
IMPLEMENTATION OF DECISIONS OF THE COMMISSION IN 2016**PREPARED BY: IOTC SECRETARIAT, 18 MAY 2017**

PURPOSE

To provide the Commission with an opportunity to consider the progress made during the inter-sessional period, in relation to the direct requests for action by the Commission during its 20th Session in 2016.

BACKGROUND

In 2016, the Commission made seven (6) specific REQUESTs for action by a range of parties. This actions and the implementation in the inter-sessional period are detailed below.

DISCUSSION (OF PREVIOUS REQUESTS)**COMPLIANCE:****1) Letters of Feedback**

(para. 60) While **NOTING** that some CPCs do not consider this work as a priority, the Commission **ENCOURAGED** the members of the informal Working Group to continue to hold virtual discussions during the next intersessional period (2016/2017) and to report the results of its work to the next Compliance Committee and Commission meetings.

Progress of Implementation: No meeting was held in the 2016/2017 intersessional period due to the unexpected and extremely heavy workload on the Secretariat, as some of the key posts remained vacant or only partially filled.

2) Proposal for a feasibility study to strengthen the IOTC Vessel Monitoring System

(para. 61) In recognition of the recommendations from the First and Second Performance Review panels to develop an integrated MCS system, including strengthening existing MCS tools, the Commission **CONSIDERED** a proposal for a feasibility study on possible options to strengthen the IOTC VMS measure. The Commission **ENDORSED** the Terms of Reference which was presented in document IOTC-2016-S20-Inf06 Rev_1, and which is provided in [Appendix IXb](#).

(para. 62) The Commission **AGREED** for the Secretariat to seek extra-budgetary funds to engage an independent consultant to conduct the study and to make available the results of the study for the next Commission meeting.

Progress of Implementation: The Secretariat has during the 2016/2017 intersessional period engaged with two NGOs (ISSF and PEW) and the GEF/FAO ABNJ Tuna Project to make progress on this request. Both NGOs and the GEF/FAO ABNJ Tuna Project have indicated that they will provide financial and technical support to this initiative. The modalities as to how they will financially contribute to this initiative, remains to be worked out. A draft Terms of Reference has been developed in consultation with the two NGOs and the GEF/FAO ABNJ Tuna Project.

Further action Required: It should be noted that the Commission remains to appoint the Steering Group which, jointly with the IOTC Secretariat, shall oversee the preparation of the Report and provide guidance during its development.

FINANCE AND ADMINISTRATION:**3) Member contributions**

(para. 82) The Commission **NOTED** that the cumulative total of outstanding contribution payments has remained constant between 2014 and 2015 (US\$1,962,795 as of 31 December 2014 and US\$1,963,494 as of 31 December 2015). Twelve (12) Contracting Parties (Members) have significant payments in arrears. The Commission **NOTED** the statement by the I.R. Iran ([Appendix XIVb](#)), and further **NOTED** the statement by Pakistan that arrears in its contribution to the Commission will be cleared in the next three weeks.

Progress of Implementation: The IOTC Secretariat made numerous follow-up emails, letters and phone calls in the 2016/2017 intersessional period in an attempt to receive the overdue contributions from Members. Pakistan made a contribution of approximately US\$14,000, towards their contribution for 2016.

4) **Possible arrangements for a future audit**

(para. 94) *In view of the single audit principle of the organizations of the United Nations System, the audit would be carried out either by the Office of the Inspector-General or the External Auditor. Organizations of the United Nations System should rely on the oversight structures established by their Governing Bodies.'*

The Commission requested the FAO and IOTC Secretariat to initiate the process for undertaking an audit.

Progress of Implementation: The Chairperson and the Executive Secretary held preliminary discussions with the Office of the Inspector General of the FAO and a letter is expected from the Chair to the Head of OIG, requesting the implementation of the independent audit, following clarification on the desired scope of the audit from the CPC's.

COMMISSION:

5) **Current Conservation and Management Measures that require action by the Commission**

(para. 122) The Commission AGREED to extend the applicability of the Resolution for an additional year and that the Commission shall review its implementation at the 2017 IOTC Session.

Progress of Implementation: Document IOTC-2017-S21-11 highlights to the Commission that it was agreed in 2016 to extend the applicability of IOTC Resolution 15/11 to the 21st Session and that the Commission should revisit this decision and decide if it will further extend this Resolution, or amend it altogether to address the duration of its applicability, and other issue which is being highlighted by the Secretariat.

EXECUTIVE SECRETARY:

Cooperation with other organisations and institutions

6) **Draft MoU between the IOTC and CMS**

(para. 152, second sentence) The Commission therefore agreed the IOTC Secretariat should be the signatory to this Memorandum of Understanding and instructed the Executive Secretary to prepare an amended version for intersessional consideration. One member suggested the draft Memorandum of Understanding and, if necessary, any future documents of similar intent, could be re-named a 'Declaration of Intent', or another name that indicated the document was not legally binding.

Progress of Implementation: Contacts were made with the Convention on Migratory Species, to inquire whether the MoU should be established with the Convention itself or with the Memorandum of Understanding (MOU) on the Conservation of Migratory Sharks. Following confirmation that the Convention should be the signatory of such MoU, there is on-going work with the Legal Office of FAO to produce a text for the MoU or a less-formal Letter of Intent. Not much progress was achieved on this issue during the 2016/2017 intersessional period.

RECOMMENDATION/S

That the Commission:

- 1) **NOTE** paper IOTC-2017-S21-04 which provided the Commission with an opportunity to consider the progress made during the inter-sessional period, in relation to the direct requests for action by the Commission during its 20th Session in 2016.
- 2) **CONSIDER** whether any of the requests for action needs extending into the ensuing inter-sessional period.