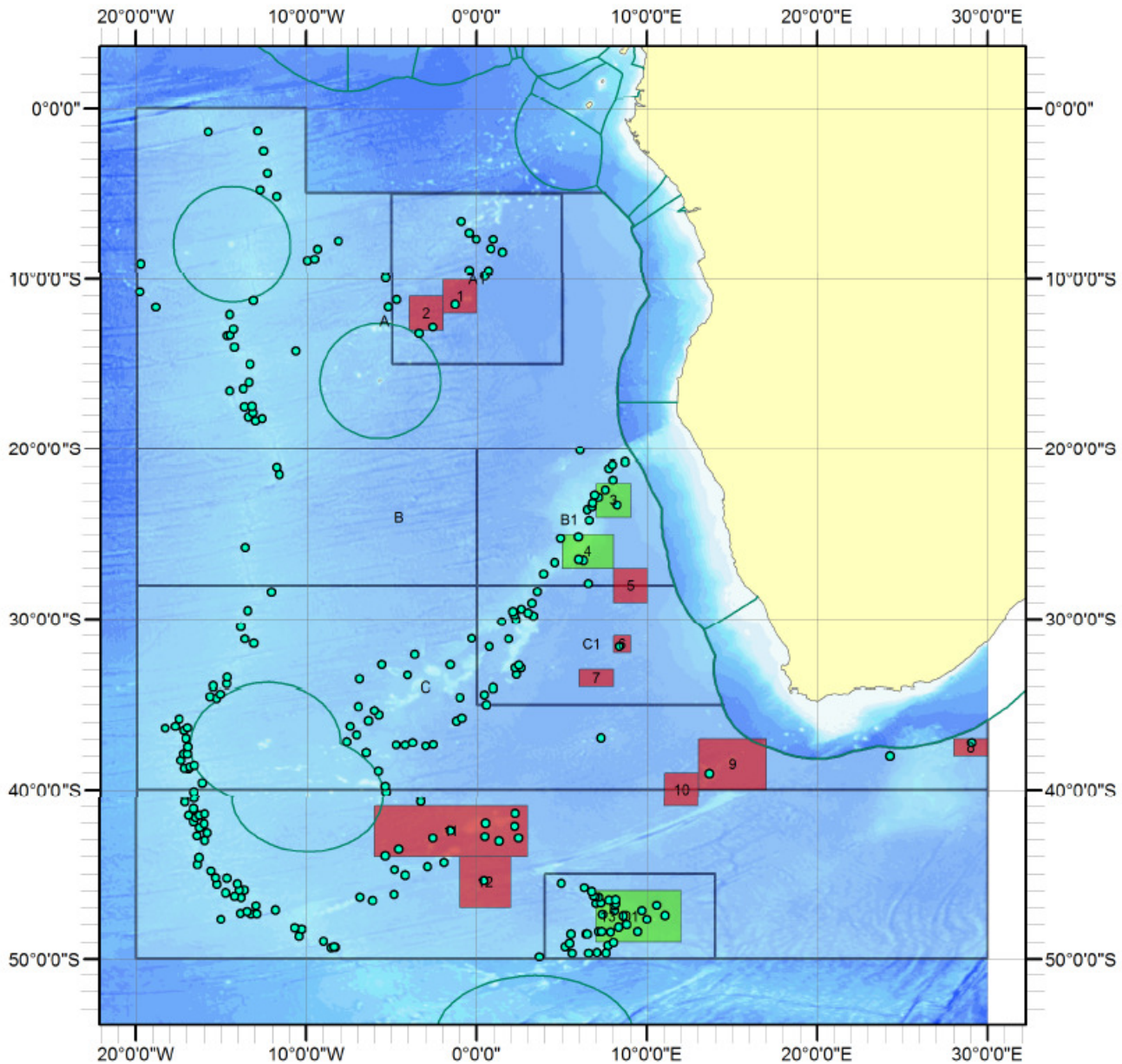


Figure 2. Map of the existing closed and open seamount areas in the SEAFO CA (from SEAFO Regulation. 06/06) showing the spatial distribution of seamounts >2000 m. Note Seamount areas: 3, 4 and 13 are currently open to fishing.

Most areas were substantially reduced in size. Revisions to areas ensured that there was a reasonable buffer zone (not less than 10 nm) around each seamount. The Ewing seamount (Area 3) does not extend into the upper 2000m of the water column.

Step 5

SC then considered the location and dimensions of new seamount areas. The main consideration was to ensure reasonable geographical distribution of closed areas throughout the SEAFO CA, broadly in accordance with the Longhurst Province criteria. The latter were not applied rigorously because of concerns that they are driven by surface phenomena and do not necessarily represent the distribution of fish species or differences in the deep-water environment between different areas of the SEAFO CA.

The main geographical area in the SEAFO CA where there is no protection currently afforded to likely VMEs is on the Mid-Atlantic Ridge (MAR). Consequently five new seamount areas were identified broadly distributed at intervals along the entire part of the MAR in the SEAFO CA. The revised existing SEAFO closed/open areas and the proposed new areas on the MAR are shown in Figure 3.

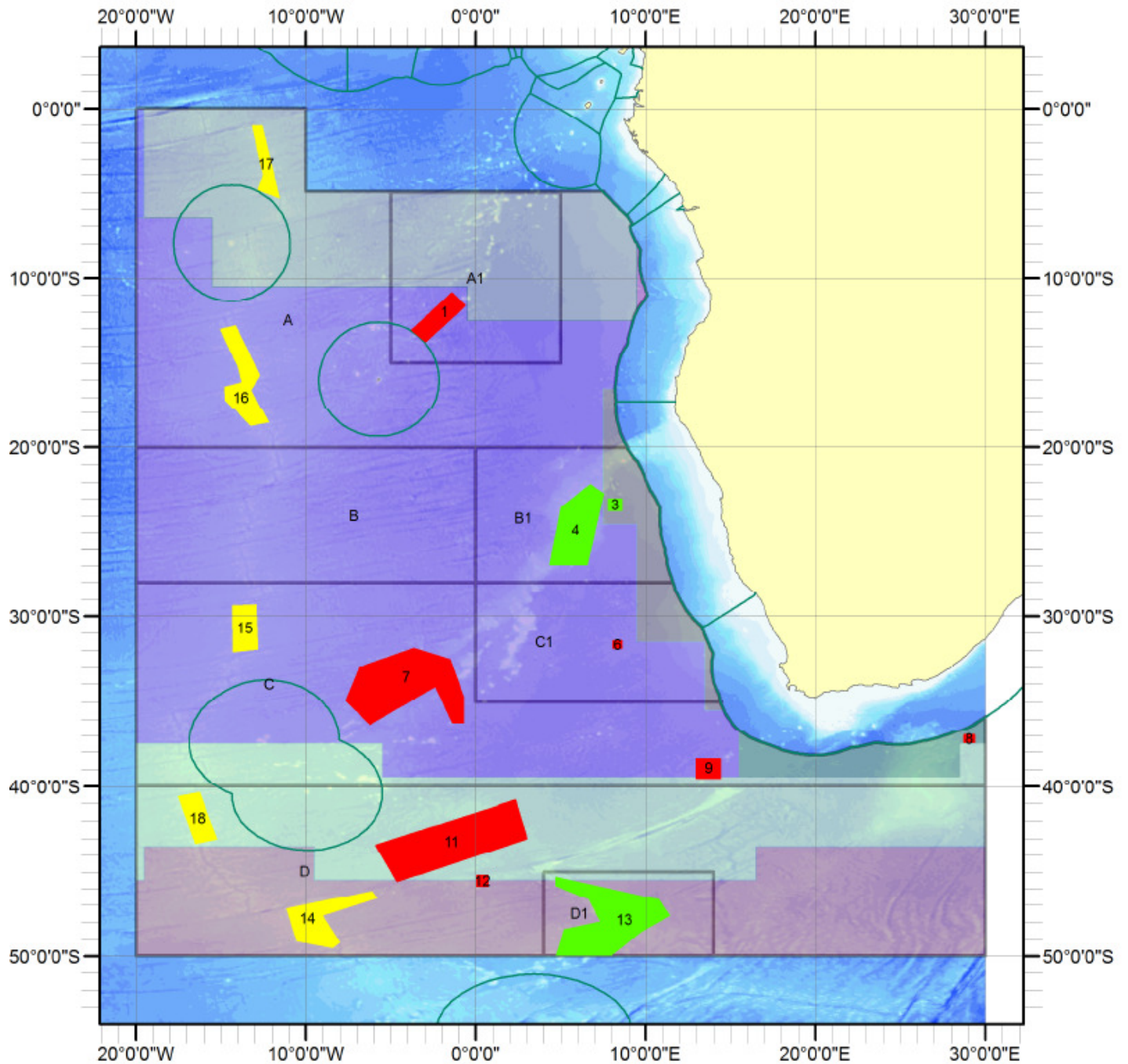


Figure 3. Revised existing SEAFO closed (red), open (green) and proposed new areas on the MAR (yellow). The regional stratification (in different colours) corresponds to Longhurst Provinces.

Step 6

SC then reviewed the revised closed, open seamount areas and proposed new areas taking into account available information on the historical spatial distribution of fishing.

As a first step, SC overlaid the proposed fishing footprint according to the FC criteria using 10' x 10' cells (Figure 4).

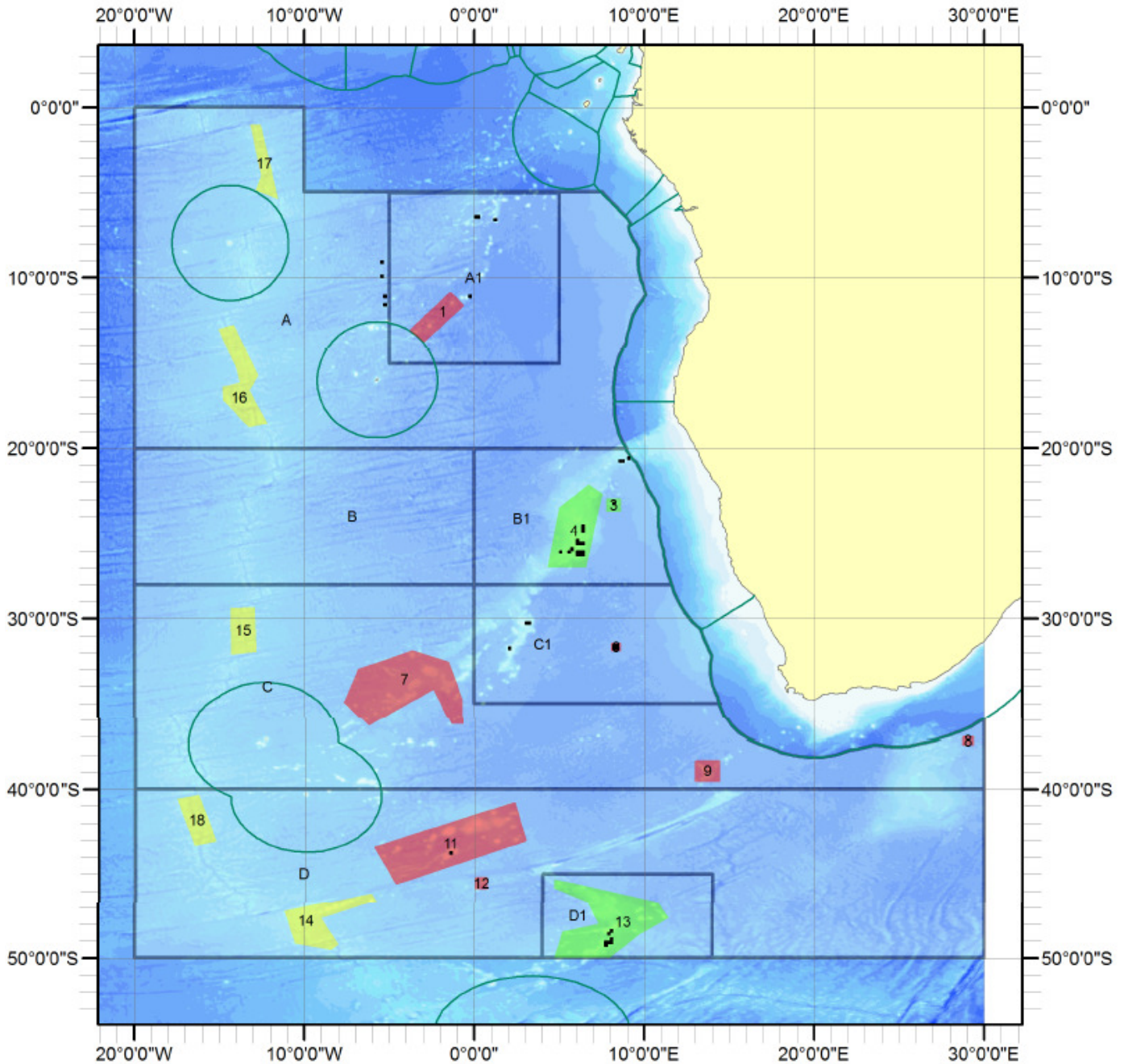


Figure 4. - Proposed fishing footprint according to the FC criteria using 10' x 10' cells overlaid on the revised existing SEAFO closed (red), open (green) and proposed new areas on the MAR (yellow).

On the basis of the fishing footprint data, there has been no fishing on any of the five new proposed areas on the MAR. Of the revised existing closed areas fishing has taken place two or more years in the period 1987-2007 on closed areas 6 (Vema seamount) and 11 (Discovery, Junov & Shannon seamounts). Fishing according to the footprint criteria has also occurred in the existing open seamount areas 3 (Ewing), 4 (Valdivia) and 13 (unnamed).

Historical fishing from 1996-2010 to date, expressed as the presence and absence of fishing activity, as indicated from logbook data submitted by all CPs, in 10' x 10' cells, was used as an indicator of the level of fishing in identified seamount areas. Data for mid-water trawlers were excluded.

SC could not agree on a protocol to qualitatively distinguish between no fishing, lightly fished, moderately fished and heavily fished, so the protocol used by SC when Regulation 06/06 was developed in 2006 was applied. Three categories were defined: “considered to be unexploited”; “already slightly exploited”; and “already exploited”. The spatial pattern of fishing overlaid on the identified seamount areas is shown in Figure 5.

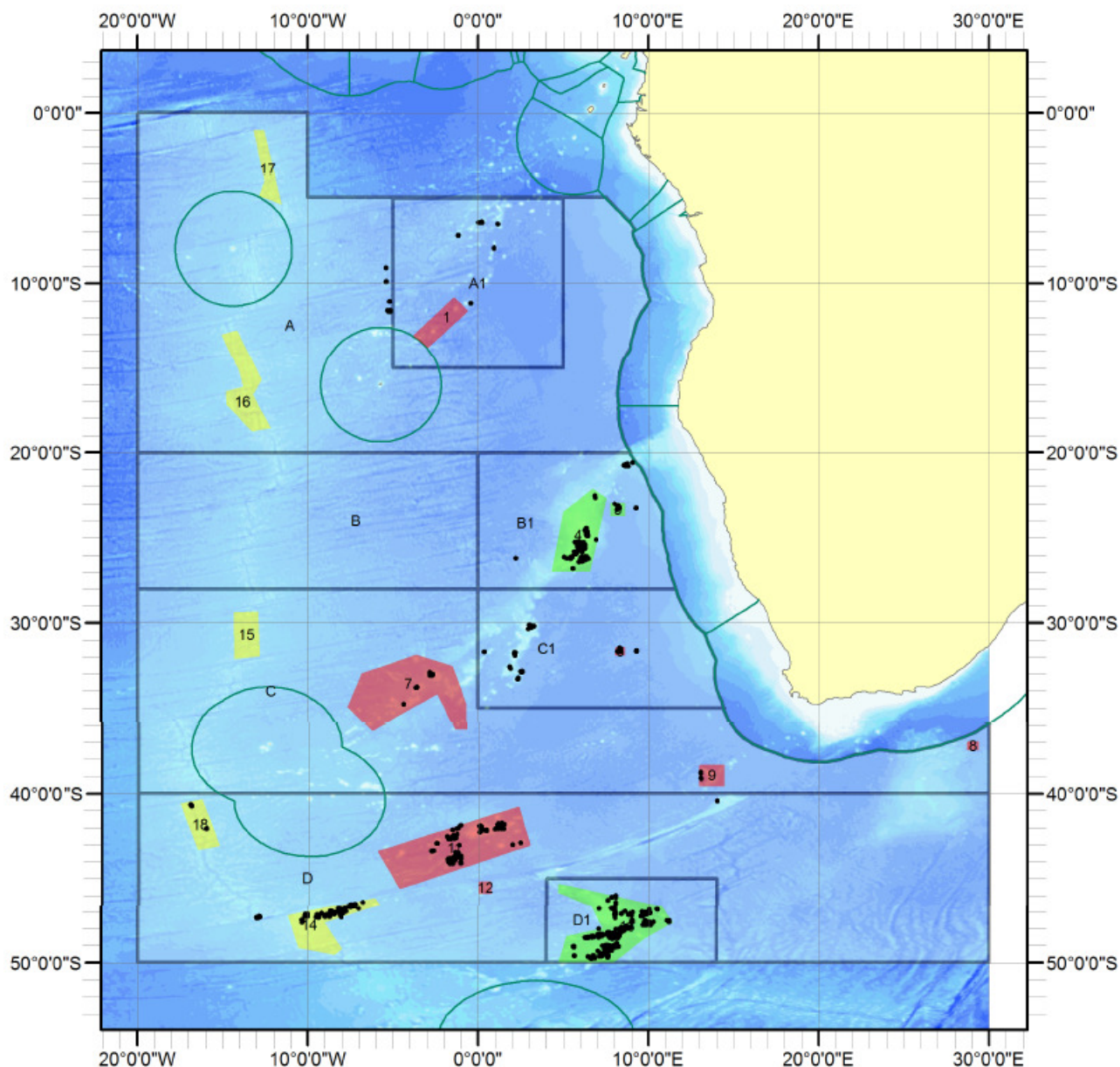


Figure 5. The spatial pattern of fishing (1996-2010 to date) for all CPs excluding data from mid-water trawls overlaid on the revised existing SEAFO closed (red), open (green) and proposed new areas on the MAR (yellow).

Following lengthy discussions the following conclusions were made and constitute recommendations to the FC on revisions to the SEAFO closed areas:

- ⇒ Seamount Area 1 (Unnamed): considered to be unexploited. Recommendation: Closed.
- ⇒ Seamount Area 3 (Ewing): considered to be slightly exploited. Recommendation: Open.
- ⇒ Seamount Area 4 (Valdivia Bank): considered to be already exploited. Recommendation: Open.

- ⇒ Seamount Area 6 (Vema): considered to be slightly exploited. Recommendation: Closed.
- ⇒ Seamount Area 7 (Wüst): considered to be slightly exploited. Recommendation: Closed.
- ⇒ Seamount Area 8 (Africana): considered to be unexploited. Recommendation: Closed.
- ⇒ Seamount Area 9 (Schmitt-Ott): considered to be slightly exploited. Recommendation: Closed.
- ⇒ Seamount Area 11 (Discovery, Junov & Shannon): considered to be already exploited. **Vote between CP coordinators requested.** Recommendation: Open.
- ⇒ Seamount Area 12 (Schwabenland & Herdman): considered to be unexploited. Recommendation: Closed.
- ⇒ Seamount Area 13 (Zulu, Xhosa, Mertz, Swazi & Hintsa): considered to be already exploited. Recommendation: Open.
- ⇒ Seamount Area 14 (Unnamed): considered to be already exploited in the northern part, but unexploited in the southern part. Recommendation: Northern part open; southern part **majority** view closed, **minority** view open.
- ⇒ Seamount Area 15 (Unnamed): considered to be unexploited. Recommendation: Closed.
- ⇒ Seamount Area 16 (Kreps): considered to be unexploited. Recommendation: Closed.
- ⇒ Seamount Area 17 (Unnamed): considered to be unexploited. Recommendation: Closed.
- ⇒ Seamount Area 18 (Unnamed): considered to be slightly exploited. Recommendation: **Majority** view closed, **minority** view open.

Regarding the record of VME indicator species (presence of Gorgonacea – mostly branch corals) found in the western area of Division D on a seamount (47°S 8°W), this was located in the northern part of seamount area 14 which is now recommended to be opened to fishing.

The suggested closed areas are shown in Figure 6 below.

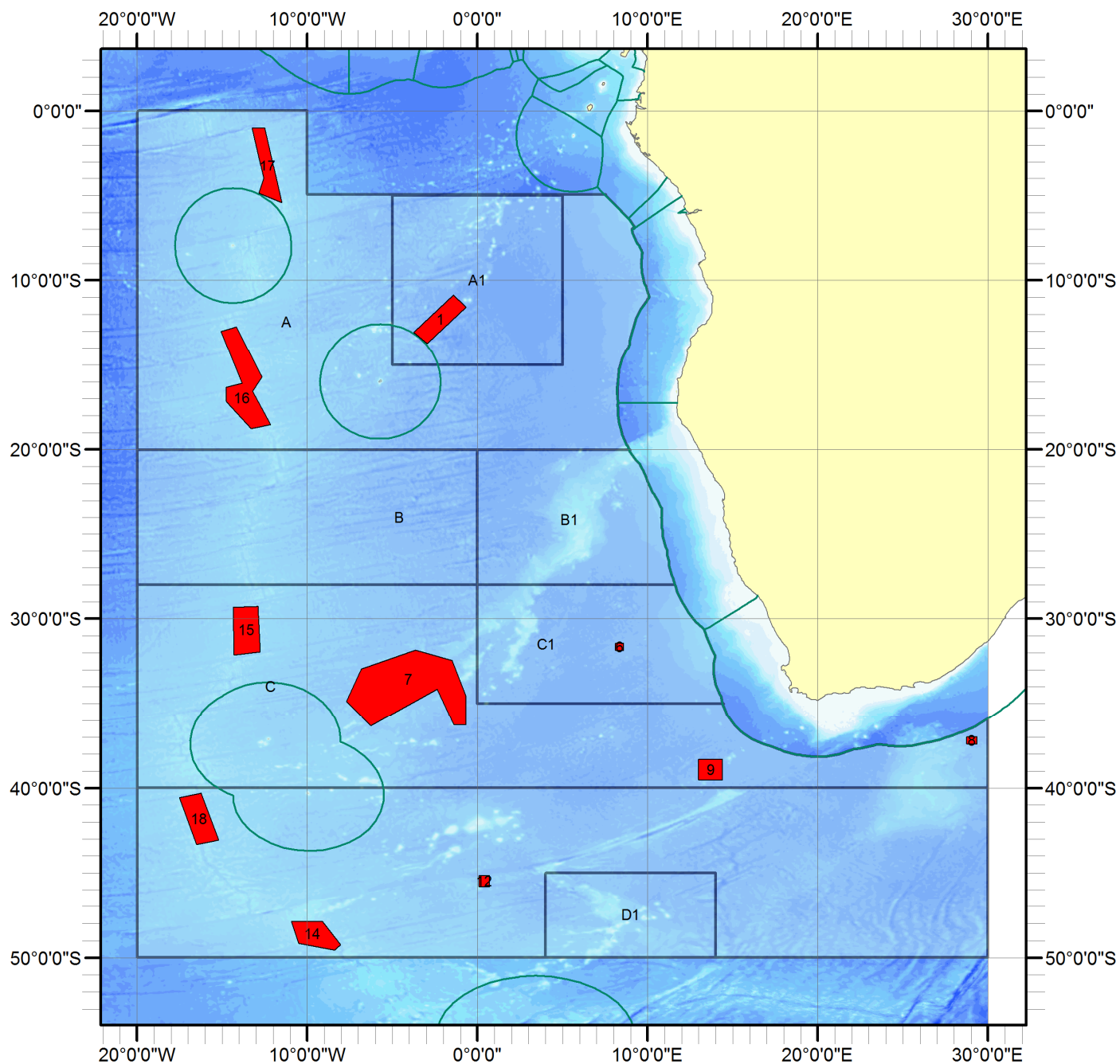


Figure 6. Map of the recommended closed areas.

SC reviewed the CM 06/06 and suggests the following revisions. SC could not arrive at consensus on some aspects and these are described below in the CM text.

The Parties to the SEAFO Convention:

RECOGNISING the need to adopt mechanisms to protect vulnerable deep water habitats and ecosystems in the South East Atlantic Ocean;

TAKING INTO ACCOUNT the FAO Code of Conduct for Responsible Fishing and the need to

respect the biological resources and their environment as well as the interests of consumers and other users;

CONSISTENT with the 1995 UN Fish Stocks Agreement, in particular the provisions requiring the application of the precautionary approach and the protection of biodiversity in the marine environment;

RECALLING the Ministerial Declaration of the Conference on the Governance of High Seas Fisheries and the UN Fish Agreement of May 2005 and the emphasis laid on the need to address gaps in the conservation and sustainable use of marine biodiversity and sensitive marine ecosystems;

ACKNOWLEDGING that the recovery from damage to vulnerable habitats produced by fishing gear is either impossible or very difficult and slow;

TAKING NOTE of the advice provided by the Scientific Committee as regards the areas of vulnerable habitats and ecosystems;

CONSIDERING that it is important to ensure that seamounts which had not been exploited to date or had been slightly exploited, should be protected from any new fisheries until the necessary scientific information has been collected in order to permit an assessment of the areas concerned.

Have agreed as follows:

1. All fishing activities for fisheries resources covered by the SEAFO Convention shall be prohibited from 1 January 2011 to ? in the areas defined in Annex 1 of this CM.
2. In 2007, FC requested the SC to recommend areas that could be fished within each closed area. SC replied that given the lack of information available on the spatial distribution of vulnerable habitats, it would be inappropriate to recommend areas that could be opened to fishing. FC endorsed the SC view that mapping be a condition for the resumption of fishing. This remains the view of the SC in 2010.
3. SC could not arrive at a consensus as to whether experimental fishing should be allowed in the SEAFO closed areas. A majority view and a minority view are expressed below:

The **majority** view was as follows: Fishing, even of an exploratory nature, should not be allowed until mapping work has been carried out and the results analysed and presented to SC for scrutiny. This multi-beam and seismic mapping work should be augmented by other non-destructive methods such as grabs, quantitative image-based sampling systems (ROV) surveys etc.

A **minority** view expressed was: Commercial fishing should not be allowed until mapping work has been carried out and the results analysed and presented to SC for scrutiny. VME information can be obtained by non-destructive methods such as multi-beam sonar, grabs and quantitative image-based sampling systems (ROV). In case of the experimental bottom longline fishing, such information can be obtained through the operation by protecting VMEs by following the rule (i.e., keeping 2 miles away from the points a VME is found).

4. The measures provided in the above paragraphs shall be reviewed in ? by the Commission, based on the advice of the Scientific Committee, and a decision shall be taken on future management, which may include the extension of the application of these measures for an additional period or making the closure(s) permanent.

The coordinates for the suggested new closed areas are given in Annex VI.

9. Review Conservation Measure 17/09: on Bottom Fishing Activities in the SEAFO Convention and progress made by the Secretariat in developing a fishing footprint for the SEAFO area (includes reviewing CCAMLR and other relevant VME threshold and encounter protocols)

This work was ongoing from SSC and for clarity the introductory from the SSC report is repeated here.

Fishing Footprint

Last year the Commission agreed to develop a fishing footprint in compliance with Conservation Measure 17/09. The Commission agreed the format that CPs and FPs should report to the Secretariat on the basis of digital catch position data (hauling position in decimal latitude/longitude to the nearest minute) for individual hauls/sets for the period 1987-2007. Each haul/set record should also include gear type (bottom longline, bottom trawl, traps etc) and date. The criteria for the establishment of the footprint will be if an area that has been fished in two consecutive years during the period 1987-2007. Such information should be provided by the Contracting Parties and fishing nations by 1 March 2010.

After the meeting SC identified an error in the above criteria in that two consecutive years during the period 1987-2007 had been specified instead of just any two years during this period. This was notified to the Secretariat and the Secretariat informed the chair of FC.

SC reviewed the information received from CPs and this is summarized below.

Norway

Catch data was provided by gear and species for the 1997, 1998 & 2000. Catch position data were not provided and all catches were allocated to FAO Area 47 – SE Atlantic.

Japan

The data provided comprised VMS data including lat-long, speed of vessel, gear and name of vessel for the period 2003-2007. From the vessel speed information supplied this appears to be raw VMS data as speeds up 11 knots were recorded.

European Union (EU)

EU (Spain)

Information consistent with the Commission's request was received for the period 1996-2007.

EU (Portugal)

SC received data from Portugal for the period 2000-2010 during the course of the SC meeting but these data only comprised VMS data including lat-long, date, time and name of vessel. No vessel speeds were included but the data included steaming positions.

Namibia

Information consistent with the Commission's request was provided and this comprised Skipper logbook data from the bottom trawl orange roughy fishery in the SEAFO CA for the period 1999-2004.

Developing the footprint

Given that some of the data provided to the Secretariat was not in the format requested by the Commission and that some CPs and NCPs did not make any data available, SC proceeded to develop a fishing footprint using the criteria defined by FC and the CP data supplied in the requested format. The data used were those supplied in the format requested by FC, namely those for EU (Spain) and Namibia. SC emphasises that these data do not constitute all the data needed to develop an accurate and final footprint.

The FC did not specify the cell size to be used in the footprint exercise. To explore this SC has investigated the use of two cell sizes: 10' x 10' (10 x 10 nautical miles) and 1° x 1° (60 x 60 nautical miles).

The fishing footprint developed using available data fitting the Commission criteria and a cell size of 10' x 10' plotted against the bottom bathymetry data supplied by NOC is shown in Figure 7. Cells fished in two years or more in the period 1987-2007 are shown to be mostly distributed either on or adjacent to seamounts (see insert in showing Valdivia Bank & Ewing seamount in Sub-division B1).

Using this magnitude of cell size the footprint cells represent a very small proportion (approximately 0.05%) of the overall CA.

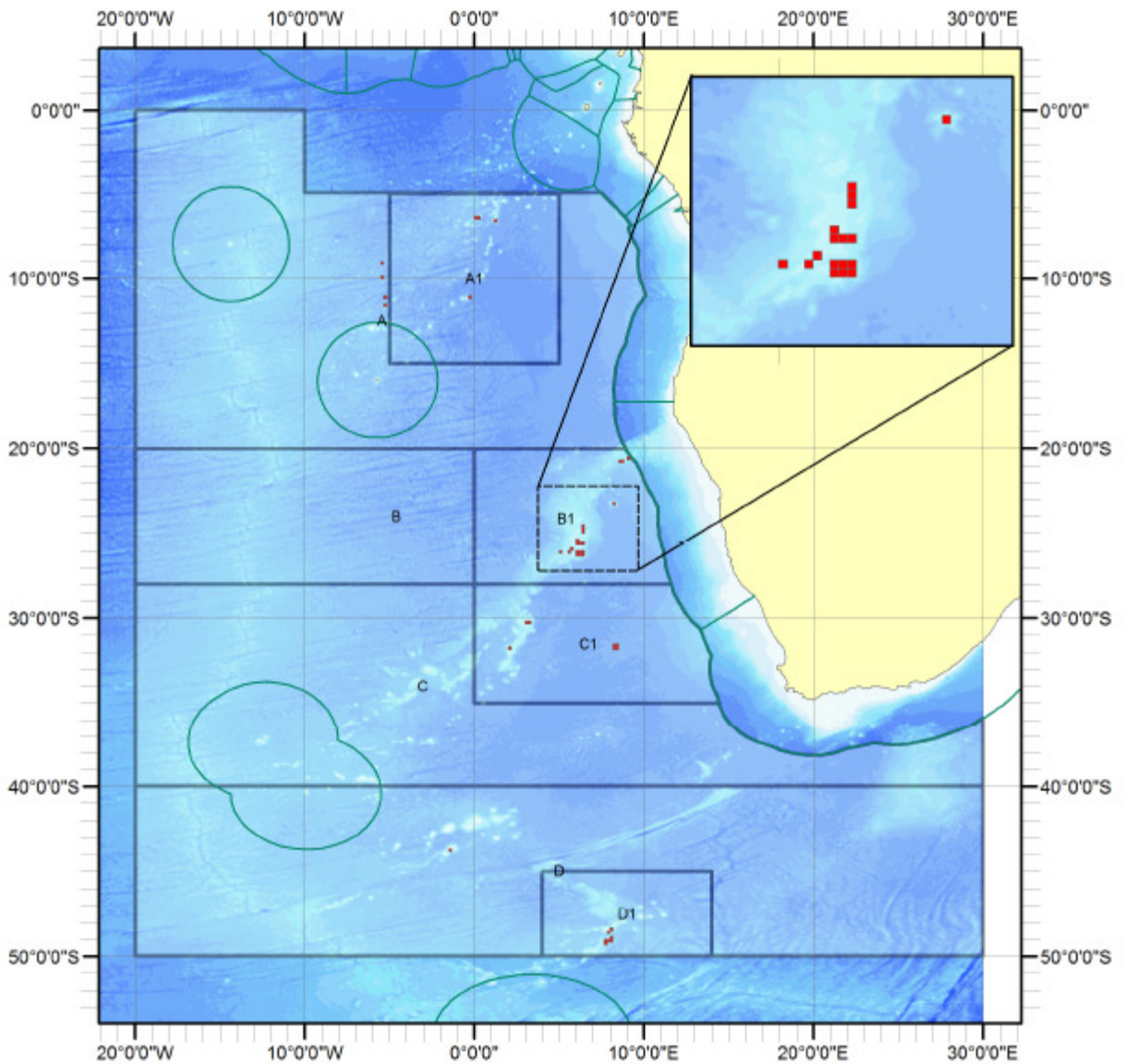


Figure 7 - Footprint developed using available data matching the Commission criteria and a cell size of 10' x 10'. The bottom bathymetry data is that supplied by NOC.

The fishing footprint developed using available data matching the Commission criteria and a cell size of 1° x 1° is shown in Figure 8.

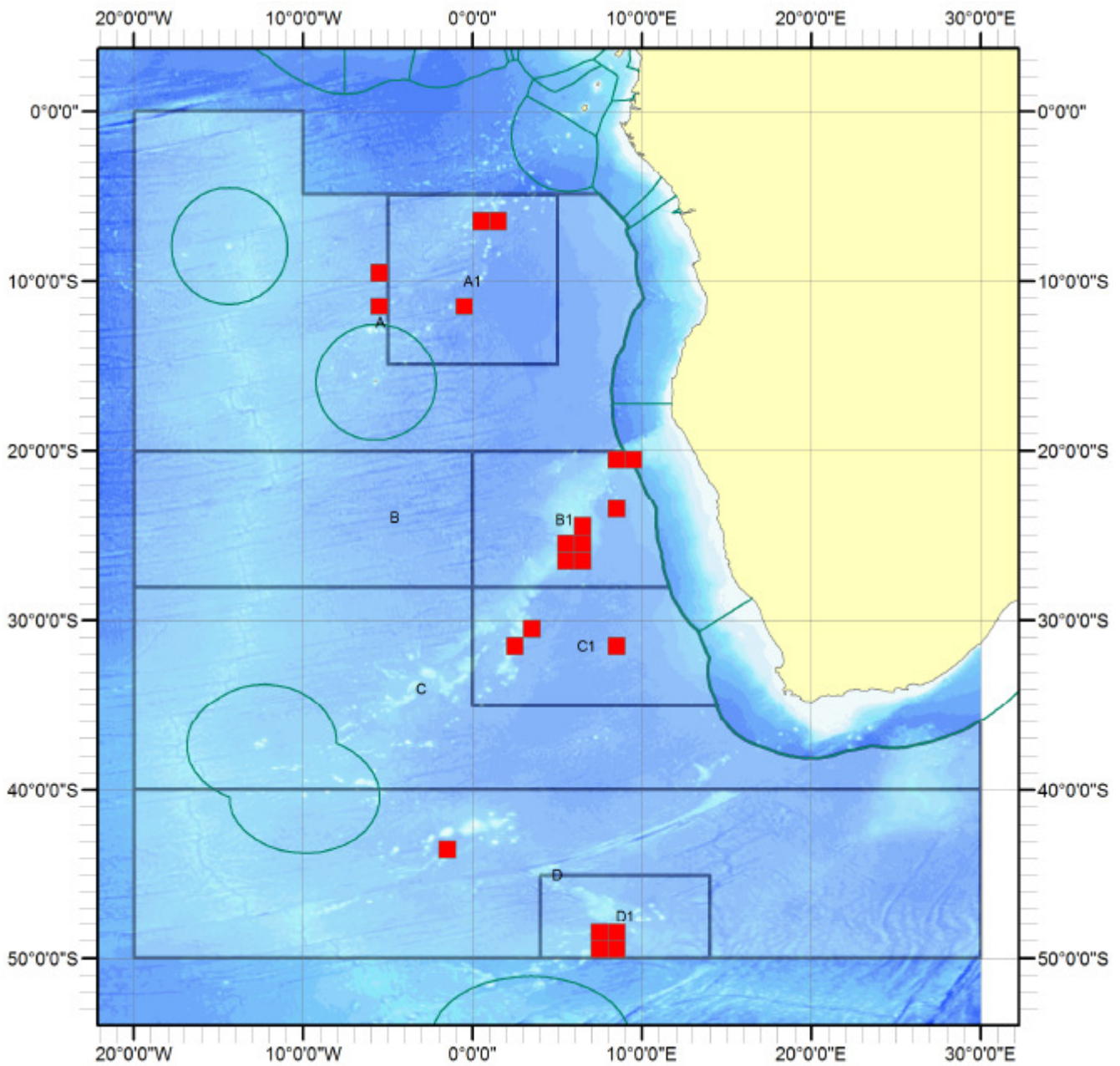


Figure 8 - Footprint developed using available data fitting the Commission criteria and a cell size of $1^{\circ} \times 1^{\circ}$.

Using this magnitude of cell size the footprint cells are clearly conspicuous but still only account for a small proportion (approximately 1%) of the overall CA.

SC considers that the choice of cell size is a FC competence.

A **minority** view was expressed regarding the accuracy and reliability of the bathymetry data used in Figures 7 and 8).

Further exploratory footprint exercise

As a further exploratory exercise, SC developed an additional footprint without any year restriction i.e. including all catch haul data available for the period 1987-2007. The haul-frequency data in each of the above cell sizes were categorized as follows:

- ⇒ One haul/set
- ⇒ 2-30 hauls/sets
- ⇒ >30 hauls/sets

The choice of these frequency intervals was taken for presentational purposes only and should not be interpreted as a qualitative interpretation of the level of fishing activity.

The resulting maps using the two magnitudes of cell size are shown in Figures 9 and 10.

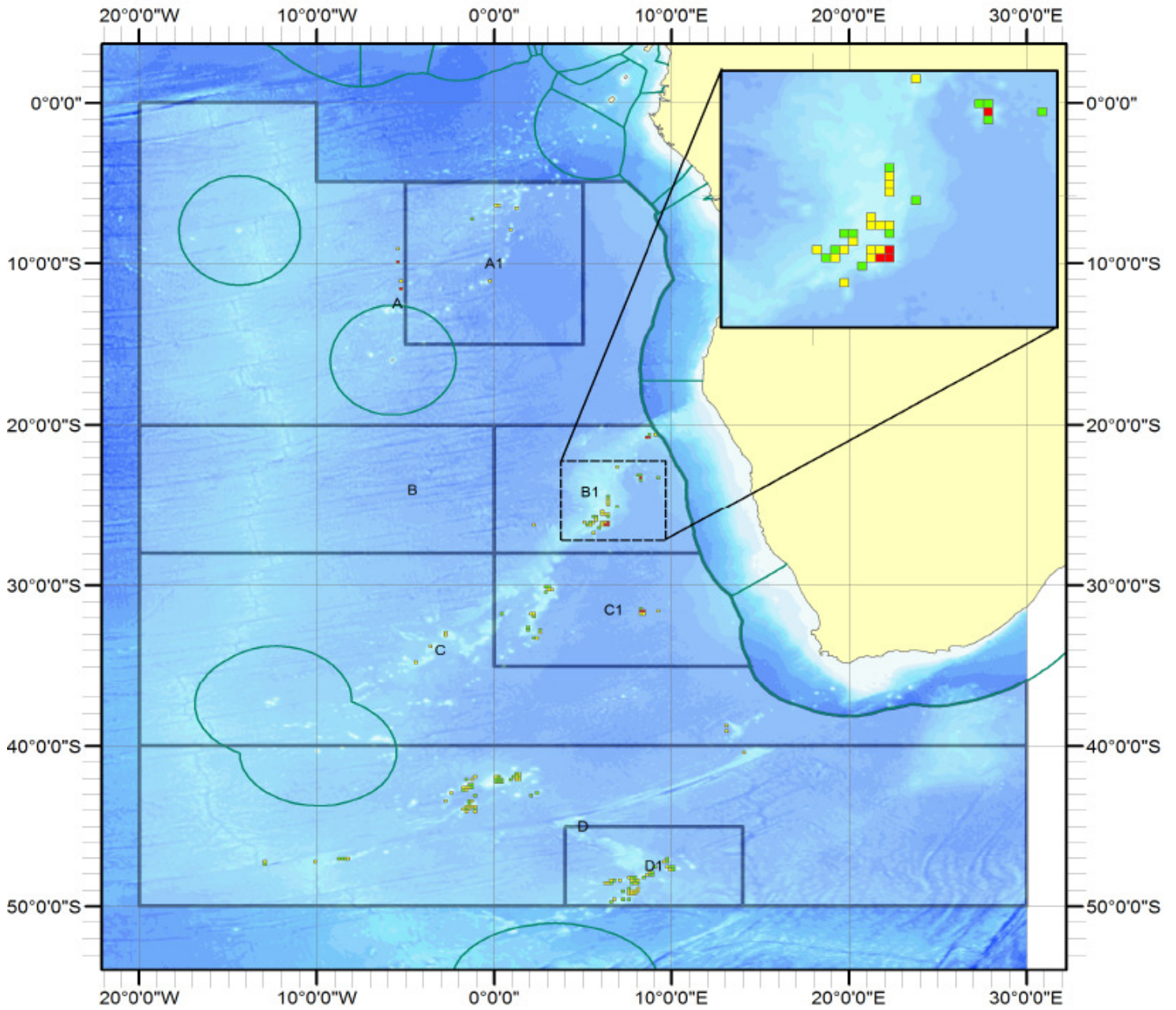


Figure 9. Exploratory footprint using a 10' x 10' cell size and applying the haul frequency criteria (1 haul/set (green), 2-30 (yellow) & >30 (red) haul/sets) to all available catch haul data available for the period 1987-2007.

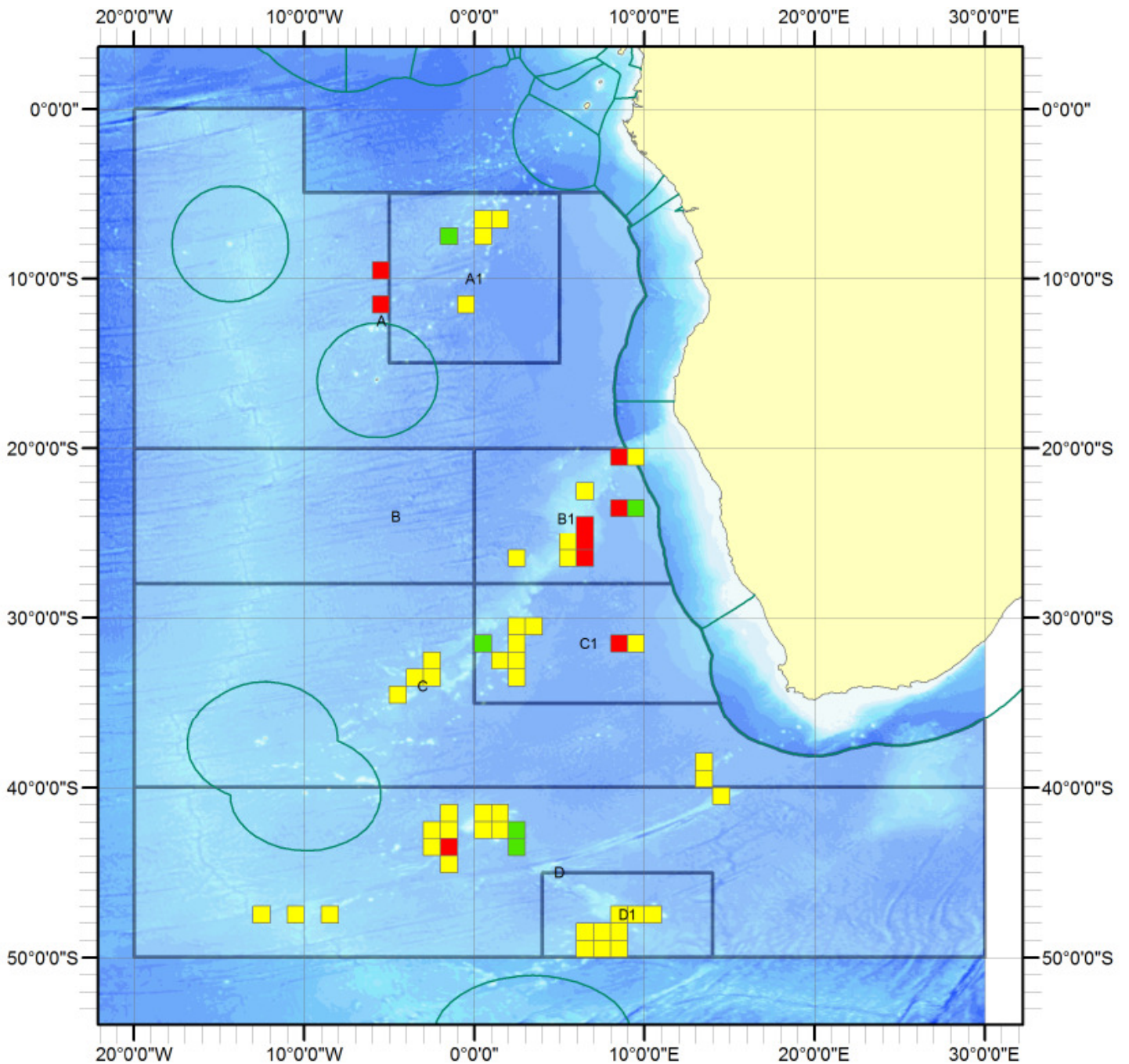


Figure 10. Exploratory footprint using a 1° x 1° cell size and applying the haul frequency criteria (1 haul/set (green), 2-30 (yellow) & >30 (red) haul/sets) to all available catch haul data available for the period 1987-2007.

Reviewing CCAMLR and other relevant VME threshold and encounter protocols

SC attempted to complete this ToR but even by working into the evenings of the final two days and extending the meeting into Saturday morning was unable to finish this work.

10. Review Conservation Measure 16/09: on Total Allowable Catches and related conditions for Patagonian toothfish, orange roughy, alfonsino and deep-sea red crab.

Patagonian toothfish

In attempting to review the TAC for toothfish, SC could not arrive at a consensus. A majority view and the minority view are expressed below:

The **majority** view of the SC was as follows:

As in previous years and in accordance with FC practice, SC took into account the state of toothfish in areas where this resource is likely to be shared with SEAFO. The CCAMLR Scientific Committee in 2009 noted that in most years since 2003 the main species caught in CCAMLR sub-area 48.6 (adjacent to and directly south of SEAFO Division D) is *D. eleginoides* which is the same species in the SEAFO. The distribution of this species is driven by the sub-Antarctic front which extends into the SEAFO area. Whilst there is no information available from tagging experiments it is reasonable to assume that this species is a transboundary species between SEAFO and CCAMLR region 48.6. Additionally, information from the CCAMLR Secretariat suggests that toothfish in the SEAFO area may be a shared resource with CCAMLR sub-area 58.7 (adjacent to and to the east of SEAFO Division D).

This year new information was available from Japanese trot and South Korean Spanish Parallel vessels fishing for toothfish in SEAFO Division D. This comprised nominal and standardized LPUE indices for the trot (2003-2009) and parallel longlines (2005-2009). The standardized indices are considered to be the most scientifically informative as they attempt to adjust for spatial, temporal and depth effects. The indices are shown in Figure 14 of the SSC Report. The ANOVA results for the standardization (Table 8 & 9 in the SSC Report) indicate that only the trot index has a significant year effect reflecting the observed increasing trend in LPUE. The ANOVA for the parallel longline index did not a significant year effect.

A concern, however, is that both standardization procedures only explain 10-12% of the observed variation in LPUE. This indicates that other unknown factors not included in the standardization model are impacting on LPUE. Such factors could include:

- Recruitment
- Increased fishing knowledge of the area (associated with increases in skipper ability) resulting in higher effort expended in areas with a higher density of toothfish.
- Environmental effects which may for example impact on increased immigration of toothfish in the area (bearing in mind Division D is the northern limit of the distribution for this species).
- There may be sequential depletion of areas of higher densities of toothfish at a spatial scale higher than the resolution of the area effect included in the standardization procedure.

From both analyses there is no evidence of a declining trend in abundance. However, there remains considerable uncertainty as to the factors responsible for the unexplained variation in LPUE. The confidence limits about the standardized LPUE indices are extremely wide, a further indication of the poor fit of the standardization.

The CCAMLR Secretariat forwarded the relevant conservation measures currently enforced. The annual TAC for *Dissostichus* spp. in Sub-area 48.6, as in recent years, is currently set at a “precautionary catch limit” of 200 tonnes north of 60°S and 200 tonnes south of 60°S. A precautionary TAC is set because an assessment is not available for this fishery in Sub-area 48.6. The part of the CCAMLR CA in Sub-area 58.7 continues to be closed to fishing for toothfish.

The abundance index for the trot gear although was considered by SC to be unsuitable as a basis for scientific advice because of the poor fit of the model, the high level of unexplained variation and a lack of information as to the cause of the observed increase in trend in LPUE. Notwithstanding SC recognized that there was no evidence of declining abundance.

In considering the TAC for toothfish in the SEAFO CA, SC therefore took account of the precautionary approach and specifically the precautionary TAC in the northern component of CCAMLR sub-area 48.6. The current CCAMLR TAC for this area is 200 tonnes and SC recommends that, in the absence of reliable information on stock status and the level of fishing mortality, if FC is minded to apply the precautionary approach, SC recommends that a precautionary catch limit of 200 tonnes be maintained in the SEAFO CA for 2011 and 2012.

A **minority** view was:

SC suggests to resume TAC (2011-2012) to 260 t (the 2008-2009 level) for 2 reasons: (a) the 2009 FC and the Performance review mentioned that there are no clear scientific evidence to decrease to 200 t from 260 t by just applying the CCAMLR TAC situation (*) and (b) new information on both nominal and standardized CPUE of trot and parallel bottom longline (2003-2009) in the SEAFO CA show no decreasing trends (see Figures 10 and 14 in SSC Report).

(*) Reasons of no clear scientific evidences:

- There are NO clear scientific evidences to apply the CCAMLR situation to the SEAFO because SEAFO and CCAMLR48.6 have different and independent ecosystems.
- Most fishing grounds in CCAMLR 48.6 and SEAFO are geographically far away, thus each TAC should be considered independently and separately.
- The major reason of the TAC reduction in SEAFO was because of the TAC reduction in the CCAMLR48.6 from 455 t to 200 t. (CCAMLR Fishery reports on subarea 48.6). However, in the reports, there are no clear scientific evidences (no stock assessment results).
- One other reason of the reduction of the TAC in the CCAMLR48.6 was due to large amount of the catch by many IUU vessels. This situation is not in the same in the SEAFO CA.
- Under such situation, there are NO clear scientific evidences to apply the CCAMLR situation to the SEAFO. Thus we should not apply the CCAMLR TAC to the SEAFO.

In general, to decide the TAC, as a first step, we should look at available information in the SEAFO. In 2010, the new information is available, i.e. both nominal and standardized CPUE of trot and parallel bottom longline (2003-2009). Pros and cons on these indices are well described in the majority statement. Such situation is frequently and commonly observed in any RFMOs. If RFMOs wait for the perfect indices, they cannot do any assessments and implement managements.

In this case, we have the same situation, but no CPUE trends show any decreasing trends at all. The majority statement also recognizes this point. In this connection, even if improved indices were obtained, there were no doubts that they will show no decreasing trends based on various CPUE studies in many RFMOs.

In the past SC referred to the commercial LPUE of orange roughy (available information) to evaluate its TAC. This is the essential and right way to evaluate TAC. Relating to this, we have serious concerns because the SC (majority) did not use commercial LPUE of Patagonian toothfish but used for LPUE of orange roughy TAC. This shows the inconsistent attitudes of the SC.

Under such circumstances, we have serious concerns to substitute the CCAMLR TAC situation to the SEAFO TAC as explained above. If this approach continues, credibility of the SC will further decrease.

Deep-sea Red Crab

For deep-sea red crab (noting that this is a different species to that found in the Angolan-Namibian EEZ) in previous years, in the absence of information on stock status and levels of fishing mortality, TACs have been set on the basis of average catches over three most recent years.

In 2007 the average catch over the years 2005-2007 was 397 tonnes and SC in 2007 agreed to recommend precautionary catch limits in 2008 and 2009 of 200 tonnes in Sub-division B1 and 200 tonnes (i.e. total of 400 tonnes) in the remainder of the SEAFO CA. The rationale behind this was to maintain average catch levels but to ensure they were distributed throughout the SEAFO CA thereby minimizing the potential for localized depletion. Another reason was also to encourage data collection in other areas.

In 2008, SC carried out the same exercise based on average catches which gave an average catch over the three most recent years of 408 tonnes (landings data for 2008 were not available so the same year range was used as in 2007 but with the inclusion of a small additional reported landings). SC commented that there was no evidence to suggest that this species was depleted and recommended that the precautionary catch limits be maintained until such time that additional information became available.

In 2009, there was a revision of the Japanese landings for 2007 from 513 t to 770 t. Taking an average of the landings for the three most recent years this gave an average catch of 326 tonnes. SC again in the absence of information on the size of the resource and fishing mortality recommended that the precautionary catch limits be maintained in 2010 and 2011 until such time as when additional information becomes available.

This year, SC remains in the position where there is an absence of information on the status of stock(s) and the level of fishing mortality. This species is recognized by SEAFO to be relatively slow-growing, sporadically aggregating and has a high vulnerability to fishing (Table 11 in SSC Report). A further concern is the lack of important biological information on the proportion of spawning females in catches as an indicator of whether fisheries are targeting spawning aggregations.

SC therefore recommends continued practice of using precautionary TACs. Taking the average of the last three years' catches (2008-2010) gives an average catch of 145 tonnes. However, as in previous years the averaging procedure has included data for the current year which is incomplete. If this year is excluded the average catch over the three recent years (2007-2009) is 348 tonnes.

SC recommends an annual catch limit of 200 tonnes for Sub-division B1 and 200 tonnes for the remainder of the SEAFO Convention Area for 2011 and 2012. SC notes that the TAC in Sub-division B1 has limited

landings at the TAC level. In recent years there has been no fishing for red crab in the remainder of the SEAFO CA.

Orange roughy and alfonsino

For orange roughy and alfonsino, on the basis of experience of deep-water fisheries around the world, SC is of the view that if substantial fisheries develop in the SEAFO CA it is likely that they will be for these species.

Orange roughy:

In 2009 SC commented as follows:

Experience from other orange roughy fisheries around the world (New Zealand, west of Ireland etc) suggests that sustainable catches are of the order of 2-3% of virgin biomass. Annual landings from the Namibian orange roughy in Sub-Division B1 peaked in 2001 at around 90 t and strongly declined thereafter to very low levels (for clarity presented again in this year's SSC report – Figure 9), which is reflected by available LPUE data. Additionally there is currently a moratorium on fishing for orange roughy in the Namibian EEZ adjacent to Sub-Division B1. The connectivity between the populations supporting these fisheries is unknown, but it is possible that these are from the same stock. Given this, SC recommends a zero catch limit for orange roughy in Sub-Division B1 for 2010 and 2011. In view of the unknown size of any orange roughy populations that may exist in the remainder of the SEAFO CA, SC recommends a precautionary annual catch limit for 2010 and 2011 of 50 tonnes (i.e. around 50% of the maximum annual landings observed in the Sub-division B1 fishery) until such time as when additional information becomes available to identify sustainable fishing levels. This catch limit would prevent a strong increase in activity but permit exploratory fishing.

SC considers that the rationale described above is unchanged. There is no new information available for this species. SC therefore recommends the maintenance of a zero TAC for Sub-division B1 and a TAC of 50 t for the remainder of the SEAFO CA.

Alfonsino:

Alfonsino is not a long-lived, slowly growing species but is vulnerable to fishing because fisheries mostly target aggregations. Experience in the NAFO region suggest that, as with orange roughy, fishing often takes the form of short-term “mining” which can lead to sequential depletion of populations which even for alfonsino may take 15-20 years to recover.

In 2010 the TAC has been taken by a single mid-water trawler but the only information available is a single length frequency distribution of sampled alfonsino from this vessel and spatial catch positions (see Annex III).

SC recommends a precautionary annual catch limit of 200 t for alfonsino in the SEAFO CA for 2010 and 2011 or until additional information becomes available to identify sustainable fishing levels.

A suggested revised text for Conservation Measure 16/09 for consideration by the Commission is given below:-

Conservation Measure 16/10: Fixing catch limits and related conditions for the Patagonian toothfish, red crab, orange roughy and alfonsino fisheries in the SEAFO Convention Area in 2011 and 2012.

The Commission in accordance with the recommendations of the Scientific Committee contained in their 2010 report (paragraphs) hereby

Patagonian Toothfish

An annual catch limit of **200 or 260** tonnes is fixed for 2011 and 2012 in the SEAFO Convention area. Each vessel shall report their catch including nil returns by electronic means to the SEAFO secretariat every 5 days of the fishing trip.

Deep-sea red crab

An annual catch limit of 200 tonnes is fixed for Sub Division B1 and 200 tonnes for the remainder of the SEAFO Convention area for 2011 and 2012.

Each vessel shall report their catch, including nil returns, by electronic means, to the SEAFO secretariat every 5 days of the fishing trip.

Orange roughy

An annual catch limit of zero tonnes is fixed for Sub-Division B1 and 50 tonnes for the remainder of the SEAFO CA for 2011 and 2012.

Alfonsino

An annual catch limit of 200 tonnes is fixed for the SEAFO CA in 2011 and 2012.

11. Review progress regarding the development of a SEAFO database. Develop rules of access.

Progress regarding SEAFO Database

Stephanus Voges (NatMIRC) gave a presentation on the status of the SEAFO database (Figure 11) which is now fully operational. Currently separate databases exist for longline, trawl and pots.

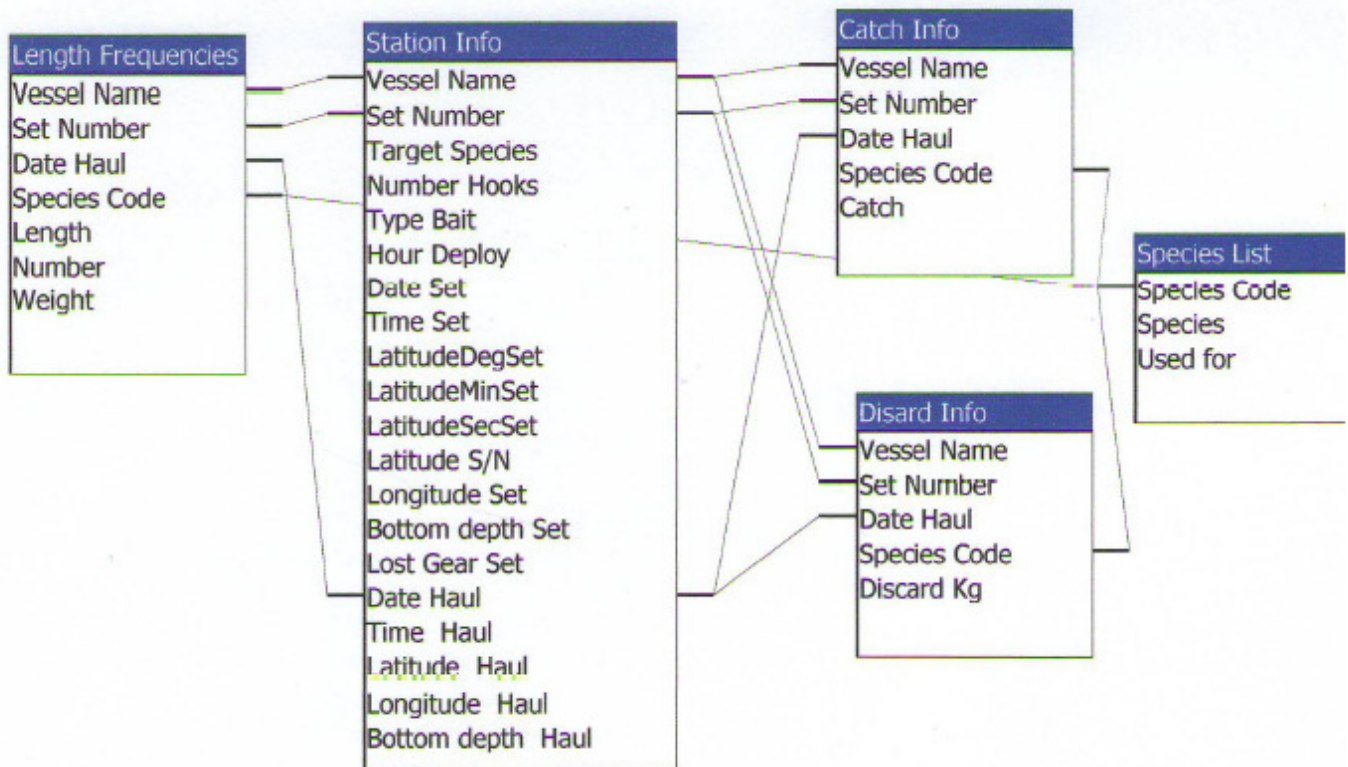


Figure 11. Diagrammatic relationship between the various datasets included in the SEAFO database.

Data stored include those of:

- ⇒ VMS;
- ⇒ Observer forms; and
- ⇒ 5-day Skipper catch reports.

Outstanding data requiring database expansion include those of:

- ⇒ Observer trip reports;
- ⇒ Incidental bycatches;
- ⇒ Discards; and
- ⇒ Historical records.

Outstanding database issues are:

- ⇒ a need to combine separate gear databases into a single database
- ⇒ to develop “required field” protocol
- ⇒ Insert separate fields for unidentified fish, squid sponge, coral, seabirds etc.

It is envisaged that all of the above will be addressed in the coming year with the exception of loading historical data.

Rules of access to the SEAFO database

The SEAFO Commission in its 6TH (2009) meeting took note about the need for SEAFO to have a protocol to manage scientific working documents:

“The Commission approved that the Scientific Committee could continue with compilation of a formal protocol for referencing scientific documents and working papers. The protocol should be tabled and discussed on the next Commission meeting in 2010”.

FC commented that this protocol should be a tool to increase the interest of researcher on producing scientific literature in which should be based the scientific advice. This activity would need in some cases access the SEAFO Database to obtain data provided by different sources. In that context, SEAFO needs a protocol to manage the access and use of this data, clarifying which data are or not in the public domain.

SC analyzed different approaches to that matter and decided to proposes to adopt a protocol based on the CCAMLR protocol (see Annex IV).

12. Review outcomes of consultations between SEAFO Secretariat with SEAFO fishing nations regarding the development of maximum limits on the length of fixed gear fleets/sets, soak time and vessel gear capacity.

The Secretariat requested SEAFO Fishing Nations to provide information on what they considered suitable maximum limits on the fleet gear/sets, soak time and vessel gear capacity. Information was received from Japan and EU (Spain) but this comprised actual vessel gear data rather than views on what the maximum limits should be. SC recommends that the Secretariat re-circulate a memo requesting this information.

13. Review progress made by Secretariat in developing the SEAFO website

The Secretariat has made significant progress in developing the SEAFO website and this can be seen by anyone accessing the site, however, SC identified further improvements (listed below):

1. TACs:

- TACs should have a separate button;
- One decimal should be used to display catch uptakes;
- An extra column should be added to indicate the cumulative number of vessels that have fished in the year (i.e. taken and recorded a catch) in the SEAFO CA.

2. Observer forms:

- Catch forms should be changed to observer forms;
- Observer forms should have a separate button;
- Create a link to on the home page to observer forms.

3. Identification guides:

- Identification guides should have a separate button;
- Liaise with WWF/Birdlife International to use colour turtle guide.
- Create a link in the observer forms to the various identification guide;
- Create a link on the home page to identification guides;
- Create links to other sites i.e. WWF seabird identification guide.

4. Species information sheets:

- Species information sheet should have a separate button;
- Species information sheet should contains (a) FAO Species fact sheet, (b) SEAFO Species profile and (c) SEAFO Marine Resources noting that this is a selective list of species occurring in the SEAFO CA focusing on fish and crustaceans.

5. SEAFO related publications:

- SEAFO related publications should have a separate button;
- SEAFO related publications button contains (a) Selective SC working papers and (b) Scientific peer review published papers.

6. Other:

- Use different colour for the home link buttons;
- Move basic documents to the section: About SEAFO;
- Create a members only section under the Scientific Committee section to place the SEAFO database.

14. Co-operation with other organizations/science programs:

The Executive Secretary did not attend any of the following in the last year but gave a brief presentation of outcomes to SEAFO.

- **GESAMP**

SC reviewed the annual report of the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection (GESAMP) and supported the initiative of Working Group 35 on deep-water fisheries. However, SC is of the view that much of the information likely to be required by this Working Group is currently available in SEAFO documents on the SEAFO website.

- **CWP**

SC reviewed the report of the 22nd session of the FAO Co-ordinating Working Party on Fisheries Statistics (Feb-Mar 2007). SC is of the opinion that attendance at CWP is of considerable relevance to the SEAFO SC and recommends that funds be made available to facilitate attendance of the Executive Secretary in 2011.

- **FAO Deep Sea Project**

SC understands that funding from FAO is available for the deep-sea project which the Executive Secretary was not able to attend the meeting on the project due to VISA problems.

15. Advice and recommendations to the Commission.

As last year, the SC has identified the responsible entities to take action under each recommendation. These should not be interpreted as instructions, but are provided to facilitate responses and needs in a non-prescriptive manner.

Any minority views are included in their entirety.

Regarding recommendations for TACs, the full advice is repeated for clarity.

1. **SC recommends** an annual catch limit of **200 or 260** tonnes of Paatagonian toothfish in the SEAFO Convention area is fixed for 2011 and 2012. **ACTION : COMMISSION**

In attempting to review the TAC for toothfish, SC could not arrive at a consensus. A majority view and the minority view are expressed below:

The **majority** view of the SC was as follows:

As in previous years and in accordance with FC practice, SC took into account the state of toothfish in areas where this resource is likely to be shared with SEAFO. The CCAMLR Scientific Committee in 2009 noted that in most years since 2003 the main species caught in CCAMLR sub-area 48.6 (adjacent to and directly south of SEAFO Division D) is *D. eleginoides* which is the same species in the SEAFO. The distribution of this species is driven by the sub-Antarctic front which extends into the SEAFO area. Whilst there is no information available from tagging experiments it is reasonable to assume that this species is a transboundary species between SEAFO and CCAMLR region 48.6. Additionally, information from the CCAMLR Secretariat suggests that toothfish in the SEAFO area may be a shared resource with CCAMLR sub-area 58.7 (adjacent to and to the east of SEAFO Division D).

This year new information was available from Japanese and South Korean vessels fishing for toothfish in SEAFO Division D. This comprised nominal and standardized LPUE indices for the trot (2003-2009) and parallel longlines (2005-2009). The standardized indices are considered to be the most scientifically informative as they attempt to adjust for spatial, temporal and depth effects. The indices are shown in Figure 14 of the 2010 SSC Report. The ANOVA results for the standardization (Table 8 & 9 in the SSC Report) indicate that only the trot index has a significant year effect reflecting the observed increasing trend in LPUE. The ANOVA for the parallel longline index did not a significant year effect.

A concern, however, is that both standardization procedures only explain 10-12% of the observed variation in LPUE. This indicates that other unknown factors not included in the standardization model are impacting on LPUE. Such factors could include:

- Recruitment
- Increased fishing knowledge of the area (associated with increases in skipper ability) resulting in higher effort expended in areas with a higher density of toothfish.
- Environmental effects which may for example impact on increased immigration of toothfish in the area (bearing in mind Division D is the northern limit of the distribution for this species).
- There may be sequential depletion of areas of higher densities of toothfish at a spatial scale higher than the resolution of the area effect included in the standardization procedure.

From both analyses there is no evidence of a declining trend in abundance. However, there remains considerable uncertainty as to the factors responsible for the unexplained variation in LPUE. The confidence limits about the standardized LPUE indices are extremely wide, a further indication of the poor fit of the standardization.

The CCAMLR Secretariat forwarded the relevant conservation measures currently enforced. The annual TAC for *Dissostichus* spp. in Sub-area 48.6, as in recent years, is currently set at a “precautionary catch limit” of 200 tonnes north of 60°S and 200 tonnes south of 60°S. A precautionary TAC is set because an assessment is not available for this fishery in Sub-area 48.6. The part of the CCAMLR CA in Sub-area 58.7 continues to be closed to fishing for toothfish.

The abundance index for the trot gear although was considered by SC to be unsuitable as a basis for scientific advice because of the poor fit of the model, the high level of unexplained variation and a lack of information as to the cause of the observed increase in trend in LPUE. Notwithstanding SC recognized that there was no evidence of declining abundance.

In considering the TAC for toothfish in the SEAFO CA, SC therefore took account of the precautionary approach and specifically the precautionary TAC in the northern component of CCAMLR sub-area 48.6. The current CCAMLR TAC for this area is 200 tonnes and SC recommends that, in the absence of reliable information on stock status and the level of fishing mortality, if FC is minded to apply the precautionary approach, SC recommends that a precautionary catch limit of 200 tonnes be maintained in the SEAFO CA for 2011 and 2012.

A **minority** view was:

SC suggests to resume TAC (2011-2012) to 260 t (the 2008-2009 level) for 2 reasons: (a) the 2009 FC and the Performance review mentioned that there are no clear scientific evidence to decrease to 200 t from 260 t by just applying the CCAMLR TAC situation (*) and (b) new information on both nominal and standardized CPUE of trot and parallel bottom longline (2003-2009) in the SEAFO CA show no decreasing trends (see Figures ? and ? in SSC Report).

(*) Reasons of no clear scientific evidences:

- There are NO clear scientific evidences to apply the CCAMLR situation to the SEAFO because SEAFO and CCAMLR48.6 have different and independent ecosystems.
- Most fishing grounds in CCAMLR 48.6 and SEAFO are geographically far away, thus each TAC should be considered independently and separately.
- The major reason of the TAC reduction in SEFAO was because of the TAC reduction in the CCAMLR48.6 from 455 t to 200 t. (CCAMLR Fishery reports on subarea 48.6). However, in the reports, there are no clear scientific evidences (no stock assessment results).
- One other reason of the reduction of the TAC in the CCAMLR48.6 was due to large amount of the catch by many IUU vessels. This situation is not in the same in the SEAFO CA.
- Under such situation, there are NO clear scientific evidences to apply the CCAMLR situation to the SEAFO. Thus we should not apply the CCAMLR TAC to the SEAFO.

In general, to decide the TAC, as a first step, we should look at available information in the SEAFO. In 2010, the new information is available, i.e. both nominal and standardized CPUE of trot and parallel bottom longline (2003-2009). Pros and cons on these indices are well described in the majority statement. Such situation is frequently and commonly observed in any RFMOs. If RFMOs wait for the perfect indices, they cannot do any assessments and implement managements.

In this case, we have the same situation, but no CPUE trends show any decreasing trends at all. The majority statement also recognizes this point. In this connection, even if improved indices were obtained, there were no doubts that they will show no decreasing trends based on various CPUE studies in many RFMOs.

In the past SC referred to the commercial LPUE of orange roughy (available information) to evaluate its TAC. This is the essential and right way to evaluate TAC. Relating to this, we have serious concerns because the SC (majority) did not use commercial LPUE of Patagonian toothfish but used for LPUE of orange roughy TAC. This shows the inconsistent attitudes of the SC.

Under such circumstances, we have serious concerns to substitute the CCAMLR TAC situation to the SEAFO TAC as explained above. If this approach continues, credibility of the SC will further decrease.

2. **SC recommends** an annual catch limit for deep-water red crab of 200 tonnes for Sub-division B1 and 200 tonnes for the remainder of the SEAFO Convention Area for 2011 and 2012. **ACTION:COMMISSION**

SC recommends the continued practice of using precautionary TACs. Taking the average of the last three years' catches (2008-2010) gives an average catch of 145 tonnes. However, as in previous years the averaging procedure has included data for the current year which is incomplete. If this year is excluded the average catch over the three recent years (2007-2009) is 348 tonnes.

3. **SC recommends** the maintenance of a zero TAC for orange roughy in Sub-division B1 and a TAC of 50 t for the remainder of the SEAFO CA. **ACTION: COMMISSION**

There is no new information available for this species so SC repeats the advice given in 2009.

Experience from other orange roughy fisheries around the world (New Zealand, west of Ireland etc) suggests that sustainable catches are of the order of 2-3% of virgin biomass. Annual landings from the Namibian orange roughy in Sub-Division B1 peaked in 2001 at around 90 t and strongly declined thereafter to very low levels (see Figure 9 in the SCC Report), which is reflected by available LPUE data. Additionally there is currently a moratorium on fishing for orange roughy in the Namibian EEZ adjacent to Sub-Division B1. The connectivity between the populations supporting these fisheries is unknown, but it is possible that these are from the same stock. Given this, SC recommends a zero catch limit for orange roughy in Sub-Division B1 for 2010 and 2011. In view of the unknown size of any orange roughy populations that may exist in the remainder of the SEAFO CA, SC recommends a precautionary annual catch limit for 2010 and 2011 of 50 tonnes (i.e. around 50% of the maximum annual landings observed in the Sub-division B1 fishery) until such time as when additional information becomes available to identify sustainable fishing levels. This catch limit would prevent a strong increase in activity but permit exploratory fishing.

4. **SC recommends** a precautionary annual catch limit of 200 t for alfonsino in the SEAFO CA for 2010 and 2011 or until additional information becomes available to identify sustainable fishing levels. **ACTION: COMMISSION.**

Alfonsino is not a long-lived, slowly growing species but is vulnerable to fishing because fisheries mostly target aggregations. Experience in the NAFO region suggest that, as with orange roughy, fishing often takes the form of short-term “mining” which can lead to sequential depletion of populations which even for alfonsino may take 15-20 years to recover. In 2010 the TAC has been taken by a single mid-water trawler but the only information available is a single length frequency distribution of sampled alfonsino from this vessel and spatial catch positions.

5. **SC recommends** that the seamount closed areas in the SEAFO CA be revised as described in Figure 6 **ACTION COMMISSION**

6. **SC recommends** that, in advance of all future meetings, the Secretariat revise all landings tables, develop new tables for species not previously tabulated and include incidental bycatch and discard data in all tables. **ACTION: SECRETARIAT**

7. **SC recommends** that SSC be dissolved as attendance at this WG has gradually diminished. It has largely fulfilled its role and there will be significant cost savings for the Secretariat. **ACTION: SC/COMMISSION**

8. **SC recommends** that an ID guide for fish, crustaceans, incidental bycatch species such as seabirds and cetaceans (a turtle guide is already in use) be developed. SC considers that the hiring of consultant to prepare such a guide would be the best way forward, possibly working in conjunction with Birdlife International who already has a seabird guide available. **ACTION: COMMISSION**

9. **SC recommends (majority)** that the Chair of SC should be a member of any future Performance Review Panel so that queries regarding the scientific work of SC can be dealt with efficiently. **ACTION: COMMISSION**

10. **SC recommends** that any future Panel should include a scientist working actively in the field of data-poor deep-water assessments and deep-water ecosystem studies.
ACTION:COMMISSION
11. **SC recommends** a comprehensive list of species found in commercial and research catches in the SEAFO CA be developed.
ACTION:SC
12. **SC recommends** that the Secretariat explore with NAFO and NEAFC the protocols used for excluding VMS signals when vessels are steaming and to trial suitable methodologies in the SEAFO CA.
ACTION: SECRETARIAT
13. **SC recommends** that the species profile template developed for toothfish should be adopted for all species profiles.
ACTION:SECRETARIAT
14. **SC recommends** that Scientific Coordinators should ensure that all catches sampled for length are raised to the total catch of that trip, raising by division and/or sub-division initially if the vessel has fished in more than one area.
ACTION:SC
15. SC recommends that the protocol described under the ToR s in the SSC Report be adopted for referencing Working Documents.
**ACTION:FISHERIES
COMMISSION**
16. SC recommends that a series of Working Documents be initiated commencing with documents submitted in 2010 adopting the following referencing format [i.e. Scientific Committee Working Document: SEAFO SCW Doc 01/YYYY].
ACTION:SECRETARIAT
17. **SC recommends** that SC should review Working documents and select those suitable to be placed on the public part of the SEAFO website by the Secretariat.
ACTION:SC and SECRETARIAT
18. **SC recommends** that the Secretariat forward a copy of the NOC report and data to the MARECO South Atlantic coordinator.
ACTION:SECRETARIAT
19. **SC recommends** that Secreariat explores the possibility of accessing and uploading historical VMS data for NEAFC vessels fishing in the SEAFO CA.
ACTION:SECRETARIAT
20. **SC recommends** a more formal work arrangement be put in place to address the development and maintenance of the SEAFO database. SC recommends that funds be made available to pay for database related work including data input.
ACTION:COMMISSION
21. **SC recommends** that the Secretariat combines the existing SEAFO Observer forms into an excel workbook template. This template will be supplied to all sea-going observers for use at sea.
ACTION:SECRETARIAT
22. **SC recommends** that the Secretariat solicit the views of CPs on the suitable maximum limits for the total length of fixed gear fleet gear/sets, soak time and vessel gear capacity.
ACTION:SECRETARIAT

23. SC recommends that funds be made available to facilitate the attendance of the Executive Secretary CWP in 2011.

ACTION:COMMISSION

24. SC recommends that observers be reminded to include maturity data for deep-water crabs on observer sampling sheets.

ACTION:SECRETARIAT

25. SC recommends that all CPs be requested to provide the Secretariat with all available historical catch and effort data subject to approval by the data owner.

ACTION:COMMISSION

26. SC recommends that stock assessments be carried out only using tried and tested assessment packages and programs.

ACTION:SC

27. SC recommends that the rules relating to decision making in the SC including the election of Chair and Vice-chair be reviewed.

ACTION:COMMISSION

28. SC recommends that available catch and effort data be used to develop abundance indices for red crab.

ACTION: SC

16. Election of new Chair of SC

An election was carried out but the outcome is yet to be confirmed by the Commission.

17. Future work program

SC suggests that future work should include Precautionary harvest control rules in relation to abundance indices and EAF issues.

18. Budget for 2011

SC had insufficient time to address this ToR

19. Any other matters

19.1 Meeting protocol adopted in 2010

Due to extensive discussions in SSC two important ToRs had to be carried forward to SC. SC extended the normal working day to 1800 hrs and considerably beyond on Thursday and Friday, but nevertheless had to reconvene on Saturday morning at 0800 hrs to address outstanding ToRs. The numbers attending were seven plus the Chair and the Executive Secretary and following advice from the Executive Secretary it was agreed that the meeting be reconvened.

20. Adoption of the report

The report was presented and adopted by the meeting.

21. Date and place of the next meeting

Assuming that there will be no future meetings of SSC, SC proposes an SC meeting in 2011 but to not set a date and await the agreed date for the 2011 Commission meeting. SC expressed the view that scientific meetings immediately precede the Annual Commission meeting, as in this and previous years. SC expressed the view that if the Annual Commission meeting in 2011 is in Namibia, SC would wish to convene in Windhoek.

SC is of the view that if a single scientific meeting takes place next year it should be 7-8 days long.

22. Closure of meeting

On Saturday 9th October at 1300 hrs the Chairperson declared the closure of the meeting after all items had been concluded. In his closing remarks, the Chair expressed his satisfaction for the work accomplished and thanked all participants for their valuable contributions.

ANNEX I

Agenda for the 6th Annual Meeting of the SEAFO Scientific Committee

Venue: Arebbusch Lodge, Windhoek

1. Opening and welcome remarks by the Chairperson, Mr. Phil Large
 2. Adoption of the agenda and arrangements
 3. Appointment of rapporteur
 4. Introduction of observers
 5. Introduction of participants
 6. Review the outcomes of the Performance Review Panel relevant to SC
 7. Report by the Chair of the Scientific Sub-Committee and comments by SC
 8. Review Conservation Measures 06/06 on the “Management of vulnerable deep-water habitats and ecosystems in the SEAFO Convention Area” taking into account the outcomes from the NOCS contract and the results from any other analyses arising.
 9. Review Conservation Measure 17/09: on Bottom Fishing Activities in the SEAFO Convention and progress made by the Secretariat in developing a fishing footprint for the SEAFO area (includes reviewing CCAMLR and other relevant VME threshold and encounter protocols)
 10. Review of Conservation Measure 16/09: on Total Allowable Catches and related conditions for Patagonian toothfish, orange roughy, alfonsino and deep-sea red crab.
 11. Review progress regarding the development of a SEAFO database for SEAFO data. Develop rules of access to the SEAFO database.
 12. Review outcomes of consultations between SEAFO Secretariat with SEAFO fishing nations regarding the development of maximum limits on the length of fixed gear fleets/sets, soak time and vessel gear capacity.
 13. Review progress made by the Secretariat in developing the SEAFO website.
 14. Co-operation with other organisations/science programmes
 - GESAMP
 - CWP
 - FAO Deep-sea Project
 15. Advice and recommendations to the Commission
 16. Election of new Chair of SC
 17. Future work program
 18. Budget for 2011
 19. Any other matters
 - 19.1 Meeting protocol adopted in 2010
 20. Adoption of the report
 21. Date and place of the next meeting
- Closure of the meeting

Annex II

List of Participants to the 6th Annual Meeting of SEAFO Scientific Committee

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Annex III

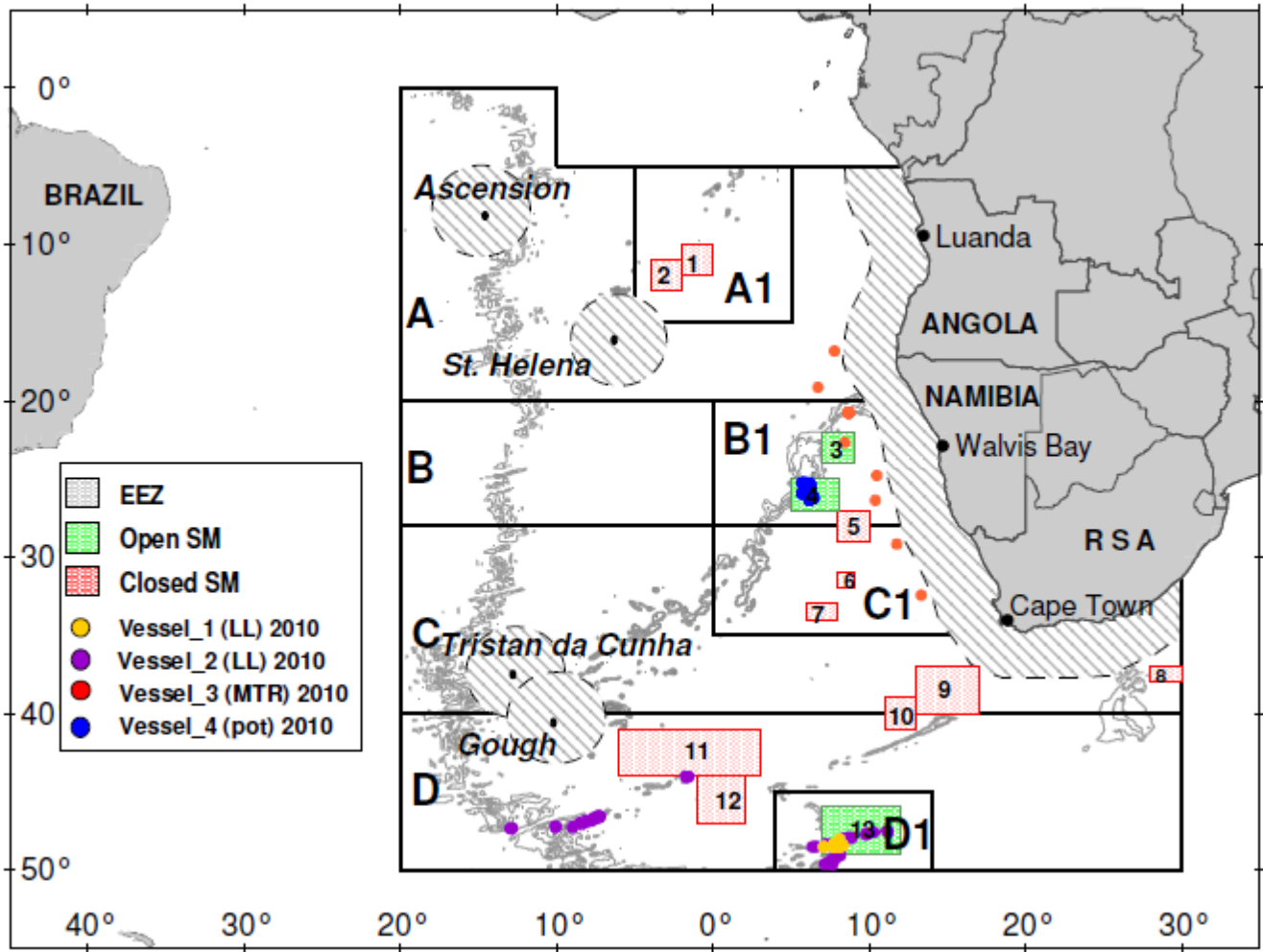


Figure 12 – The spatial catch data of four vessels that fished in the SEAFO CA in 2010 (MT – mid-water trawl).

ANNEX IV

“RULES FOR ACCESS AND USE OF SEAFO DATA”

RULES FOR ACCESS AND USE OF SEAFO DATA

The following Rules for Access and Use of SEAFO Data were adopted by the ----- Meeting of the Commission (-----, paragraphs to) :

It is recognised that:

1. All data submitted to and maintained by the SEAFO Secretariat shall be freely available to CP scientists, participants of all SEAFO committees and delegates for data analysis and preparation of documents for the Commission, Scientific Committee and their subsidiary bodies.
2. The inclusion of data, analyses or results from data held on the SEAFO database into Working Papers and any other documents tabled at any SEAFO meeting does not constitute publication and therefore is not released into the public domain.
3. The inclusion of data held in the SEAFO database into the published reports of the Commission, Scientific Committee, Scientific Sub-Committee or any other SEAFO publication constitutes release into the public domain.
4. Inclusion of data held in the SEAFO database in any publication outside SEAFO constitutes release into the public domain.
5. Reference to paragraphs (1) and (2), the originators/owners of data have the right to:
 - (a) be consulted (including assignation of authorship) on the preparation, if necessary including publication, of documents describing analyses and interpretation of their data;
 - (b) approve the level of detail revealed in documents using their data;
 - (c) stipulate terms and/or levels of data security if necessary.

Accordingly,

6. Requests to the Secretariat for access and/or use of data maintained by the SEAFO Secretariat by individual Member scientists/officials shall be approved in writing as appropriate by that Member's Commission Representative or Scientific Committee Representative. Members are responsible for informing individual scientists or individuals requesting data of the rules governing access and use of SEAFO data and for obtaining agreement to comply with such rules.

7. Requests in support of analyses should include the type of data requested, the degree of data aggregation required, the spatial and temporal detail required, and the anticipated format to be used in presenting results of the analyses. For such requests, the Secretariat shall ensure that each request meets the conditions of the

approval granted for the original endorsement, and, if so, release the data and inform the data owner(s)/originator(s) accordingly. Release of data by the Secretariat to the requestor does not constitute permission to publish or release data into the public domain. Such permission remains a matter to be determined between the requestor and the data originator(s).

8. Requests in support of data/analyses not specifically required for SEAFO purposes should include the information of the analytical procedures to be used and the opportunity for data owner(s)/originator(s) to be involved. For such requests, the Secretariat shall be satisfied that each request contains the required information before forwarding it to the data originator(s) for approval within a specified time period. Once approval has been received the Secretariat shall release the data. Release of data does not constitute permission to publish or for release into the public domain. Such permission remains a matter to be determined between the requestor and the data owner(s)/originator(s).

9. If approval for data release under (8) is not forthcoming within the specified period, the Secretariat shall initiate and facilitate consultation between the data requestor and data owner(s)/originator(s). The Secretariat shall not release data without the written approval of the data owner(s)/originator(s). Failure to achieve agreement shall be brought to the attention of the Scientific Committee and Commission.

10. Regarding access to the SEAFO database in the proposed member's section in the SEAFO website, SC recommends that the Secretariat develops and implements appropriate security protocol.

11. The following statement shall be placed on the cover page of all Working Papers and any other papers tabled at meetings of the Commission, Scientific Committee or their subsidiary bodies:

'This paper is presented for consideration by SEAFO and may contain unpublished data, analyses, and/or conclusions subject to change. Data in this paper shall not be cited or used for purposes other than the work of the SEAFO Commission, Scientific Committee or their subsidiary bodies without the permission of the originators and/or owners of the data.'

ANNEX VI

Areas (Seamounts) and their coordinates prohibited to fisheries in accordance with paragraph 1

DIVISION A

Area: (Kreps seamount), Number 16 on the attached map – considered to be unexploited.

Coordinates: 01°00'S 13°15'W
01°00'S 12°30'W
05°25'S 11°30'W
04°52'S 12°51'W
04°00'S 12°33'W

Area: (Unnamed seamount), Number 17 on the attached map – considered to be unexploited.

Coordinates: 13°00'S 15°05'W
12°44'S 14°10'W
15°43'S 12°40'W
16°34'S 13°13'W
18°32'S 12°10'W
18°46'S 13°18'W
17°10'S 14°46'W
16°20'S 14°46'W
16°05'S 13°50'W

SUB-DIVISION A1

Area: (Malachit Guyot Seamount), Number 1 on attached map – considered to be unexploited.

Coordinates: 10°51'S 01°25'W
11°35'S 00°40'W
13°44'S 02°57'W
13°03'S 03°45'W

DIVISION C

Area: (Wüst seamount), Number 7 on the attached map – considered to be slightly exploited.

Coordinates: 32°57'S 06°50'W
31°51'S 03°39'W
32°28'S 01°30'W
34°34'S 00°40'W
36°17'S 00°40'W
36°17'S 01°23'W
34°10'S 02°23'W
36°20'S 06°16'W
34°53'S 07°43'W

Area: (Africana seamount), Number 8 on the attached map – considered to be unexploited.

Coordinates: 37°00'S 28°45'E
37°00'S 29°21'E
37°25'S 28°45'E
37°25'S 29°21'E

Area: (Schmidt-Ott Seamount), Number 9 on the attached map - considered to be slightly exploited.

Coordinates: 38°20'S 13°00'E
38°20'S 14°24'E
39°32'S 14°24'E
39°32'S 13°00'E

Area: (Unnamed), Number 15 on the attached map - considered to be unexploited.

Coordinates: 29°19'S 14°22'W
29°17'S 12°54'W
31°57'S 12°47'W
32°08'S 14°18'W

SUB-DIVISION C1

Area: (Vema Seamount), Number 6 on the attached map – considered to be slightly exploited.

Coordinates: 31°27'S 08°06'E
31°27'S 08°35'E
31°53'S 08°35'E
31°53'S 08°06'E

DIVISION D

Area: (Herdman Seamounts), Number 12 on the attached map – considered to be unexploited.

Coordinates: 45°10'S 00°05'E
45°10'S 00°42'E
45°50'S 00°42'E
45°50'S 00°05'E

Area: (Unnamed Seamounts), Number 14 on the attached map – considered to be unexploited.

Coordinates: 47°54'S 10°57'W
47°54'S 09°07'W
49°15'S 08°03'W
49°34'S 08°24'W
49°10'S 10°31'W

Area: (Unnamed Seamounts), Number 18 on the attached map – considered to be slightly exploited.

Coordinates: 40°35'S 17°32'W
40°18'S 16°15'W
43°04'S 15°12'W
43°20'S 16°30'W

ANNEX VIII –

Template of Header page for SC Working Documents.

Document N^o: [to be completed by the Secretariat]
Date submitted: [to be completed by the Secretariat]
Language [to be completed by the Secretariat]
Agenda

Original:
Agenda Item N^o(s):

Title:
Author(s):
Affiliation(s):
Published or accepted for publication elsewhere?
If published, give reference:

Yes No

ABSTRACT

SUMMARY OF FINDINGS AS RELATED TO NOMINATED AGENDA ITEMS

Agenda Item Findings

This paper is presented for consideration by SEAFO and may contain unpublished data, analyses, and/or conclusions subject to change. Data in this paper shall not be cited or used for purposes other than the work of the SEAFO Commission, Scientific Committee or their subsidiary bodies without the permission of the originators and/or owners of the data.

Annex 9



SOUTH EAST ATLANTIC FISHERIES ORGANIZATION

**REPORT OF THE 3rd ANNUAL MEETING OF THE
COMPLIANCE COMMITTEE, 2010**

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This document is produced in the official languages (English and Portuguese). Copies are available from the Secretariat and on the website.

1. OPENING AND WELCOME REMARKS BY THE CHAIRPERSON MR. BONNY AMUTSE

The 3rd Annual meeting of the SEAFO Compliance Committee was convened on the 12th October 2010 at Safari Hotel Windhoek , Namibia. The Chairperson opened the meeting and welcomed all participants.

2. Appointment of rapporteurs

The Chairperson appointed Messrs Malcolm Block and Mr Ruben Hamunyela both from Namibia as rapporteurs.

3. Adoption of the Agenda and meeting arrangements

The agenda was adopted with minor changes. Three agenda points were added namely (Annex 1):

- Election of the chairperson and vice chairperson of the Compliance Committee
- Recommendations of the review panel
- Scientific Committee recommendation 22 : Secretariat solicits the views of the CP on the suitable maximum limits for the total length of fixed gear/sets, soak time and vessel gear capacity

4. Introduction of parties delegations

The Chairperson requested the heads of delegations to introduce their delegates

The following heads of delegation introduced their delegates (Annex 2):

- Angola
- European Union
- Japan
- South Africa
- Norway
- Namibia
-

5. INTRODUCTION AND ADMISSION OF OBSERVERS

The chairperson recognized the presence of the observers such as:

- USA
- Fisheries Observer Agency
- FAO
- Republic of Korea
- CCAMLR

6. Executive Secretary s' report on Compliance (DOC/CC/Meeting/03/2010)

The Executive Secretary presented his report on compliance cited in the document DOC/CC/MEETING 03/2010.

Discussion on the Executive Secretary compliance report DOC/CC/MEETING/03/2010

After the presentation of the Executive Secretary s' report on compliance, the parties discussed and made some suggestions .

The EU welcomed this first SEAFO compliance report, which is a key element for the factual analysis of the fisheries in the SEAFO area and the implementation of compliance provisions by the Contracting Parties.

The EU questioned why, with the exception of Namibia, the SEAFO coastal States have not yet designated ports in accordance with the CM 09/07, nor have provided a list of their authorized vessels. On port inspection reports, the EU also stated that the only EU vessel which had fished this year in SEAFO area did not land in an EU port, and therefore no port inspection report was submitted.

The EU also expressed the view that issues on maritime safety and security should not be considered by the CC. However, SEAFO may consider the appropriateness of making available VMS messages for rescue purposes.

On the SEAFO IUU list, the EU expressed the view that SEAFO should consider the deletion of vessels from the list when a CP has evidence that any vessel on the list is no longer operational, either dismantled or scrapped.

Norway informed that there were three vessels that were provisionally put on the IUU list pending the information from other RFMO's. They further suggested that vessels can only be removed from the SEAFO list if they were removed from the NEAFC list.

South Africa inquired about the position of the SEAFO pertaining to maritime safety and security given its importance and if there was an in-principle agreement to cooperate with Maritime Safety Agencies . The EU responded that it was a shared concern, but is not a matter for the Compliance Committee but SEAFO will assist with VMS information if requested.

7. Recommendations from the Review Panel (DOC/Com/Meeting/13/2010)

Adoption of conservation and management measures

Recommendation 20: The conservation and management measures should be supported by an effective implementation regime and a robust enforcement mechanism in order for them to have the desired effect.

The CC felt that all Contracting Parties must ensure compliance with this conservation measure although it was noted that some inconsistencies existed on the current measures that needed clarification and proposed a revision to ensure that they were workable and enforceable for the next meeting.

Capacity management

Recommendation 21: The Commission should established rules that assure that the list of authorises vessels better reflects the actual capacity deployed in the Convention Area.

The CC noted that the current vessel list contains a large number of vessels that were currently fishing in the Convention Area and suggested to consider that the list of authorised vessels should be commensurate to the fishing opportunities. It also considered the possibility for Executive Secretariat to delete vessels from the list which were not active for a number of years .

Flag State Duties

Recommendation 22: SEAFO should investigate whether it's Contracting Parties comply with it's obligations as flag states and if not, takes steps to ensure that flag states provide the data required in relevant conservation measures.

The CC noted that the compliance report submitted by the Secretariat is the response to the request of the panel for the verification of compliance to the conservation measures and that this is an ongoing exercise.

Port State Measures

Recommendation 23: The panel recommends that SEAFO investigate whether contracting parties comply with their obligations as port states.

The same as 22.

Recommendation 24: The panel recommends that the implications of the FAO Agreement on Port State Measures for the current SEAFO port state measures be examined and the latter measures amended as appropriate.

The CC noted that this exercise would not be possible at this meeting and Norway volunteered to prepare a working document on this issue at the next meeting for discussion.

Monitor, Control and Surveillance

Recommendation 25: SEAFO should examine the pros and cons of implementing the provisions on observer programmes set out in Article 16(3)(c) of the Convention.

After clarification that the review panel intended to envisage a compliance observer programme, in addition to the scientific observer programme, the EU volunteered to prepare a working document on this measure for discussion at the next meeting.

Recommendation 26: The current MCS conservation measures should be merged into one single conservation measure on the MCS.

The CC agreed that all conservation measures should be combined into one single conservation measure on MCS but emphasised on the inconsistencies that were noted on the current conservation measures that needed to be revised. Due to time constraints, delegates felt that they needed time to peruse the documents before making recommendations. The members also proposed that the CC needed additional days either in advance of the next annual Commission meeting or in parallel to the annual meeting. The CC underlined the financial and administrative constraints for the Secretariat of organising separate meetings. It was also suggested that each Contracting Party scrutinised the conservation measures and make proposals for improvements to be forwarded to the Executive Secretary, who will prepare a working document and disseminate to all members in advance of the next annual Commission meeting.

Follow - up on infringements

Recommendation 27: More detailed provisions on procedures and requirements for follow – up actions to alleged infringements should be developed.

After clarification that the review panel referred to a better information on the follow up of infringements, the CC agreed to create a template for this reporting exercise. The EU volunteered to develop a draft template for discussion at the next committee meeting. The EU will provide this document to the Executive Secretary well in advance of the next annual meeting to be circulated to all CPs for consideration.

Cooperative mechanisms to Detect and Deter Non – compliance

Recommendation 28: SEAFO should adopt measures for observation to give effect article 14(3)(g) and article 16(3)(c) of the SEAFO Convention.

Norway clarified that the review panel referred to observers to be onboard vessels flying the flag of another contracting party and participate in monitoring activities. This measure is linked to 25 and will be addressed in the working document prepared by the EU to be presented at the next annual Committee meeting. The EU will provide this document the Executive Secretary well in advance of the next annual meeting to be circulated to all CPs for consideration.

Recommendation 29: SEAFO should consider amending Conservation Measure 08/06 in order to recognise IUU vessel lists of all relevant RFMO's which are probably those responsible for managing discrete high seas fish stocks, straddling fish stocks and highly migratory fish stocks.

The CC noted that SEAFO recognises IUU vessel lists established by CCAMLR, NAFO and NEAFC and suggested that SEAFO should recognise IUU vessel lists of other RFMO's, in particular ICCAT.

8. UNFSA 2010 RESUMED REVIEW CONFERENCE (DOC/CC/MEETING/04/2010)

The CC examined the relevant recommendations (a, c, e, g section III of the annex to the report) contained in this report and noted that SEAFO is doing well in relation to suggested actions by the conference.

9. FAO 2009 AGREEMENT ON PORT STATE MEASURE TO PREVENT , DETER AND ELIMINATE IUU FISHING (DOC/CC/MEETING/05/2010)

Norway informed that this topic was addressed under agenda point 7 and repeated that they reiterated to look at the implications of the port state measures in relation to current SEAFO conservation measures and will prepare a working document for discussion at the next CC meeting.

10. DISCUSSION ON THE DRAFT SEAFO SYSTEM OF OBSERVATION, INSPECTION, COMPLIANCE AND ENFORCEMENT DOC/CC/MEETING/06/2010 AND DOC/CC/MEETING/07/2010

The CC noted that the topic was covered already under point 7 and that it was suggested that all Contracting Parties should contribute to the revision of the current MCS conservation measures. Contributions should be forwarded to the SEAFO Secretariat in advance of the next annual meeting.

11. Recommendations on additional measures on Compliance

The CC noted that the topic was covered already under point 7, referring to the compliance observer programme.

12. Election of Chairperson and Vice chairperson

The Executive Secretary referred the CC to the Rules of Procedure on the election of the chairperson and vice chairperson. Namibia was unanimously re-elected as chair of the Compliance Committee for the second term. Norway was re-elected as vice chair for the second term.

13. Other matters

13.1 Scientific Committee recommendation 22 : Secretariat solicits the views of the CP on the suitable maximum limits for the total length of fixed gear/sets, soak time and vessel gear capacity

The EU informed that the CC was not responsible for setting limits on fishing gear and vessel capacities but focused on the implementation and compliance of these measures. The EU further suggested that information should be sourced from other RFMO's/FAO on problems encountered with this measure to better equip the CC to make tangible recommendations.

14. ADOPTION OF THE REPORT

After the presentation of the report, it was adopted.

15. VENUE AND DATE OF THE NEXT MEETING

To be agreed upon by the Commission

16. CLOSURE OF THE MEETING

The Chairperson expressed his satisfaction with the work done and thanked all members for their valuable contributions. He then declared the meeting closed.

Annex 1



Agenda of the 3rd Annual Meeting of the Compliance Committee Windhoek, Namibia 11 – 15 October 2010

Venue: Safari Hotel

Chair: Mr B. Amutse, Namibia
Vice Chair: Norway

1. Opening of the meeting
2. Appointment of Rapporteur
3. Adoption of the Agenda and Meeting Arrangements
4. Introduction of Parties Delegations
5. Introduction of Observers
6. Executive Secretary's Report on Compliance
7. Recommendations from the Review Panel
8. UNFSA 2010 Review Conference Outcome Document
9. FAO 2009 Agreement on Port State Measure to Prevent, Deter and Eliminate IUU Fishing
10. Discussion on the draft SEAFO System of Observation, Inspection, Compliance and Enforcement.
11. Recommendations on additional Measures of Compliance
12. Election of Chair and Vice-Chair: CC
13. Any other Matters
 - 13.1 SC recommendation 22: Secretariat solicits the views of CP's on the suitable maximum limits for the total length of fixed gear/sets, soak time and vessel gear capacity
14. Adoption of the report
15. Venue and date of next meeting
16. Closure of meeting

Annex 2

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Annex 10



REPORT OF THE 2nd ANNUAL MEETING OF THE STANDING COMMITTEE ON ADMINISTRATION
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Ms. G. D'Almeida
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1. Opening of the Meeting

The 2nd Annual Meeting of the Standing Committee on Administration and Finance was convened in Windhoek, Namibia on 13 October 2010. The Meeting was called to order by the Chair of the SCAF, Ms. G. D’Almeida. In her opening remarks, the Chairperson welcomed the delegates, in particular Japan, and expressed her wishes for a successful meeting.

2. Appointment of Rapporteur

Mr. Erich Maletzky was appointed as Rapporteur to the meeting.

3. Adoption of Agenda and Meeting Arrangements

The agenda was adopted with two additions and one deletion. Point 5 (Introduction of observers) was deleted. Points 6 (Recommendations of the Review Panel) and 11.1 (Payment for Sponges & Coral guide) under Any Other Business were added. It was noted that point 11.1 was already on the Commission agenda and queried whether it was necessary to include on the SCAF agenda. The Executive Secretary noted that the Chair of the Commission referred this agenda point to SCAF. The revised agenda was provided and shown as Annex 1 of this report.

4. Introduction of Parties’ Delegations

Six Contracting Parties namely Angola, Namibia, South Africa, EU, Norway and Japan were present at the 2010 SCAF meeting. The Head of Delegations introduced members of their respective delegations. A list of participants is provided in Annex 2.

5. Executive Secretary’s Report on Administration & Finance

The Executive Secretary presented the Administration & Finance report for 2009-2010 to date.

6. Consideration of the Executive Secretary’s Report on Administration & Finance

The following points were discussed:

It was queried whether the 1-day call account, of the 4 existing SEAFO accounts, was necessary or not since it was believed that SEAFO’s current account should suffice. The Executive Secretary responded in noting that all moneys received are paid into the 1-day call account which is then transferred to the Current account and that only funds in the Current account are used for

monthly expenses. To conclude this point it was noted that perhaps the Executive Secretary should contact the SEAFO auditors and seek advice on the 1-day call account, to which the Executive Secretary responded that this will be done as soon as possible and feedback given to the delegates.

Further enquiries were then made as to whether the South African contribution of N\$350 460 formed part of this account. The Executive Secretary responded and noted that the South Africa contribution is indeed already included in this figure.

The severity of SEAFO's financial situation was noted and calls were made for arrears to be paid as soon as possible. Appreciation was expressed for the Executive Secretary's report as it aptly informed the meeting on the Secretariat's activities & SEAFO's current financial situation.

7. Recommendations of the Review Panel

Five recommendations from the Review Panel were addressed on a point-by-point basis. It was noted by representatives of the Scientific Committee that the Scientific Committee will not require funds for 2011 with regard to Points 1 & 2 of the Review Panel's recommendations. Point 6 of the Review Panel's recommendations was deferred to the 2011 Scientific Committee meeting. With regard to Point 7 of the Review Panel's recommendation the Executive Secretary noted that an amount of N\$120 000 was estimated for the SEAFO database management issues for 2011. It was proposed that the budgetary requirements for a SEAFO database manager be added to the 2011 budget for consideration. On Point 37 of the Review Panel's recommendations the SCAF Chair noted that Contracting Parties should pay their SEAFO contributions in good time to rectify the current financial situation of the Organisation.

8. 2009 Audit Report

The Executive Secretary gave a brief presentation of the 2009 Price Waterhouse Cooper's Audit Report (Annex 3) and directed the attention of the delegates to important sections in the report. A discussion was held with regard to 2009 contribution of Angola. It was noted that there are provisions in the Convention which relate to a situation of when a Contracting Party is in arrears with contributions for more than 2 years. Angola responded by noting that the delegation was under the impression that Angola's 2008 & 2009 contributions were paid in full, that is was a serious concern to Angola as it is one of the key parties to SEAFO and that this matter will be

followed up on as soon as possible. Clarity was requested on the difference between the internet & Vessel Monitoring System (VMS) costs listed on the audit report to which the Executive Secretary responded that SEAFO has a dedicated link to the NEAFC VMS centre which is relatively expensive and that the internet costs are separate from the VMS costs as these are provided by two distinct service providers. A discussion ensued on the possibilities of linking all vessels operating within the SEAFO Convention Area with the NEAFC VMS system. This was supported by some of the delegates. Japan, however, noted that Japan is not a NEAFC Contracting Party and therefore was unable to comment on this suggestion as its delegation was uncertain of the NEAFC VMS linkage with its high-seas fleet. The Executive Secretary undertook to look further into this issue and to report back to the 2011 annual meeting.

9. Approval of the 2011 Budget and forecast budgets

The Executive Secretary gave a summary of the budget for the period 2008-2011 (Annex 4 of this report). Delegates enquired about certain votes on the 2010 budget noting that these currently show large increases. Delegates further noted that for one specific vote the Secretariat should look into electronic distribution of relevant documents, and it was suggested that these be placed on the SEAFO website well ahead of the annual meetings in order to save costs on printing & dissemination of documents during the various SEAFO management meetings. A more in-depth discussion on certain votes of the budget ensued with the Executive Secretary having to clarify various aspects of the budget on request by delegates. The delegation agreed that amendments be made to the proposed 2011 budget to reflect the current 7% inflation for all votes where this is applicable. It was agreed that a provision be included for contracting a database consultant, in line with the Performance Review recommendation. It was also agreed to include a provision for the consultancy fee for the production of the corals guide.

10. Contributions by Parties based on the adopted formula

The Executive Secretary presented the contributions of Contracting Parties in line with the formula adopted at the SCAF meeting in 2009. The Japanese delegation noted that, even though it did not participate in the development of the formula, it supported its application (Annex 5).

Any Other Matters

11.1 Payment for the Coral & Sponge Identification Guide

It was noted that SEAFO has not paid for the ID Guide as yet as the correct procedures regarding contracts and payments have not been respected, but that provision for payment has been made in the proposed 2011 budget. It was agreed that payment will be made once an invoice has been received from the consultant and confirmation of the transfer of intellectual property rights.

11.2 Rules of Procedures for SCAF

The SCAF Chair requested the delegations to familiarize themselves with the rules and procedures for SCAF (Annex 6) as these were formulated based on the Commission template and may contain some items which may not be of relevance to SCAF. Should there be a need for amendments these will only be made during the SCAF meeting next year.

12. Venue and date of the next meeting

It was agreed that the venue for the next meeting should be decided by the Commission.

13. Closure of meeting

The report was adopted and the meeting closed.

ANNEX 1



Agenda of the 2nd Meeting of the Standing Committee on Administration and Finance

1. Opening of the meeting
2. Appointment of Rapporteur
3. Adoption of Agenda and Meeting Arrangements
4. Introduction of Parties' Delegations
5. Executive Secretary's Report on Administration and Finance
6. Consideration of the Executive Secretary report
7. Recommendations of the Review Panel
8. 2009 Audit Report
9. Approval of the 2011 Budget and forecast budgets
10. Contributions by Parties based on the adopted formula
11. Any other matters
 - 11.1 Payment for the Coral and Sponge Guide
 - 11.2 Rules of Procedures for SCAF
12. Venue and date of next meeting
13. Closure of meetings

ANNEX 2

List of Participants

ANGOLA

Dielobaka NDOMBELE (Head of Delegation)
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EUROPEAN UNION

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ANNEX 3
2009 AUDIT REPORT

SOUTH EAST ATLANTIC FISHERIES ORGANISATION

ANNUAL FINANCIAL STATEMENTS

31 December 2009

SOUTH EAST ATLANTIC FISHERIES ORGANISATION
ANNUAL FINANCIAL STATEMENTS
for the year ended 31 December 2009

ORGANISATION INFORMATION

Postal address:	Box 4296 Walvis Bay Namibia
Auditors:	PricewaterhouseCoopers Namibia
Bankers:	Nedbank Namibia Limited

CONTENTS	Page
Statement of responsibilities of the Secretariat	2
Report of the independent auditors	3
Report of the Secretariat	4
Balance sheet	5
Income statement	6 -7
Statement of changes in equity	8
Cash flow statement	9
Notes to the financial statements	10-14

SOUTH EAST ATLANTIC FISHERIES ORGANISATION
STATEMENT OF RESPONSIBILITIES OF THE SECRETARIAT
for the year ended 31 December 2009

1. The Secretariat is responsible for the maintenance of adequate accounting records and the preparation and integrity of the financial statements and related information. The financial statements have been prepared on the basis of accounting set out in note 1 to the financial statements. The auditors are responsible to report on the fair presentation of the financial statements.
2. The Secretariat is also responsible for the Organisation's system of internal financial control. These are designed to provide reasonable, assurance as to the reliability of the financial statements, and to adequately safeguard, verify and maintain accountability of assets and to prevent and detect misstatements and loss. Nothing has come to the attention of the Secretariat to indicate that any material breakdown in the functioning of these controls, procedures and systems has occurred during the period under review.

The financial statements set out on pages 4 to 14 were approved and authorised for issue by the Secretariat and are signed on their behalf by:

Date

INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF THE COMMISSION OF
SOUTH EAST ATLANTIC FISHERIES ORGANISATION

We have audited the financial statements of the South East Atlantic Fisheries Organisation, which comprise the balance sheet as at 31 December 2009 and the income statement for the year ended, and a summary of significant accounting policies and other explanatory notes as set out on pages 5 to 14.

The Secretariat's Responsibility for the Financial Statements

The Secretariat is responsible for the preparation and presentation of these financial statements in accordance with the basis of accounting described in note 1 to the financial statements. This responsibility includes: determining that the basis of accounting described in note 1 to the financial statements is an acceptable basis for preparing and presenting financial statements in the circumstances; designing, implementing and maintaining internal control relevant to the preparation and presentation of financial statements that are free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with International Standards on Auditing. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements of South East Atlantic Fisheries Organisation have been prepared, in all material respects, in accordance with the basis of accounting described in Note 1 to the financial statements.

Other Matter - Restriction on Use

The financial statements of South East Atlantic Fisheries Organisation have been prepared in accordance with the basis of accounting described in note 1 to the financial statements for the purposes of the secretariat reporting to the members at the annual general meeting on the results for the year. The financial statements and our auditor's report may not be suitable for another purpose.

PricewaterhouseCoopers

REGISTERED ACCOUNTANTS AND AUDITORS
CHARTERED ACCOUNTANTS (NAMIBIA)
REGISTERS ACCOUNTANTS AND AUDITORS

Date: 8/4/2010
Walvis Bay

SOUTH EAST ATLANTIC FISHERIES ORGANISATION
REPORT OF THE SECRETARIAT
for the year ended 31 December 2009

1. The Secretariat present their annual report, which forms part of the audited financial statements of the Organisation for the period ended 31 December 2009.

General review

2. The Organisation continued to ensure the long - term conservation and sustainable utilisation of all living marine resources in the South East Atlantic Ocean, and to safeguard the environment and marine ecosystems in which these resources occur.

Events subsequent to balance sheet date

3. There have been no facts or circumstances of a material nature that have occurred between the accounting date and the date of this report.

Financial results

4. Full details of the financial results of the Organisation are disclosed in the income statement and the notes thereto.

Auditors

5. PricewaterhouseCoopers will continue in office.

SOUTH EAST ATLANTIC FISHERIES ORGANISATION
BALANCE SHEET
at 31 December 2009

	Notes	2009 N\$	2008 N\$
ASSETS			
Non-current assets			
Property, plant and equipment	2	33 207	63 714
Current assets			
Trade and other receivables	3	318 537	224 303
Cash and cash equivalents	4	<u>241 747</u>	<u>895 653</u>
Total assets		<u>593 491</u>	<u>1 183 670</u>
EQUITY AND LIABILITIES			
Capital and reserves			
Accumulated surplus		243 275	716 616
Current liabilities			
Trade and other payables	5	<u>350 216</u>	<u>467 055</u>
Total equity and liabilities		<u>593 491</u>	<u>1 183 670</u>

SOUTH EAST ATLANTIC FISHERIES ORGANISATION
INCOME STATEMENT
for the year ended 31 December 2009

	Notes	Unaudited 2009 Budget (R) N\$	2009 Actual N\$	2008 Actual N\$
Contributions received	1.6	1 598 700	1 598 700	1 598 560
Angola		319 740	319 740	355 235
European Commission		319 740	319 740	355 236
Namibia		319 740	319 740	352 926
Norway		319 740	319 740	357 545
South Africa		319 740	319 740	177 618
Less: Expenditure		3 763 926	2 197 045	2 354 443
Advertising		10 000	7 097	10 000
Auditors' remuneration		62 000	67 199	28 604
Bank charges		12 000	9 617	7 343
Computer expenses		9 000	12 669	2 044
Contingency		8 000	4 250	6 490
Consultant		80 000	66 109	--
Courier and postage		6 500	13 210	6 419
Depreciation				
Computer equipment		--	32 616	66 873
Office furniture		--	27 127	26 803
Entertainment		--	4 027	731
Insurance		15 900	10 112	11 492
Gains and losses on foreign currencies			1 011	662
Reports and translation		30 000	36 037	27 258
Meetings and conferences		200 000	219 228	196 507
Miscellaneous		7 400	--	--
Office expenses		1 800	4 002	1 260
Penalties and interest		--	3 181	41 097
Printing and stationery		6 000	11 631	366
Re-location grant		--	--	50 417
Rent				
Switchboard		7 000	5 035	4 957
Internet		67 000	62 452	59 085
Office premises		96 200	82 656	79 350
Photo copier		3 000	4 100	2 807
Salaries - Executive Secretary		1 437 893	890 405	1 196 436
Salaries - Administrative Officer			227 470	326 511
Security		5 000	1 480	1 176
Subsistence and travel allowance & accommodation		--	190 635	42 751
Travel allowance		140 000	94 743	29 226
Telephone and fax		21 000	32 460	14 778
Wages - casual		16 500	14 547	15 180
Vessel monitoring system costs		83 840	61 940	97 821

SOUTH EAST ATLANTIC FISHERIES ORGANISATION
INCOME STATEMENT
for the year ended 31 December 2009

Notes	Unaudited 2009 Budget N\$	12 Months 2009 Actual N\$	12 Months 2008 Actual N\$
Deficit for the year brought forward	(2 165 226)	(598 345)	(755 883)
Add: Other income received	108 684	111 478	
Norad donation received	--	92 349	--
Insurance claim received	--	19 129	--
Staff - PAYE	108 684	--	--
Deficit for the year	6 (2 056 542)	(486 867)	(755 883)
Add: Finance income	7 --	13 526	102 978
Interest income	--	13 526	102 978
Net deficit for the year	<u>(2 056 542)</u>	<u>(473 341)</u>	<u>(652 905)</u>

The budget figures presented above are for information purposes only and are unaudited.

SOUTH EAST ATLANTIC FISHERIES ORGANISATION
STATEMENT OF CHANGES IN EQUITY
for the year ended 31 December 2009

	2009 N\$	2008 N\$
Retained earnings		
Balance at the beginning of the years	716 616	1 369 521
Net deficit for the year ended	<u>(473 341)</u>	<u>(652 905)</u>
Balance at the end of the year	<u>243 275</u>	<u>716 616</u>

SOUTH EAST ATLANTIC FISHERIES ORGANISATION
CASH FLOW STATEMENT
for the year ended 31 December 2009

	Notes	2009 N\$	2008 N\$
Cash flow from operating activities			
Cash receipts from donors		1 710 178	1 598 560
Cash paid to suppliers and employees		<u>(2 348 374)</u>	<u>(2 199 932)</u>
Cash required by operations	9	(638 196)	(601 372)
Interest received	7	<u>13 526</u>	<u>102 978</u>
<i>Net cash flow from operating activities</i>		<u>(624 670)</u>	<u>(498 394)</u>
Net cash flow to investing activities			
Property, plant and equipment acquired	2	<u>(29 236)</u>	<u>--</u>
Net change in cash and cash equivalents		(653 906)	(498 394)
Cash and cash equivalents			
at the beginning of the year		895 653	1 394 047
at the end of the year	4	<u>241 747</u>	<u>895 653</u>

SOUTH EAST ATLANTIC FISHERIES ORGANISATION
NOTES TO THE FINANCIAL STATEMENTS
for the year ended 31 December 2009

Accounting policies

1.1 Basis of preparation

The financial statements are prepared on a historical cost basis. The following are the accounting policies used by the association, which are consistent with those of the previous year. The financial statements are not prepared in accordance with a financial reporting framework.

1.2 Property, plant and equipment

Depreciation is calculated on the straight-line method to write off the cost of each asset, to its residual value over its estimated useful life as follows:

Computer equipment	33%
Furniture and fittings	20%

Where the carrying amount of an asset is greater than its estimated recoverable amount, it is written down immediately to its recoverable amount.

Gains and losses on disposal of property, plant and equipment are determined by reference to their carrying amount and are taken into account in determining operating profit.

1.3 Trade receivables

Trade receivables are recognised initially at fair value and subsequently measured at amortised cost using the effective interest method, less provision for impairment. A provision for impairment of trade receivables is established when there is objective evidence that the organisation will not be able to collect all amounts due according to the original terms of the receivables. Significant financial difficulties of the debtor, probability that the debtor will enter bankruptcy or financial reorganisation, and default or delinquency in payments are considered indicators that the trade receivable is impaired. The amount of the provision is the difference between the carrying amount of the asset and the present value of estimated future cash flows, discounted at the original effective interest rate.

When a trade receivable is uncollectible, it is written off against the allowance account for trade receivables. Subsequent recoveries of amounts previously written off are credited to the income statement.

1.4 Cash and cash equivalents

Cash and cash equivalents are carried in the balance sheet at cost. For the purposes of the cash flow statement, cash and cash equivalents comprise cash on hand, deposits held at call with banks, and bank overdrafts. In the balance sheet, bank overdrafts are included in borrowings in current liabilities.

1.5 Trade payables

Trade payables are carried at the fair value of the consideration to be paid in future for goods or services that have been received or supplied and invoiced or formally agreed with the supplier.

SOUTH EAST ATLANTIC FISHERIES ORGANISATION
NOTES TO THE FINANCIAL STATEMENTS
for the year ended 31 December 2009

Accounting policies (continued)

1.6 Revenue recognition

Revenue comprises the fair value of contributions received, net of over and under payments.

i) Contribution received

Contributions received are recognised on the accrual basis as per the agreement with the contributor.

ii) Interest income

Interest income is recognised on a time-proportion basis using the effective interest rate method.

SOUTH EAST ATLANTIC FISHERIES ORGANISATION
NOTES TO THE FINANCIAL STATEMENTS (continued)
for the year ended 31 December 2009

Notes to the balance sheet

2.	Property, plant and equipment	Computer equipment N\$	Office Furniture N\$	Total N\$
	31 December 2009			
	Opening net book amount	30 430	33 284	63 714
	Additions	22 538	6 698	29 236
	Disposal	(28 674)	(1 350)	(30 024)
	Accumulated depreciation of assets disposed	28 674	1 350	30 024
	Depreciation charge	<u>(32 616)</u>	<u>(27 127)</u>	<u>(59 743)</u>
	Closing net book amount	<u>20 352</u>	<u>12 855</u>	<u>33 207</u>
	Cost	261 385	139 361	400 746
	Accumulated depreciation	<u>(241 033)</u>	<u>(126 506)</u>	<u>(367 539)</u>
	Net book amount	<u>20 352</u>	<u>12 855</u>	<u>33 207</u>
	31 December 2008			
	Opening net book amount	97 303	60 087	157 390
	Disposal	(12 604)	--	(12 604)
	Accumulated depreciation of assets disposed	12 604	--	12 604
	Depreciation charge	<u>(66 873)</u>	<u>(26 803)</u>	<u>(93 676)</u>
	Closing net book amount	<u>30 430</u>	<u>33 284</u>	<u>63 714</u>
	Cost	267 521	134 013	401 534
	Accumulated depreciation	<u>(237 091)</u>	<u>(100 729)</u>	<u>(337 820)</u>
	Net book amount	<u>30 430</u>	<u>33 284</u>	<u>63 714</u>
			2009 N\$	2008 N\$
3.	Trade and other receivables			
	Accrued income		300 537	224 303
	Staff loan		<u>18 000</u>	<u>--</u>
			<u>318 537</u>	<u>224 303</u>
4.	Cash and cash equivalents			
	For the purpose of the cash flow statement the year-end cash and cash equivalents comprise the following:			
	Cash and bank balances			
	Nedbank current account		34 943	292 014
	Reserve fund		202 736	589 883

SOUTH EAST ATLANTIC FISHERIES ORGANISATION
NOTES TO THE FINANCIAL STATEMENTS (continued)
for the year ended 31 December 2009

	2009 N\$	2008 N\$
4. Cash and cash equivalents (continued)		
Petty cash	343	500
Nedbank 1 Day Call account	<u>3 725</u>	<u>13 256</u>
	<u>241 747</u>	<u>895 653</u>
5. Trade and other payables		
Accruals	132 579	338 693
Prepaid contributions	117 664	128 361
Other provisions	<u>99 973</u>	<u>- -</u>
	<u>350 216</u>	<u>467 055</u>
Notes to the income statement		
6. Results from operating activities		
The following items have been charged in arriving at operating deficit for the year:		
Depreciation	59 743	93 676
Computer equipment	<u>32 616</u>	<u>66 873</u>
Office furniture	<u>27 127</u>	<u>26 803</u>
Rental under operating leases	154 243	146 198
Rent for building	<u>82 656</u>	<u>79 350</u>
Copier	4 100	2 807
Switchboard rental	5 035	4 957
Internet	<u>62 452</u>	<u>59 085</u>
7. Finance income		
32 Day call account	- -	20 248
MMI account	13 058	49 818
One Day account	<u>468</u>	<u>32 912</u>
	<u>13 526</u>	<u>102 978</u>
8. Employee benefit expense		
Salaries and wages	806 163	662 508
PAYE paid on behalf of the employees	<u>311 711</u>	<u>860 439</u>
	<u>1 117 874</u>	<u>1 522 947</u>
Notes to the cash flow statement		
9. Cash flows from operations		
Reconciliation of net operating deficit to cash generated from operations:		
Net operating deficit for the year	(473 341)	(652 905)

SOUTH EAST ATLANTIC FISHERIES ORGANISATION
NOTES TO THE FINANCIAL STATEMENTS (continued)
for the year ended 31 December 2009

	2009 N\$	2008 N\$
9. Cash flows from operations (continued)		
Adjusted for:		
Depreciation	59 743	93 676
Finance income	(13 526)	(102 978)
Changes in working capital:		
Trade and other receivables	(94 234)	(224 303)
Trade and other payables	<u>(116 839)</u>	<u>285 138</u>
Cash required by operations	<u>(638 196)</u>	<u>(601 372)</u>
10. Operating lease commitments		
The future aggregate minimum lease payments under non-cancellable operating leases are as follows:		
Up to one year	82 656	79 350
2 to 5 years	<u> --</u>	<u> --</u>
Total future minimum operating lease payments	<u>82 656</u>	<u>79 350</u>

ANNEX 4

REVIEW 2009 AND 2010 BUDGET AND BUDGET FORECAST 2011 AND 2012

Budget line	Activity description	Allocation	Revised	Exp	Allocation	Allocation	Allocation	Allocation
		2009	2009	Actual	2010	2010 Rev	2011	2012
3000/000	Accounting Fees	30000	62000	67199	30000	50000	33000	36300
3050/000	Advertising & Promotions	10000	10000	7100	10000	10000	30000	11000
3100/000	Consultant	80000	80000	66200	26000	26000	170000	0
3150/000	Performance Review				80000	210000	0	0
3200/000	Bank Charges	12000	12000	9617	12000	12000	15000	16500
3300/000	Computer Expenses	4000	4000	12669	4000	8000	8800	9680
3301/000	Software Upgrade	5000	5000	0	14200	4200	5000	5500
3302/000	Internet lease Line	62000	62000	58171	62000	62000	68200	75020
3303/000	Rent - Internet	5000	5000	4282	5000	5000	5500	6050
3304/000	VMS - Related Costs	83840	83840	61939	92224	92224	101500	111600
3310/000	Security/Alarm	1200	5000	1480	1350	1350	1450	1595
3355/000	Contingency	8000	8000	4250	8000	8000	8800	9680
3400/000	Courier & Postage	6500	6500	13210	7150	12150	8700	8700
3700/000	Miscellaneous	2400	2400	0	2650	2650	3200	3520
3850/000	Insurance	13000	15900	10112	17500	17500	10000	11000
4051/000	Reports and Translation	30000	30000	33862	33000	33000	40000	44000
4070/000	Meetings & Conferences	143000	200000	285378	220000	220000	242000	258940
4200/000	Printing & Stationery	6000	6000	11287	6600	16600	18260	20100
4300/000	Rent Paid	96200	96200	82656	105820	95820	105402	115942
4310/000	Maintenance Switchboard	7000	7000	5035	7700	7700	8500	9350
4315/000	Maintenance Copier/Fax	2550	3000	4100	3300	6600	7500	8250
4400/001	Salaries Paid Cash	916493	916493	872812	1133064	1133064	1212379	1220876
4400/001	Removal Expenses	0	0	0	0	0	0	0
4400/002	Installation grant	0	0	50417	0	0	0	0
4400/004	P.A.Y.E.	0	0	317216	0	0	0	0
4400/005	Social Security	0	0	2592	0	0	0	0
4500/000	Office expenses	1800	1800	4002	2000	2000	2200	2400
4600/000	Telephone and Fax	21000	21000	32460	23100	33100	27700	30500
4650/000	Travel – Flights	120000	140000	285378	154000	154000	187000	205700
4700/000	Wages – Casual	16500	16500	14547	18200	18200	19474	20838
4710/000	Car Allowance	18900	18900	20475	23100	23100	24717	26447
6250/010	Computer Equipment	0	0	0	0	0	22000	0
6300/000	Office Equipment	0	3000	2943	3000	13000	13000	13000
8300/000	Petty cash	5000	5000	5000	5500	5500	6420	6869
000/000	Staff costs	0	0	0	0	0	0	0
TOTAL EXPENDITURE		1707383	1826533	2346389	2110458	2282758	2405702	2289357
	SEAFO Staff PAYE	108684	0	0	0	0	0	0
	Contributions by Parties	1598699	1598699	1598699	2110458	2110458	2405702	2289357
TOTAL INCOME		1707383	1598699	1598699	2110458	2110458	2405702	2289357

ANNEX 5

**Contracting Parties Contribution for 2011 based the adopted formula
2011 Budget = N\$2,405702 and the calculation of the annual contribution of each
Contracting Party shall be on the following basis:**

- a) 30% - Equal contribution among **(All Parties) = \$721711 ÷ 6 = 120285**
(Angola, EU, Japan, Namibia, Norway and South Africa)
- b) 60% - of the budget be divided among the Parties according to their respective Gross National Income per capita as defined by World Bank
75% equal among Parties with an annual per capita GN¹ exceeding \$10,000
(Parties EU, Norway and Japan) - \$1443421 x 0.75% = \$1,082566 ÷ 3 Parties = \$360855
25% equal among Parties with annual per capita GN¹ below \$10,000
(Parties Angola, Namibia and South Africa) - \$1443421 x 0.25% = \$360855 ÷ 3 Parties = \$120285
- c) 10% - of budget divided equally among the Members having participated in fishing in one of the three previous years for fishery resources covered by the Convention **(Parties EU and Japan) - \$240570 ÷ 2 = \$120285**

ANGOLA	EUROPEAN UNION	JAPAN	NAMIBIA	NORWAY	SOUTH AFRICA
120285	120285	120285	120285	120285	120285
120285	360855	360855	120285	360855	120285
0	120285	120285	0	0	0
240570	601425	601425	240570	481140	240570

ANNEX 6



RULES OF PROCEDURE FOR THE STANDING COMMITTEE ON ADMINISTRATION AND FINANCE

PART I: REPRESENTATION

1. Each Member of the Commission shall be represented by one representative who may be accompanied by alternate representatives and advisers. However, at its discretion, the Standing Committee on Administration and Finance may restrict its deliberations to representatives/heads of delegation only, and such other persons that the Standing Committee on Administration and Finance Commission may invite.

PART II: MAKING RECOMMENDATIONS

2. The Chairperson shall put to the Standing Committee on Administration and Finance questions and proposals to be recommended to the Commission. The recommendations shall be taken according to the following provisions:

- a) Recommendations of the Standing Committee on Administration and Finance on matters of substance shall be taken by consensus. The question of whether a matter is one of substance shall be treated as a matter of substance.
- b) Recommendations on matters other than those referred to in paragraph (a) above shall be taken by a simple majority of the Members of the Standing Committee on Administration and Finance present and voting.

3. When necessary, the taking of decisions and votes on any proposal made during the period between meetings may be carried out by post or by other

means of textual communication:

- a) The Chairperson or a Member which requests the application of the procedure laid down by this Rule shall convey with the proposal a recommendation as to whether the decision should be taken in accordance with Rule 4(a) or Rule 4(b) of the Rules and Procedures of the Commission. Any disagreement on this matter shall be resolved in accordance with the provisions of Rule 4, and the following provisions.
- b) The Executive Secretary shall distribute copies of the proposal to all Members.

If the decision is to be taken in accordance with Rule 4(a) of the Commissions Rules of Procedures:

- i. Members shall immediately acknowledge receipt of the Executive Secretary's communication and respond within 60 days of the date of acknowledgment of the proposal, indicating whether they wish to support it, reject it, abstain on it, refrain from participating in the taking of the decision, or whether they require additional time to consider it, or whether they consider that it is not necessary for the decision to be taken during the period between meetings. In the latter case the Chairperson shall direct the Executive Secretary to inform all Members accordingly and the decision shall be remitted to the next meeting.

- ii. If there are no rejections and if no Member either seeks additional time or objects to the decision being taken between meetings, the Chairperson shall direct the Executive Secretary to inform all Members that the proposal has been adopted.

- iii. If the responses include a rejection of the proposal, the Chairperson shall direct the Executive Secretary to inform all Members that the proposal has been provided them with a brief description of all individual responses.

- iv. If the initial responses do not include a rejection of the proposal or an objection to the decision being taken between meetings, but a Member requests additional time to consider it, a further 30 days shall be allowed. The Executive Secretary shall inform all Members of the final date by which responses must be lodged. Members who have not responded by that date shall be deemed to be in support of the proposal. After the final date, the Chairperson shall direct the Executive Secretary to proceed in accordance with subparagraphs (ii) or (iii), as the case may be.

- v. The Executive Secretary shall distribute to each Member copies of all responses as they are received.

If the decision is to be taken in accordance with Rule 4(b) of the Commission Rules of

Procedures:

- i. Members shall immediately acknowledge receipt of the Executive Secretary's communication and respond within 60 days of the date of acknowledgment of the proposal, indicating whether they wish to support it, reject it, abstain on it or refrain from participating in the taking of the decision.
- ii. At the end of the 60-day period, the Chairperson shall count the votes and direct the Executive Secretary to inform all Members of the result.
- iii. The Executive Secretary shall distribute to each Member copies of all responses as they are received.

A proposal that has been rejected may not be reconsidered by way of postal voting until after the following meeting of the Standing Committee on Administration and Finance, but may be considered at that meeting.

4. At a meeting of the Standing Committee on Administration and Finance, unless it decides otherwise, the Standing Committee on Administration and Finance shall not discuss or take a decision on any item that has not been included in the provisional agenda for the meeting in accordance with Part IV of these Rules.

PART III: CHAIRPERSON, VICE-CHAIRPERSON AND EXECUTIVE SECRETARY

5. The Standing Committee on Administration and Finance shall elect from among its Members a Chairperson and Vice-Chairperson, each of whom shall serve for a term of two years and shall be eligible for re-election for one additional term. The first Chairperson shall, however, be elected for an initial term of three years. The Chairperson and Vice-Chairperson shall not be representatives of the same Contracting Party.

6. A person representing a Member of the Commission as its Representative who is elected as Chairperson shall cease to act as a Representative upon assuming office and, whilst holding this office, shall not act as Representative, Alternate Representative or Adviser at meeting of the Standing Committee on Administration and Finance. The Member of the Commission concerned shall appoint another person to replace the one who was hitherto its Representative.

7. The Chairperson and Vice-Chairperson shall take office at the conclusion of the meeting at which they have been elected, except for the first Chairperson and Vice-Chairperson who shall take office immediately upon their election.

8. The Chairperson shall have the following powers and responsibilities:

- a) convene the regular and extraordinary meetings of the Standing Committee on Administration and Finance;
- b) preside at each meeting of the Standing Committee on Administration and Finance;
- c) open and close each meeting of the Standing Committee on

- Administration and Finance;
- d) make rulings on points of order raised at meetings of the Standing Committee on Administration and Finance , provided that each representative retains the right to request that any such decision be submitted to the Commission for approval;
 - e) put questions and notify the Standing Committee on Administration and Finance of the results of votes;
 - f) approve a provisional Agenda for the meeting after consultation with representatives and the Executive Secretary;
 - g) sign, on behalf of the Standing Committee on Administration and Finance, the reports of each meeting for transmission to the Commission as official documents of the proceedings; and
 - h) exercise other powers and responsibilities as provided in these Rules and make such decisions and give such directions to the Executive Secretary as will ensure that the business of the Standing Committee on Administration and Finance is carried out effectively and in accordance with its decisions.

9. Whenever the Chairperson of the Standing Committee on Administration and Finance is unable to act, the Vice-Chairperson shall assume the powers and responsibilities of the Chairperson. The Vice-Chairperson shall act as Chairperson until the Chairperson resumes his or her duties. Whilst acting as Chairperson, the Vice-Chairperson will not act as Representative.

10. In the event of the office of Chairperson falling vacant due to resignation or permanent inability to act, the Vice-Chairperson shall act as Chairperson until the Standing Committee on Administration and Finance's next meeting on which occasion a new Chairperson shall be elected. Until the election of a new Chairperson, the Vice-Chairperson will not act as Representative, Alternate Representative or Adviser.

PART IV: PREPARATION FOR MEETINGS

11. The Executive Secretary shall prepare, in consultation with the Chairperson, a preliminary agenda for each meeting of the Standing Committee on Administration and Finance. He or she shall transmit this preliminary agenda to all Members of the Standing Committee on Administration and Finance Commission not less than 65 days prior to the beginning of the meeting.

12. Members of the Standing Committee on Administration and Finance proposing supplementary items for the preliminary agenda shall inform the Executive Secretary thereof no later than 45 days before the beginning of the meeting and accompany their proposal with an explanatory memorandum.

13. The Executive Secretary shall prepare, in consultation with the Chairperson, a provisional agenda for each meeting of the Standing Committee on Administration and Finance. The provisional agenda shall include:

- a) all items which the Standing Committee on Administration and Finance has previously decided to include in the provisional agenda;
- b) all items the inclusion of which is requested by any Member of the Standing Committee on Administration and Finance;

14. The Executive Secretary shall:

- a) make all necessary arrangements for meetings of the Standing Committee on Administration and Finance] Commission and its subsidiary bodies;
- c) take all the necessary steps to carry out the instructions and directions given to him by the Chairperson

15. The Executive Secretary shall transmit to all Members of the Standing Committee on Administration and Finance , not less than one month in advance of the Standing Committee on Administration and Finance meeting, the provisional agenda and explanatory memoranda or reports related thereto.

PART V: CONDUCT OF BUSINESS AT MEETINGS

16. The Chairperson shall exercise his or her powers of office in accordance with customary practice. He/she shall ensure the observance of the Rules of Procedure and the maintenance of proper order. The Chairperson, in the exercise of his or her functions shall remain under the authority of the meeting.

17. The Chairperson or Vice-Chairperson of the Standing Committee of Administration and Finance and of the Scientific Committee may attend all meetings of the Standing Committee on Administration and Finance. They shall be entitled to present the report of the Standing Committee on Administration and Finance and the Scientific Committee to the Commission and to address the Commission with regard to it.

18. No representative may address the meeting without having previously obtained the permission of the Chairperson. The Chairperson shall call upon speakers in the order in which they signify their desire to speak. The Chairperson may call a speaker to order if his or her remarks are not relevant to the subject under discussion.

19. Proposals and amendments shall normally be submitted in writing to the Executive Secretary, who shall circulate copies to all delegations. As a general rule, no proposal shall be discussed or put to the vote at any meeting of the Standing Committee on Administration and Finance unless copies have been distributed to all delegations in a reasonable time in advance. The Chairperson may, however, permit the discussion and consideration of proposals even though such proposals have not been circulated.

20. As a general rule proposals which have been rejected may not be

reconsidered until the next meeting of the Standing Committee on Administration and Finance.

21. A representative may at any time make a point of order and the point of order shall be decided immediately by the Chairperson in accordance with the Rules of Procedure. A representative may appeal against the ruling of the Chairperson. The appeal shall be put to a vote immediately and the Chairperson's ruling shall stand if upheld by a majority of the representatives present and voting. A representative making a point of order shall not speak on the substance of the matter under discussion.

22. A representative may at any time move the suspension or the adjournment of the session. Such motions shall not be debated, but shall be put to the vote immediately. The Chairperson may limit the time to be allowed to each speaker putting such a motion.

23. A representative may at any time move the adjournment of the debate on the item under discussion. In addition to the proposer of the motion, two representatives may speak in favour of, and two against the motion, after which the motion shall be put to the vote immediately. The Chairperson may limit the time to be allowed to speakers.

24. A representative may at any time move the closure of the debate on the item under discussion. In addition to the proposer of the motion, two representatives may speak against the motion, after which the motion shall be put to the vote immediately. If the meeting is in favour of the closure, the Chairperson shall declare the closure of the debate and a decision shall be taken immediately on the item under discussion. The Chairperson may limit the time to be allowed to speakers under this rule.

25. Subject to Rule 27 the following motions shall have precedence in the following order over all other proposals or motions before the session:

- a) to suspend the session;
- b) to adjourn the session;
- c) to adjourn the debate on the item under discussion;
- d) or the closure of the debate on the item under discussion.

26. With the exception of recording devices for use by the Secretariat, the use of film, video, sound and any other media devices to record meeting proceedings shall be prohibited for all participants in Standing Committee on Administration and Finance meetings.

PART VI: OBSERVERS

27. The Executive Secretary may, when preparing with the Chairperson the preliminary agenda for a meeting of the Standing Committee on Administration and Finance, draw to the attention of Members of the Standing Committee on

Administration and Finance his or her view that the work of the Standing Committee on Administration and Finance would be facilitated by the attendance at its next meeting of an observer referred to in Rule 33 (Commission Rules of Procedures), an invitation to which was not considered at the previous meeting. The Executive Secretary shall so inform Members of the Standing Committee on Administration and Finance when transmitting to them the preliminary agenda under Rule 17 (Commission Rules of Procedures). The Chairperson shall request the Standing Committee on Administration and Finance to take a decision on the Executive Secretary's suggestion in accordance with Rule 7 (Commission Rules of Procedures), and the Executive Secretary shall so inform Members of the Standing Committee on Administration and Finance when transmitting to them the provisional agenda under Rule 19.

28. Observers may be present at public and private sessions of the Standing Committee on Administration and Finance . If a Member of the Standing Committee on Administration and Finance so requests, sessions of the Standing Committee on Administration and Finance at which a particular agenda item is under consideration shall be restricted to its Members and Observers referred to in Rule 33(a) and Rule 33(b) (Commission Rules of Procedures). With respect to any session so restricted, the Standing Committee on Administration and Finance may also agree to invite Observers referred to in Rule 33(c) (Commission Rules of Procedures).

29. The Chairperson may invite observers to address the Standing Committee on Administration and Finance unless a Member of the Standing Committee on Administration and Finance objects. Observers are not entitled to participate in the taking of de

30. Observers may submit documents to the Secretariat for distribution to Members of the Standing Committee on Administration and Finance as information documents. Such documents shall be relevant to matters under consideration in the Standing Committee on Administration and Finance. Unless a Member or Members of the Standing Committee on Administration and Finance otherwise such documents shall be available only in the language or languages and in the quantities in which they were submitted. Such documents shall only be considered as [Standing Committee on Administration and Finance Commission documents if so decided by the Standing Committee on Administration and Finance

PART VII: LANGUAGES

31. The official and working languages of the Standing Committee on Administration and Finance shall be English and Portuguese.

PART VIII: REPORTS AND NOTIFICATIONS

32. Reports of meetings of the Standing Committee on Administration and Finance shall be prepared by the Executive Secretary in conjunction with the Chairperson of

the Standing Committee on Administration and Finance. A draft report of such meetings shall be considered by the Standing Committee on Administration and Finance before it is adopted at the end of the meeting. The Chairperson of the Standing Committee on Administration and Finance shall present the report to the plenary during the Commission meetings.

Annex 11

REVIEW 2009 AND 2010 BUDGET AND BUDGET FORECAST 2011 AND 2012

Budget line	Activity description	Allocation	Revised	Exp	Allocation	Allocation	Allocation	Allocation
		2009	2009	Actual	2010	2010 Rev	2011	2012
3000/000	Accounting Fees	30000	62000	67199	30000	50000	33000	36300
3050/000	Advertising & Promotions	10000	10000	7100	10000	10000	30000	11000
3100/000	Consultant	80000	80000	66200	26000	26000	170000	0
3150/000	Performance Review				80000	210000	0	0
3200/000	Bank Charges	12000	12000	9617	12000	12000	15000	16500
3300/000	Computer Expenses	4000	4000	12669	4000	8000	8800	9680
3301/000	Software Upgrade	5000	5000	0	14200	4200	5000	5500
3302/000	Internet lease Line	62000	62000	58171	62000	62000	68200	75020
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3400/000	Courier & Postage	6500	6500	13210	7150	12150	8700	8700
3700/000	Miscellaneous	2400	2400	0	2650	2650	3200	3520
3850/000	Insurance	13000	15900	10112	17500	17500	10000	11000
4051/000	Reports and Translation	30000	30000	33862	33000	33000	40000	44000
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4400/002	Installation grant	0	0	50417	0	0	0	0
4400/004	P.A.Y.E.	0	0	317216	0	0	0	0
4400/005	Social Security	0	0	2592	0	0	0	0
4500/000	Office expenses	1800	1800	4002	2000	2000	2200	2400
4600/000	Telephone and Fax	21000	21000	32460	23100	33100	27700	30500
4650/000	Travel – Flights	120000	140000	285378	154000	154000	187000	205700
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4710/000	Car Allowance	18900	18900	20475	23100	23100	24717	26447
6250/010	Computer Equipment	0	0	0	0	0	22000	0
6300/000	Office Equipment	0	3000	2943	3000	13000	13000	13000
8300/000	Petty cash	5000	5000	5000	5500	5500	6420	6869
000/000	Staff costs	0	0	0	0	0	0	0
TOTAL EXPENDITURE		1707383	1826533	2346389	2110458	2282758	2405702	2289357
	SEAFO Staff PAYE	108684	0	0	0	0	0	0
	Contributions by Parties	1598699	1598699	1598699	2110458	2110458	2405702	2289357
TOTAL INCOME		1707383	1598699	1598699	2110458	2110458	2405702	2289357

ANNEX 12

**Contracting Parties Contribution for 2011 based the adopted formula
2011 Budget = N\$2,405702 and the calculation of the annual contribution of each
Contracting Party shall be on the following basis:**

- a) 30% - Equal contribution among **(All Parties) = \$721711 ÷ 6 = 120285**
(Angola, EU, Japan, Namibia, Norway and South Africa)
- b) 60% - of the budget be divided among the Parties according to their respective Gross National Income per capita as defined by World Bank
75% equal among Parties with an annual per capita GN¹ exceeding \$10,000
(Parties EU, Norway and Japan) - \$1443421 x 0.75% = \$1,082566 ÷ 3 Parties = \$360855
25% equal among Parties with annual per capita GN¹ below \$10,000
(Parties Angola, Namibia and South Africa) - \$1443421 x 0.25% = \$360855 ÷ 3 Parties = \$120285
- c) 10% - of budget divided equally among the Members having participated in fishing in one of the three previous years for fishery resources covered by the Convention **(Parties EU and Japan) - \$240570 ÷ 2 = \$120285**

ANGOLA	EUROPEAN UNION	JAPAN	NAMIBIA	NORWAY	SOUTH AFRICA
120285	120285	120285	120285	120285	120285
120285	360855	360855	120285	360855	120285
0	120285	120285	0	0	0
240570	601425	601425	240570	481140	240570