

UPDATE ON PROGRESS REGARDING RESOLUTION 09/01 – *ON THE PERFORMANCE REVIEW FOLLOW-UP*

PREPARED BY: IOTC SECRETARIAT AND COMMITTEE CHAIRS, 29 APRIL AND 31 MAY 2014

PURPOSE

To provide the Commission with an opportunity to review and update the current status of implementation for each of the recommendations arising from the Report of the IOTC Performance Review Panel.

BACKGROUND

In response to calls from the international community for a review of the performance of Regional Fisheries Management Organisations (RFMOs), the Indian Ocean Tuna Commission (IOTC) agreed in 2007 to implement a process of Performance Review. The IOTC formed a Review Panel, consisting of an independent legal expert, an independent scientific expert, six IOTC Members and a non-governmental organisations observer, which concluded its report to the Commission in January 2009. The Panel's review was based on the criteria developed as a result of a joint meeting of tuna RFMOs, Kobe, Japan, 2007 and concentrated on the following issues:

- Adequacy of the Agreement for the Establishment of the Indian Ocean Tuna Commission (IOTC Agreement) relative to current principles of fisheries management,
- Consistency between scientific advice and conservation and management measures adopted,
- Effectiveness of control measures established by the IOTC; and
- Efficiency and transparency of financial and administrative management.

In 2009, the IOTC performance review panel published a report outlining 75 recommendations to improve the functioning of the IOTC ([Anon 2009](#)).

DISCUSSION

At the 17th Session of the Commission held in May 2013, Members noted the status of implementation of each of the recommendations arising from the report of the performance review panel. The Commission agreed that each of the Committees should carry out a comprehensive evaluation of the status and priority of each of the recommendations from the Performance Review, and for a revised document to be provided to the Commission at its next Session. The Recommendations are provided at [Appendix A](#) for consideration.

The task was completed by the Scientific Committee in December 2013 (included in [Appendix A](#)) and will be undertaken by the Compliance Committee and the Standing Committee on Administration and Finance at their 11th Sessions in 2014. A revised version of the update table, provided at [Appendix A](#), will be made available during the Commission meeting.

RECOMMENDATION/S

That the Commission **NOTE** the status of each of the recommendations from the performance review, including the proposed work plans, timelines and priorities.

APPENDICES

[Appendix A](#): Update on progress regarding Resolution 09/01 – On the performance review follow-up.

APPENDIX A
UPDATE ON PROGRESS REGARDING RESOLUTION 09/01 – ON THE PERFORMANCE REVIEW FOLLOW-UP
(NOTE: NUMBERING AND RECOMMENDATIONS AS PER APPENDIX I OF RESOLUTION 09/01)

| ON THE IOTC AGREEMENT – REFORM | RESPONSIBILITY | UPDATE/STATUS | WORKPLAN/ TIMELINE | PRIORITY |
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| 0. The IOTC Agreement needs to be revised or replaced to: 1) allow the full participation of all fishing players, 2) take into account modern principles for fisheries management. | <i>Commission</i> | Pending : No new developments have taken place in this area. | | High |
| ON THE IOTC AGREEMENT – A LEGAL ANALYSIS | RESPONSIBILITY | UPDATE/STATUS | WORKPLAN/ TIMELINE | PRIORITY |
| 1. The final conclusion of the Panel is that the Agreement is outdated and there are many areas for improvement. The weaknesses and gaps identified are, or have a potential to be, major impediments to the effective and efficient functioning of the Commission and its ability to adopt and implement measures aimed at long-term conservation and sustainable exploitation of stocks, according to model fisheries management instruments. More fundamentally, these deficiencies are likely to prevent the Commission from achieving its basic objectives. | <i>Commission and Members</i> | Pending : No new developments have taken place in this area. | | High |
| 2. Consequently, the Panel recommends that the IOTC Agreement either be amended or replaced by a new instrument. The decision on whether to amend the Agreement or replace it should be made taking into account the full suite of the deficiencies identified. | <i>Commission and Members</i> | Pending : No new developments have taken place in this area. | | High |
| ON CONSERVATION AND MANAGEMENT | RESPONSIBILITY | UPDATE/STATUS | WORKPLAN/TIMELINE | PRIORITY |
| Data collection and sharing | | | | |
| <i>The Panel identified a poor level of compliance by many IOTC Members. with their obligations, notably those related to the statistical requirements on artisanal fisheries and sharks, and recommends that:</i> | | | | |

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| 3. The timing of data reporting be modified to ensure that the most recent data are available to the working parties and the Scientific Committee. | <i>Scientific Committee</i> | Completed: Currently CPCs are required to submit information on their flag vessels by 30 th June every year. The timeline for coastal CPCs who license foreign vessels has been brought forward to 15 th February every year. The timing of the Working Parties will be reviewed annually to ensure that assessments can be completed and results reported to the Scientific Committee each year. | Review annually at IOTC WP and SC meetings. | Medium |
| 4. The deadline to provide data on active vessels be modified to a reasonable time in advance of the meeting of the Compliance Committee. This deadline is to be defined by the Compliance Committee. | <i>Compliance Committee</i> | Completed: Resolutions 10/07 and 10/08 have modified the reporting date for active vessels, which is now in the month preceding the meeting of the Compliance Committee. Resolution 10/08 establishes February 15 th as the new deadline for submission of the list of active vessels for the previous year. | Periodic review of Resolutions. | Low |
| 5. The scheduling of meetings of the working parties and Scientific Committee be investigated based on the experience of other RFMOs. This should bear in mind the optimal delivery of scientific advice to the Commission. | <i>Scientific Committee</i> | Completed: Given the large number of meetings of other RFMOs, it is becoming increasingly difficult to find a schedule of meetings that would be better than the one currently in practice. However, the Working Parties and the Scientific Committee will annually review the timing of the Working Parties. | Review annually at IOTC WP and SC meetings. | Low |
| 6. The Commission task the Scientific Committee with exploring alternative means of communicating data to improve timeliness of data provision. | <i>Scientific Committee</i> | Partially Completed & Ongoing: The Secretariat encourages members to utilise electronic means to expedite reporting. A study was commissioned for 2011 to determine the feasibility of reporting near real-time for various fleets. Outcome: Real time reporting not currently possible for most CPCs. | Review annually at IOTC WP and SC meetings. | Medium |
| 7. Non-compliance be adequately monitored and identified at individual Member level, including data reporting. | <i>Compliance Committee</i> | Ongoing: Resolution 10/09 has partially been developed for this purpose. Reports on compliance with data reporting requirements have been regularly reviewed by the Compliance Committee, as well as discussed at the species Working Parties, the Working Party on Data Collection and Statistics and the Scientific Committee. For the Compliance Committee meetings, country-based reports have been prepared for this purpose since the 2011 meeting. A first implementation of this approach took place in the Compliance Committee meeting 2011 (Colombo, Sri Lanka) There remains a need to setup a scheme of penalties and incentives. | Annual review at Compliance Committee meeting | High |

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| 8. The causes of non-compliance be identified in cooperation with the Member concerned. | <i>Compliance Committee</i> | <p>Ongoing: The Terms of Reference of the Compliance Committee was revised in 2010 (Resolution 10/09) and provides for the assessment of compliance by CPCs. The Secretariat, via the Compliance Section, maintains contact with national officers to determine the reasons for non-compliance, in particular, concerning data reporting.</p> <p>The identification of non-compliance causes started with the country based approach (Compliance Committee meeting 2011 – Colombo, Sri Lanka).</p> <p>Starting in 2013 the Compliance Section has begun conducting Compliance Support Missions (CSM). Sri Lanka and Indonesia have already benefitted from this initiative.</p> <p>During the intersessional period, staff of the Secretariat have conducted CSMs in Madagascar, Mozambique, Tanzania, Oman, Mauritius and Kenya, where a Compliance Action Plan have been developed with these CPCs.</p> <p>The Capacity Building activities planned for 2014/15 are detailed in the annual Programme of work and budget for the Secretariat. Refer: IOTC-2014-SCAF11-05</p> | Review annually at the Compliance Committee meeting | High |
| 9. When the causes of non-compliance are identified and all reasonable efforts to improve the situation are exhausted, any Member or non-Member continuing to not-comply be adequately sanctioned (such as market related measures). | <i>Compliance Committee</i> | <p>Pending: Resolution 10/10 provides the necessary framework in which to apply market related measures, following an appropriate process. Reductions in future quota allocation have been proposed as deterrents for non-compliance. Process still to be implemented</p> | Review annually at the Compliance Committee meeting | High |
| 10. There is a need to improve the quality and quantity of the data collected and reported by the Members, including the information necessary for implementing the ecosystem approach. The most immediate emphasis should be placed on catch, effort and size frequency. The Panel also recommends that: | <i>Scientific Committee</i> | <p>Ongoing: See below recommendation 11.</p> <p>Other sources and cooperative arrangements will continue (e.g. IOTC-OFCF Project) or might be available in the future (e.g. SWIOFC, COI, etc.). The Secretariat continues to collaborate with these initiatives.</p> | | High |

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| 11. Support for capacity building be provided to developing States – the Commission should enhance funding mechanisms to build developing country CPCs' capacity for data collection, processing and reporting infrastructures, in accordance with the Commission requirements. | <i>Standing Committee on Administration and Finance</i> | <p>Ongoing: In 2010 The Commission allocated USD\$400,000 for a range of projects related to capacity building in data collection and reporting.</p> <p>The Commission allocated USD\$60,000 for Capacity Building in the 2011 budget, USD\$78,000 in 2012 and US\$80,000 in 2013. Further increases have been proposed for the 2014 and 2015 budgets.</p> <p>One workshop was organized in 2011, in Chennai, India involving representatives of several CPCs.</p> <p>Other sources and cooperative arrangements will continue (e.g. IOTC-OFCF Project; CPCs) or might be available in the future</p> | Review annually at IOTC meetings. | High |
| 12. A regional scientific observer programme to enhance data collection (also for non–target species) and ensure a unified approach be established, building on the experience of other RFMOs, Regional standards on data collection, data exchanged and training should be developed. | <i>Scientific Committee</i> | Partially completed: Resolution 11/04 (superseding Res.09/04 and Res. 10/04) provides CPCs with the necessary framework for putting in place national scientific observer programmes. The Regional Observers Scheme commenced July 1 st 2010, and is based on national implementation. The Secretariat coordinated the preparation of standards for data requirements, training and forms. Implementation by CPCs has been limited to date. | Review annually at IOTC WP and SC meetings. | High |
| 13. Actions be taken so that fishing fleets, especially Maldives, Taiwan, Province of China and Yemen participate in data collection and reporting. | <i>Commission</i> | Partially Completed & Ongoing: Maldives became a Member in July 2011 and is complying with its mandatory data requirements. Taiwan, Province of China, submits data from its fishing fleet on a regular basis and complies with most of the IOTC mandatory data requirements. The Yemen became a Member in July 2012. | | |
| 14. A relationship with Taiwan, Province of China be developed in order to have data access when needed, to all its fleet data as well as historical series, and address the problems deriving from the current legal framework. | <i>Commission and Members</i> | Partially Completed & Ongoing: Taiwan, Province of China, provides data from its fishing fleet on a regular basis and routinely allows access to historical data. It also continues to participate in the Regional Observer Programme to monitor transshipment at sea. | | High |
| 15. The Secretariat's capacity for data dissemination and quality assurance be enhanced, including through the employment of a fisheries statistician. | <i>Standing Committee on Administration and Finance via Scientific Committee Commission</i> | <p>Partially Completed & Ongoing: The existing post of Data Analyst was converted to a Fisheries Statistician to join the Data Section of the Secretariat. The position was filled in September 2012.</p> <p>Further efforts continue to be made to improve data dissemination, including through an online data atlas, planned for 2014/15.</p> | Staffing needs to be assessed annually at IOTC meetings. | Medium |

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| 16. A statistical working party be established to provide a more efficient way to identify and solve the technical statistical questions. | <i>Scientific Committee</i> | Completed: The Working Party on Data Collection and Statistics resumed its annual meeting in 2009, 2010 and 2011. However, no meeting is being scheduled for 2012 as the SC felt that this WP meeting should only be held when there are specific tasks to be considered. | Annual meeting. | High |
| 17. The obligation incumbent to a flag State to report data for its vessels be included in a separate Resolution from the obligation incumbent on Members to report data on the vessels of third countries they licence to fish in their exclusive economic zones (EEZs). | <i>Compliance Committee</i> | Completed: Resolutions 12/07 (formerly 10/07) and 10/08 address the reporting requirements of flag and coastal States responsibilities, with regards to vessels that are active in the IOTC Area. | Review annually at the Compliance Committee meetings | Medium |
| <i>In relation to non–target species, the panel recommends that:</i> 18. The list of shark species for which data collection is required in Recommendation 08/04 be expanded to include the five species identified by the Scientific Committee (blue shark, shortfin mako, silky shark, scalloped hammerhead, oceanic whitetip), and apply to all gear types. | <i>Commission</i> | Partially Completed & Ongoing: The Commission meetings in 2012 and 2013 considered several proposals in this regard, and Resolution 12/03 was subsequently adopted and then revised in 2013 as Resolution 13/03. The Scientific Committee has identified several remaining gaps which will be considered at the S18 meeting. | The Commission to revisit in 2014, taking into account the SC recommendations. | Medium |
| 19. The Secretariat's capacity to provide support to developing States' Members should be enhanced. | <i>Commission and Standing Committee on Administration and Finance</i> | Ongoing: Resolution 10/05 provides a mechanism for financial support to facilitate scientists and representatives from developing IOTC CPCs to attend and/or contribute to the work of the Commission, the Scientific Committee and its Working Parties. In 2012, 2013 and 2014, capacity building funds were provided and utilized in workshops to enhance understanding of the IOTC process among officials of member countries. The Secretariat has also collaborated directly and indirectly with other regional initiatives, including, inter alia, to the EU, BOBLME, OFCF, SWIOFC and SWIOFP, ACP Fish II and COI. | Review annually at IOTC meetings. | High |
| 20. Cooperative capacity building efforts amongst Members and, as appropriate external organisations, should be encouraged. | <i>Members and Secretariat</i> | Ongoing: In November 2011, the first of a series of Capacity Building workshops was held in Chennai, India (17–18 November). The theme was 'Bridging the gap between IOTC science and management'. See also Recommendations 13 and 21. Support was received from the ACP Fish II Project for other workshops in 2012. Further workshops are planned for 2014 in Phuket, Thailand and other localities. | Seek opportunities through other regional projects, and funding directly from CPCs. | High |

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| 21. Innovative or alternative means of data collection (e.g. port sampling) should be explored and, as appropriate, implemented. | <i>Scientific Committee</i> | <p>Ongoing: The Secretariat has been implementing sampling programmes since 1999. The IOTC–OFCF Programme has supported sampling programmes and other means of data collection since 2002. In 2011, the SC recommended the continuation of the IOTC–OFCF project.</p> <p>The Secretariat continues to work with CPCs to improve their data collection programs.</p> | Review annually at IOTC WP and SC meetings. | Medium |
| 22. Avenues to collect data from non–Members should be explored. | <i>Secretariat</i> | <p>Ongoing: The activities of the IOTC–OFCF Project have not been limited to IOTC Members, and, in the past, have extended to important non–member fishing countries such as Yemen (now a Member).</p> <p>Participation at IOTC Working Party meetings by scientists from non-IOTC CPCs has been and will continue to be encouraged.</p> | Review annually at IOTC WP and SC meetings. | Medium |
| Quality and provision of scientific advice | | | | |
| 23. For species with little data available, the Scientific Committee should be tasked with making use of more qualitative scientific methods that are less data intensive. | <i>Scientific Committee</i> | <p>In progress: The species Working Parties have been using informal analyses of stock status indicators when data are considered insufficient to conduct full assessments for some time. However, a formal system that reviews those qualitative indicators and provides a recommendation on the current status, based on the weight–of–evidence is currently being developed.</p> <p>In 2013, data poor approaches to determining stock status was applied to a range of marlin and neritic tunas species. This resulted in a stock status being applied to striped marlin, blue marlin and longtail tuna for the first time.</p> | <p>To be considered at the WPM and others.</p> <p>Review annually at IOTC WP and SC meetings.</p> | High |
| 24. More emphasis should be given to adherence to data collection requirements. | <i>Compliance Committee</i> | <p>Ongoing: The Working Party on Data Collection and Statistics and the species Working Parties evaluate the availability and quality of data, and make recommendations to the Scientific Committee on how to improve data quality. The country-based compliance report submitted to the Compliance Committee provides information on the timeliness and completeness of the reporting of data required by the various Resolutions of the Commission.</p> <p>A Regional Workshop was conducted in February 2014 to address the issue data reporting, for compliance with IOTC requirements. A conclusion from the Regional Workshop is that the Secretariat will need to conduct in country missions in several of the Member States.</p> | Review annually at the Compliance Committee meeting. | High |

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| 25. Confidentiality provisions and issues of accessibility to data by the scientists concerned needs to be clearly delineated, and/or amended, so that analysis can be replicated. | <i>Scientific Committee</i> | Ongoing: Input, output and executable files for the assessment of major stocks are archived with the Secretariat to allow replication of analyses. Access to operational data under cooperative arrangements, and those subject to confidentiality rules is still limited. In some cases the Secretariat is bound by the domestic data confidentiality rules of Members and Cooperating Non-Contracting Parties. The SC recommended to include observer data under the confidentiality policy of IOTC, which was Adopted by the Commission in 2012 as Resolution 12/02. | Review annually at IOTC WP and SC meetings. | Medium |
| 26. The resources of the IOTC Secretariat should be increased. Even though some progress will be made with recruitment of the stock analysis expert, some additional professional staffing is required. | <i>Standing Committee on Administration and Finance on advice from Committees and the Commission</i> | Ongoing: The Secretariat will propose a budget for 2014 and 2015 that includes additional resources for projects requested by the Scientific Committee and Commission. | Review annually at IOTC meetings. | High |
| 27. To enhance the quality of scientific advice and the technical soundness of the papers being considered by the Scientific Committee and its working parties, and to encourage publication of IOTC scientific papers in relevant journals, future consideration should be given to the establishment of a scientific editorial board within the Scientific Committee | <i>Scientific Committee</i> | Partially Completed & Ongoing: Guidelines for the presentation of stock assessment papers were revised and agreed to by the Scientific Committee in 2010 and 2012. The SC actively encourages national scientists to publish in peer reviewed journals, as is the case following the Tuna tagging Symposium held in 2012. | Review annually at IOTC WP and SC meetings. | Medium |
| 28. An online IOTC Data Summary should be established | <i>Secretariat</i> | Pending: Budgetary provisions to be renewed for 2014/15. | Review at SCAF meeting. | Medium |
| 29. Ongoing peer review by external experts should be incorporated as standard business practice of working parties and the Scientific Committee. | <i>Scientific Committee</i> | Pending: External experts (Invited Experts) are regularly invited to provide additional expertise at Working Party meetings, although this does not constitute a formal process of peer review. The Scientific Committee in 2010 and 2011, agreed that once stock assessment models were considered robust, that peer review would be advantageous and funds will be requested to undertake peer reviews of stock assessments. The Scientific Committee reviewed the processes for Invited Experts, Consultants and Peer review at its 14 th Session in 2011. | Review annually at IOTC WP and SC meetings. | Medium |

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| 30. New guidelines for the presentation of more user friendly scientific reports in terms of stock assessments should be developed. In this respect, Kobe plots are considered to be the most desirable method of graphical presentation, especially to non-technical audience. | <i>Scientific Committee</i> | Partially completed & Ongoing: All recent stock assessment results have been presented using the Kobe plot, and the species Working Parties are progressing in presenting the Kobe matrix. The 2010, 2011 and 2012 Scientific Committee reports included Kobe Matrices for stock assessments where available. The format of the Working Party reports and the resultant Executive Summaries continues to be refined to improve readability and content. | Review annually at IOTC WP and SC meetings. | Medium |
| 31. A special fund to support the participation of scientists from developing States should be established. | <i>Standing Committee on Administration and Finance</i> | Partially completed: A Meeting Participation Fund was established via Resolution 10/05. The Resolution provides a funding mechanism to facilitate scientists and other representatives from developing IOTC CPCs to attend and/or contribute to the work of the Commission, the Scientific Committee and its Working Parties. The fund is financed, initially, by accumulated funds, with no provisions for long-term support yet agreed. The fund was replenished to USD\$200,000 at S17 from accumulated funds. An ongoing process of replenishment of this fund needs to be developed and a proposal to continue the IOTC Meeting Participation Fund will be consider during the S18 Session. | Review annually at IOTC SCAF and Commission meetings. A procedure for supplying funds to the MPF should be developed and presented at S18. | High |
| 32. The Commission should renew efforts to convene meetings of the Working Party on Neritic Tunas | <i>Commission</i> | Completed: The first Session of the WPNT took place in India, 14–16 November 2011. The 4 th Session will be held in Phuket, Thailand in June/July 2014. | Annual meeting. | High |
| Adoption of conservation and management measures | | | | |
| 33. As the IOTC has faced the management of the main targeted stock under its purview only through a regulation of the fishing effort; other approaches should be explored, such as those envisioned in Resolution 05/01, including catch limits, total allowable catch (TAC) or total allowable effort (TAE). | <i>Commission</i> | In progress: Resolution 10/01, superseded by Resolution 12/13 provides the starting point in the process of moving towards a total allowable catch limit. The first meeting of the Technical Meeting on Allocation Criteria was held in Nairobi, Kenya from 16–18 February 2011 and the Second meeting was held in Muscat, Oman from 18–20 February, 2013. The Commission will consider next steps at its 18 th Session. | Annual meeting. | Very High |
| 34. Within the system of the freezing of fishing effort in terms of number of vessels and correspondent capacity in gross tonnage, a deadline should be agreed for the implementation of fleet development plans. | <i>Commission</i> | Completed: Some CPCs have cited the global financial crisis as the reason for their inability to implement their fleet development plan and have therefore signalled to the Commission that their plan will be revised. A deadline of 31 st December, 2010, was set for submission of all revised or new fleet development plans. | Review annually at the CoC and Commission meeting. | Low/Medium |

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| 35. IOTC should consider developing a framework to take action in the face of uncertainty in scientific advice. | <i>Scientific Committee and Commission</i> | In progress: The Scientific Committee has agreed that the development of a Management Strategy Evaluation process be initiated to provide better advice that would incorporate explicit consideration of uncertainty. The 2012 meeting of the Working Party on Methods focused on this process. A smaller group of experts met twice in 2013 to advance this work, once in April and again in October. | Intersessional start of the MSE process by correspondence, as of Jan.2012 Progress at WPM annual meeting. | High |
| 36. IOTC should use the full range of decision making processes available to it under the Agreement. | <i>Commission</i> | Ongoing: For the first time in its history of adopting Conservation and Management Measures, the Commission took a vote on a proposed resolution during its 14 th Annual Session. | Annual meeting. | High |
| 37. The IOTC Agreement needs to be amended or replaced in order to incorporate modern fisheries management principles, such as the precautionary approach. | <i>Commission and Members</i> | Partially Completed & Ongoing. The Commission adopted Resolution 12/01 <i>on the implementation of the precautionary approach</i> . | – | High |
| 38. Pending the amendment or replacement of the Agreement, the Commission should implement the precautionary approach as set forth in the UNFSA. | <i>Commission</i> | Pending: see also Recommendations 35 and 37. | For consideration at S17. | High |
| 39. Measures to regulate shark fisheries should be considered by the Commission. | <i>Commission</i> | In progress: Resolution 05/05 provides the framework for combating the practice of shark finning and Resolution 12/09 is aimed at the conservation of sharks of the family Alopiidae. A number of proposals will be revisited at the S18. | For consideration at S18. | High |
| 40. There is a need to develop and take into account modern principles for fisheries management, including ecosystem based approach, protection of marine biodiversity and reducing the harmful impacts of fishing on marine environment. | <i>Commission and Members</i> | Ongoing: Resolutions 10/06, 12/06, 12/04, 12/12, 13/04 and 13/05, are all aimed at encouraging fishing practices that protect marine biodiversity and reducing the harmful impacts of fishing on the marine environment or on species that are incidentally caught in association with IOTC species. | For further consideration at S18. | Medium |
| 41. These concepts should be integrated in the IOTC Agreement. | <i>Commission and Members</i> | Pending. See Recommendations 1 and 2 above. | | High |

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| Capacity management | | | | |
| 42. IOTC should establish a stronger policy on fishing capacity to prevent or eliminate excess fishing capacity. | <i>Working Party on Fishing Capacity</i> <i>Scientific Committee</i> <i>Commission</i> | Ongoing: The Commission has since 2003 adopted a series of Resolutions (03/01, 06/05, 07/05 and 09/02) with the objective of addressing the issue of fishing capacity. However, to date these resolutions have not resulted in a strong control on fishing capacity, and the concern remains that overcapacity might result from this lack of control. The Secretariat is actively involved in developing the global vessels record for vessels fishing for tuna and tuna-like species that would contribute to the assessment of existing fishing capacity. | See Recommendation 33, which has been agreed as the priority path in this regard. | Medium |
| 43. Loopholes in the current systems of fishing capacity limitation, such as the establishment of fleet development plans and exemptions for vessels less than 24 meters, should be closed. | <i>Working Party on Fishing Capacity</i> <i>Commission</i> | Partially Completed & Ongoing: Resolution 09/02, superseded by Resolution 12/11, and the decisions made at IOTC 14, establishing a new deadline to file fleet developments plans, aim at establishing firm capacity targets. | See Recommendation 33, which has been agreed as the priority path in this regard. | Medium |
| 44. IOTC should endorse the recommendation of the Scientific Committee to create a Working Group on Fishing Capacity. | <i>Commission</i> | Completed: The first Working Party on Fishing Capacity was convened in 2009. In 2010 and all years since, as no new documents were presented, it was amalgamated into the Working Party on Tropical Tunas as a theme session. | See Recommendation 33, which has been agreed as the priority path in this regard. | Medium |
| Compatibility of management measures | | | | |
| 45. IOTC Members should be invited to promptly implement IOTC conservation and management measures through their national legislation. | <i>Secretariat and Commission</i> | Ongoing: CPCs are reminded annually about the responsibility of integrating IOTC Conservation and Management Measures in their national legislation. The Secretariat is cooperating with CPCs by assisting in the assessment of the legal needs to effectively implement IOTC measures. | Annually review at CoC and Commission meetings. | Very high |
| Fishing allocations and opportunities. | | | | |
| 46. IOTC should explore the advantages and disadvantages of implementing an allocation system of fishing quota, expressed as TAC or TAE system. Such an investigation should include consideration of how significant catches by current non-Members would be accounted for. | <i>Commission</i> | In progress: Resolution 10/01, superseded by Resolution 12/13 has begun the process of moving towards the implementation of a total allowable catch limit for IOTC species. The Technical Committee on Allocation Criteria has discussed proposed guidelines and methods to allocate future quota in 2011 and again in 2013. | See Recommendation 33, which has been agreed as the priority path in this regard. | Medium |
| ON COMPLIANCE AND ENFORCEMENT | RESPONSIBILITY | UPDATE/STATUS | WORKPLAN/TIMELINE | PRIORITY |
| Flag State duties | | | | |

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| 47. Any amendment to or replacement of the IOTC Agreement should include specific provisions on Member's duties as flag States, drawing on the relevant provisions of the UNFSA. | <i>Commission and Members</i> | Pending. | | High |
| Port State measures | | | | |
| 48. Any amendment to or replacement of the IOTC Agreement should include specific provisions on Member's duties as port States. | <i>Commission and Members</i> | Pending. | | High |
| 49. IOTC should explore the possible implementation of the FAO Model Scheme on Port State Measures. | <i>Commission</i> | <p>Completed: Resolution 10/11 is inspired by the FAO Port State Measures Agreement. By adopting this resolution, IOTC CPCs have agreed to implement the conditions of this agreement even before it becomes globally binding, and it became the first RFMO to do so. Implementation begun as of 1st March 2011.</p> <p>An evaluation of legal needs and training for officials of coastal CPCs was organised by the Secretariat in May 2011 with the support of the ACP Fish II Programme. Seychelles and Mozambique organized a training for inspectors in November 2011, in collaboration with the Secretariat.</p> | Review annually at the CoC meeting. | High |
| 50. The IOTC should duly note the outcome of the current process for establishment of a globally binding agreement on port State measures. | <i>Commission</i> | Completed: see Recommendation 49. | | |

| Monitoring, Control and Surveillance | | | | |
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| 51. IOTC should develop a comprehensive monitoring, control and surveillance (MCS) system through the implementation of the measures already in force, and through the adoption of new measures and tools such a possible on-board regional observers' scheme, a possible catch documentation scheme as well as a possible system on boarding and inspection. | <i>Compliance Committee</i> | <p>Ongoing: IOTC already has an extensive number of MCS related measures. However, the implementation of these measures are the duty and responsibility of the CPCs. Proposals to introduce a catch documentation scheme, especially for the major IOTC species, have until now not received the agreements CPCs. As a way forward, the Commission agreed to set up an IOTC Intersessional Working Party to make progress on a catch documentation scheme for tropical tuna species.</p> <p>Resolution 11/04 – observers and field samplers are required to monitor the landing and unloading of catches respectively.</p> <p>The IOTC Regional Observer Programme (ROP) has over the last two years been expanded in scope to include the verification of documents on board fishing vessels (flag State Authorisation To Fish and fishing logbook), marking of vessels (consistent with information in the IOTC Record of Authorised Vessels) as well as their VMS.</p> <p>At the request of the Commission (S17), the Secretariat is presenting a document at the CoC11, which concerns a study on options for a regional high-seas boarding and inspection scheme, for the IOTC Area.</p> | Review annually at IOTC meetings. | High |
| Follow-up on infringements | | | | |
| 52. The current IUU resolution should be amended to allow the inclusion of vessels flagged to Members. | <i>Commission</i> | Completed: Resolution 09/03, which supersedes Resolution 06/03, and now superseded by Resolution 11/03, was adopted for this purpose. | Review annually at IOTC meetings | High |
| 53. IOTC should explore options concerning the possible lack of follow-up on infringements by CPCs. | <i>Compliance Committee</i> | <p>Ongoing: The Compliance Committee, under its revised terms of reference, is in a better position to assess such cases through the country-based Compliance Reports, and will continue to do so in 2014.</p> <p>Infringements detected under the ROP are communicated to the concerned fleets for their investigation and provision of explanations and/or actions taken.</p> <p>There remains a need to setup a scheme of penalties and incentives.</p> | Review annually at IOTC meetings | Medium |

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| 54. IOTC should establish a sanction mechanism for non-compliance, and task the Compliance Committee to develop a structured approach for cases of infringement. | <i>Compliance Committee</i> | <p>Pending: The Compliance Committee, under its revised terms of reference, shall develop a scheme of incentives and sanctions and a mechanism for their application to encourage compliance by all CPCs.</p> <p>There remains a need to setup a scheme of penalties and incentives.</p> | <p>Attempts over the last two years to introduce a scheme of penalties to be applied in case of non-fulfilment of reporting obligations have so far not received the required support for adoption.</p> <p>There is a need to continue these efforts.</p> | High |
| 55. Provisions for follow-up on infringement should be included in any amended/replaced Agreement. | <i>Commission and Members</i> | Pending: | | High |
| Cooperative mechanisms to detect and deter non-compliance | | | | |
| 56. A structured, integrated approach to evaluate the compliance of each of the Members against the IOTC Resolutions in force should be developed by the Compliance Committee. | <i>Compliance Committee</i> | Ongoing: Since the 2011 Compliance Committee meeting, country-based reports have been prepared for this purpose on the basis of Resolution 10/09. | Review annually at the Compliance Committee meeting | High |
| 57. CPCs should be reminded of their duty to implement in their national legislations the conservation and management measures adopted by IOTC. | <i>Compliance Committee</i> | <p>Ongoing: CPCs are reminded annually about the responsibility of integrating IOTC conservation and management measures in their national legislation. The Reports of Implementation, mandated in the IOTC Agreement, provide a mechanism to monitor progress of implementation at the national level.</p> <p>A project proposal to the WB/IOC grant for <i>Global Partnership for Oceans</i>, to develop a model legal framework to facilitate CPCs to efficiently transpose conservation and management measures adopted by the Commission into their national legislation, has been approved. Two offers for this work are under review, and the contract with the successful bidder is expected to be signed in May 2014.</p> | Review annually at IOTC meetings | High |

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| 58. The requirement to present national reports on the implementation of IOTC measures should be reinforced. | <i>Compliance Committee</i> | Ongoing: Reminders are sent to CPCs prior to the Commission meeting and a template, which is revised annually, is provided by the Secretariat to facilitate CPCs preparation of national reports on implementation of IOTC measures. Compliance with this requirement is assessed in the country-based compliance reports. With the introduction of the country-based Compliance Reports, this reporting requirement has gone from 56% for 2010 to 84% for 2012. | Review annually at IOTC meetings | High |
| 59. The sense of accountability within IOTC seems to be very low; therefore more accountability is required. There is probably a need for an assessment of the performance of CPCs. | <i>Compliance Committee</i> | Ongoing: The revised terms of reference of the Compliance Committee now facilitates this assessment in the form of the country reports prepared for the Compliance Committee meeting. Through the Compliance Support Mission, CPCs are becoming more conscious of their role in ensuring the effectiveness of the Commission. | Review annually at IOTC meetings | High |
| 60. Establishment of formal mechanisms of MCS (e.g. observers programmes) should be considered | <i>Compliance Committee</i> | Ongoing: Resolution 12/05 provides for an observer programme to monitor at sea transshipments, by placing observers on carrier vessels. Resolution 11/04 (superseding Resolution 09/04 and 10/04) establishes a Regional Observer Scheme that includes observers on board fishing vessels and port sampling for artisanal fisheries. Implementation remains pending for a number of CPCs. | Review annually at IOTC meetings | Medium |
| Market related measures | | | | |
| 61. As IOTC action in terms of measures relating to the exercise of rights and duties of its Members as market States are very weak, the non-binding market related measure should be transformed into a binding measure. | <i>Commission</i> | Completed: Resolution 10/10 meets this requirement. | Review annually at IOTC meetings | Medium |
| 62. The bigeye statistical document programme should be applied to all bigeye products (fresh and frozen). Catch documentation schemes for target species of high commercial value should be considered. Alternatively, expanding the scope of the current statistical document programme to address current loopholes should be considered. | <i>Commission</i> | In progress: Proposals for a resolution to introduce a catch documentation scheme, especially for the major IOTC species, was not endorsed by CPCs at its 14 th , 15 th or 16 th annual Sessions. | Commission to consider proposals from CPCs at its annual session. | High |
| ON DECISION MAKING AND DISPUTE SETTLEMENT | RESPONSIBILITY | UPDATE/STATUS | WORKPLAN/TIMELINE | PRIORITY |
| Decision making | | | | |

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| 63. In order to improve the IOTC practices of decision making and adoption of measures, when every effort to achieve consensus has been exhausted, invoking the procedure of voting should be explored | <i>Commission</i> | Ongoing: Resolution 10/12 (superseded by Resolution 12/09) was voted upon by CPCs at the IOTC's 14 th Annual Session. It was the first time that the voting procedure was used in IOTC for the adoption of a resolution. | To be implemented as necessary. | High |
| 64. Amending the objection procedure so that it is more rigorous, and in line with other RFMO Conventions, featuring restricted grounds for the bases to object is recommended. | <i>Commission and Members</i> | Pending. | | High |
| Dispute settlement | | | | |
| 65. A provision on dispute settlement should be amended in line with the requirements of UNFSA. | <i>Commission and Members</i> | Pending. | | High |
| ON INTERNATIONAL COOPERATION | RESPONSIBILITY | UPDATE/STATUS | WORKPLAN/TIMELINE | PRIORITY |
| Transparency | | | | |
| 66. The active vessels list should be made available on the IOTC website. | <i>Commission Secretariat</i> | Completed: Resolutions 07/02, 10/07 and 10/08. The lists of authorised and active vessels are hosted on the IOTC website. | Periodic revision. | High |
| 67. The Commission, in consultation with the Scientific Committee, should review the availability of critical data sets used in development of scientific advice and take steps to assure that these data are held at the Secretariat and available for validation of analyses, subject to the appropriate confidentiality requirements. | <i>Commission</i> | Ongoing: See Recommendations on Data collection and sharing above. | | |
| Relationship to cooperating non Members | | | | |
| 68. The legal framework of the IOTC Agreement should be amended or replaced in order to enable fishing players active in the area to discharge their obligations in line with the UNFSA. | <i>Commission and Members</i> | Pending: In the meantime, alternative ways of participation of active fishing fleets in the activities of the Commission are being pursued. | | High |
| Relationship to non cooperating non Members | | | | |
| 69. Although the IOTC has strengthened its action towards non-Members in order to have all important fishing players included under its remit, diplomatic approaches should be made by IOTC Members to non-Members with active vessels in the area. | <i>Commission</i> | Ongoing: The Secretariat has been active in contacting relevant non-Members to encourage their participation. The Secretariat has also responded to queries, briefed representatives about membership from the DPR of Korea, United Arab Emirates, Singapore, Myanmar and Somalia. | | High |

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| 70. When non-cooperation is identified and all reasonable efforts to improve the situation are exhausted, any non-Members continuing not to cooperate should be adequately sanctioned by, for example, market related measures. | <i>Compliance Committee</i> | <p>Ongoing: Resolution 10/10 provides the necessary framework in which to apply market related measures. Actions are to be taken by the Compliance Committee, under its revised terms of reference.</p> <p>However, the creation of a scheme of incentives and sanctions and a mechanism for their application to encourage compliance by all CPCs is still pending.</p> | Review annually at IOTC meetings | High |
| Cooperation with other RFMOs | | | | |
| 71. IOTC should establish mechanisms for a mutual recognition of IUU lists with other RFMOs. | <i>Commission</i> | <p>Partially Completed & Ongoing: This issue is addressed in the Resolutions dealing with capacity transfers insofar as to vessels found on IUU lists of other tuna RFMOs should not be flagged by CPCs.</p> | Review other RFMO IUU Lists upon request to add new vessels to the IOTC Record of Authorised Vessels. | High |
| 72. IOTC should develop cooperative mechanisms, such as MoUs, to work in a coordinated manner on issues of common interest, in particular non-target species and an ecosystem approach with other RFMOs especially with SIOFA. | <i>Commission</i> | <p>Ongoing: The Secretariat is active in identifying opportunities for collaboration, for the consideration of the Commission. The KOBE process also facilitates the interaction of tRFMO's. In 2011 the first bycatch joint technical working group was held. This will be held periodically.</p> <p>MoUs have been signed with ICCAT and CCSBT for the implementation of the regional Observer Programme.</p> <p>IOTC and WCPFC has a MoU to exchange information at the Secretariat level on matters of common interest.</p> | Annual review | Medium |
| 73. IOTC should annually agree on a Member attending other tuna RFMO meetings as an observer on its behalf and reporting back to the Commission on matters of interest | <i>Commission</i> | <p>Ongoing: Pending annual financial approval by the Commission.</p> | Annual review. | Low |
| Special requirements of developing States | | | | |
| 74. A specific fund to assist capacity building should be put in place. | <i>Standing Committee on Administration and Finance</i> | <p>Partially completed & Ongoing. A Meeting Participation Fund was established via Resolution 10/05 (See 19 and 31) and needs ongoing financial contributions. Additional funding for capacity building provided in 2012 and 2013 and proposed in the budgets for 2014 and 2015.</p> <p>See also para. 11 above.</p> | S18 will need to consider proposed budget lines for capacity building funds. | High. |

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| 75. Members, that are Parties of UNFSA, should make use of the part VII Fund, established under UNFSA. | <i>Members</i> | Ongoing: Regular reminders are sent to CPCs. | Annually for each IOTC meeting. Currently unknown to what degree CPCs are utilizing this fund. Feedback from delegates sought. | Medium |
| Participation | | | | |
| 76. Financial support, in particular for attendance in the scientific activities to developing States, is needed. | <i>Standing Committee on Administration and Finance</i> | Partially completed & Ongoing: A Meeting Participation Fund was established via Resolution 10/05. The Resolution provides a funding mechanism to facilitate scientists and other representatives from CPCs who are developing States to attend IOTC meetings. The fund is financed, initially, by accumulated funds, with no provisions for long-term support yet agreed. | Annually for each IOTC meeting. A procedure for supplying funds to the MPF should be developed and presented at S18 by a CPC. | High |
| 77. The legal framework of the IOTC should be amended or replaced in order to enable fishing players active in the area to discharge their obligations in line with the UNFSA. | <i>Commission and Members</i> | Pending. | Commence in 2014. Small working group of CPCs to lead. | High |
| ON FINANCIAL AND ADMINISTRATIVE ISSUES | | UPDATE/STATUS | WORKPLAN/TIMELINE | PRIORITY |
| Availability of resources for RFMO activities – efficiency and cost-effectiveness | | | | |
| 78. The IOTC Agreement as well as financial management rules should be amended or replaced in order to increase Members' as well as Secretariat's control of all the budget elements, including staff costs of the budget. This would also improve transparency. | <i>Standing Committee on Administration and Finance Commission and Members</i> | Pending. See Recommendations 1 and 2. | | High |
| 79. Prior to the Commission assuming full control of the budget, the Commission meeting at which the budget is considered should be held as close as possible to the commencement of the financial year to which this budget relates and if possible in advance of that year. | <i>Commission</i> | Partially Completed & Ongoing: The 2013 and 2014 meeting of the Commission was moved further away from the beginning of the financial year (calendar), thus increasing the difficulties of operating without a budget. A proposal is being considered by the SCAF to address this problem. | Annual consideration by the Commission. | Medium |
| 80. A fee system should be considered as a possible funding mechanism for possible new activities. | <i>Commission</i> | Pending: The IOTC Regional Observer Program (monitoring transshipment at sea) is fully funded by the participants through such a fee system. | | Medium |

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| 81. The agreed external financial audit should be implemented as soon as possible, and should include a focus on whether IOTC is efficiently and effectively managing its human and financial resources, including those of the Secretariat. | <i>Standing Committee on Administration and Finance Commission</i> | Pending. | | Medium |
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