

## IMPLEMENTATION OF PERFORMANCE REVIEW RECOMMENDATIONS – ACTIONS OF THE COMMISSION

PREPARED BY: SECRETARIAT

### PURPOSE

To provide the Commission with an opportunity to consider the status, timeline and priority for each of the actions arising from the second performance review that were allocated to the Commission.

### BACKGROUND

At S21 (2017), the Commission noted paper IOTC-2017-S21-08\_Rev1 which outlined the progress on the implementation of the recommendations arising from the report of the 2nd Performance Review Panel (IOTC-2016-PRIOTC02-R) and recommended that this be discussed by the Technical Committee on Performance Review (TCP R).

The TCP R met in February 2018 and noted that the second performance review made 24 recommendations, and the 63 actions related to these recommendations were allocated to one or more of the following bodies: the Commission, the Secretariat, the Compliance Committee, the Scientific Committee, the Standing Committee on Administration and Finance, the Technical Committee on Performance Review and the Technical Committee on Allocation Criteria.

The Commission was allocated 21 actions alone and 32 actions in collaboration with the above-mentioned bodies (Table 1).

<b>Table 1.</b>	<b>Allocated performance review actions</b>
Commission	21
With the Compliance Committee	10
With the Scientific Committee	8
With the SCAF	6
With the Secretariat	2
With the TCP R	5
With the TCAC	1
Allocated solely to one of the committees	10
<b>Total</b>	<b>63</b>

Information on the progress by all bodies will be provided in IOTC-2018-S22-09a, after the completion of CoC15 and SCAF15.

An update on the progress relating to the 21 actions under the responsibility of the Commission is provided in Appendix 1. As of May 2018, seven actions, relating to paragraphs 129b, 159, 163a, 163b, 175, 228a, 233 of the performance review report, do not have a timeline and priority

### RECOMMENDATION/S

That the Commission:

- 1) **NOTE** paper IOTC-2018-S22-09b which provided the Commission with information on the status, timeline and priority for each of the actions allocated to it following the second performance review.
- 2) **CONSIDER** endorsing the updates provided by the TCP R; and provide advice and guidance the on actions related to 129b, 159, 163a, 163b, 175, 228a, 233, in particular on the timeline and priority.

APPENDIX 1

UPDATE ON PROGRESS REGARDING RESOLUTION 16/03 – *ON THE SECOND PERFORMANCE REVIEW FOLLOW-UP* —  
*ACTIONS ALLOCATED TO THE COMMISSION*

(NOTE: NUMBERING AND RECOMMENDATIONS AS PER ANNEX I OF RESOLUTION 16/03)

REFERENCE #	RECOMMENDATION	RESPONSIBILITY	UPDATE/STATUS	TIMELINE	PRIORITY
PRIOTC02.03 ( <a href="#">para. 96</a> )	<p><b>Data collection and reporting</b></p> <p>The PRIOTC02 <b>RECOMMENDED</b> that:</p> <p>a) the Commission make further investments in data collection and targeted capacity building, which is necessary for further improvement in the provision and quality of data in support of the Commission's objectives, as well as to identify the sources of the uncertainty in data and work towards reducing that uncertainty.</p>	<i>Commission</i>	<p><b>From S21:</b> There are multiple opportunities and sources of funding for capacity building on data collection and scientific analyses, both within the IOTC budget and in the context of other partnerships.</p> <p><b>S22 update (from TCPR01 / Secretariat):</b> Ongoing: There are multiple opportunities and sources of funding for capacity building on data collection and scientific analyses, both within the IOTC budget and in the context of other partnerships / This is an ongoing activity. Recent emphasis has been in Iran and Indonesia.</p>	<p>TBD</p> <p>Completed and ongoing</p>	<p>TBD</p> <p>High</p>

	<p>b) while there are budgetary implications, the IOTC Secretariat staffing dedicated to data collection and data capacity building activities should be increased from 3 to 5 full-time data staff.</p>	<p><i>Commission</i></p>	<p><b>From S21:</b> Ongoing: However, the recruitment of a P1 (Fisheries Officer) will be conducted in early-2017, however, the IOTC Data Section still remains severely understaffed given the increasing burdens on monitoring data compliance and technical support missions, support to the implementation of the Regional Observer Scheme, development of the IOTC database and dissemination systems, and new work streams taking place in 2017 (e.g., E-monitoring, ROS Pilot Project, support for implementation of skipjack HCR [Res 16/02], and yellowfin catch reduction [Res.16/01]. The Commission made budgetary decisions to strengthen the Data and Science Sections of the Secretariat.</p> <p><b>S22 update (from TCPR01/Secretariat):</b> Recruitment of a P1 (Fisheries Officer) began in late-2017. However, the IOTC Data Section still remains severely understaffed given the increasing work loads. These include monitoring data compliance and technical support missions, support to the implementation of the Regional Observer Scheme, development of the IOTC database and dissemination systems, and new work streams taking place in 2017 (e.g., E-monitoring, ROS Pilot Project, support for implementation of skipjack HCR [Res 16/02], and yellowfin catch reduction [Res.17/01] / There are currently 3 staff in the data section, with one further</p>	<p>TBD</p> <p>Ongoing</p>	<p>TBD</p> <p>High</p>
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			person to begin in mid 2018. The need for additional staff will be assessed.		
PRIOTC02.05 ( <a href="#">para. 104</a> )	<p><b>Capacity building (Data Collection)</b> The PRIOTC02 <b>RECOMMENDED</b> that:</p> <p>a) the Commission expand its current data support and data compliance missions and that the IOTC Secretariat should be granted increased autonomy to seek and attract external donor funds to support the work approved by the Commission, including supporting actions and/or capacity building initiatives from Compliance Missions that are applicable to more than two CPCs.</p>	<i>Commission</i>	<p><b>From S21:</b> Ongoing: The IOTC Secretariat is actively engaged in a programme of data compliance and support missions, but is constrained by current staffing resources within the Data Section. In 2016, missions were conducted to Tanzania (Feb), Mauritius (Aug), and Indonesia (Oct). External funding for the missions was provided by EU DG-MARE.</p> <p><b>S22 update (from the TCPR01):</b> The IOTC Secretariat is actively engaged in a programme of data compliance and support missions, but is constrained by current staffing resources within the Data Section. During 2017, data compliance and support missions were conducted in Sri Lanka (Apr), France (Aug), Mauritius (Aug), Kenya (Sep and Dec) and Iran (Nov). A first training workshop for the adoption of the ROS electronic tool for data collection and reporting was held in Sri Lanka in Dec. External funding for the missions was provided by EU DG-MARE.</p>	TBD          Completed and ongoing	TBD          High

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PRIOTC02.07 ( <a href="#">para. 112</a> )	f) the Commission fully implements Resolution 12/01 <i>On the implementation of the precautionary approach</i> , so as to apply the precautionary approach, in accordance with relevant internationally agreed standards, in particular with the guidelines set forth in the UNFSA, and to ensure the sustainable utilisation of fisheries resources as set forth in Article V of the IOTC Agreement, including ensuring that a lack of information or increased uncertainty in datasets/stock assessment, is not used as a justification to delay taking management actions to ensure the sustainability of IOTC species and those impacted by IOTC fisheries.	<i>Commission</i>	<p><b>From S21:</b> Ongoing: A harvest control rule was adopted for skipjack tuna, and work is progressing on yellowfin, bigeye and albacore tunas, with support of external funding (FAO ABNJ Tuna Project).</p> <p><b>S22 update (from the TCPR01):</b> Ongoing. The precautionary approach is used by SC in the provision of the scientific advice for fishery management.</p> <p>A harvest control rule was adopted for skipjack tuna, and work is progressing on yellowfin, bigeye and albacore tunas, with support of external funding (Common Oceans ABNJ Tuna Project)</p> <p>An MSE for swordfish is considered a high priority by the Commission (para. 40, IOTC-2017-S21-R).</p>	TBD  Ongoing	TBD  High

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	g) while there are budgetary implications, the IOTC Secretariat staffing dedicated to scientific analysis should be increased from 2 to 4 full-time science staff.	<i>Commission</i>	<p><b>From S21.</b> Ongoing: The SC strongly recommended that the Commission take the steps to ensure that the IOTC Secretariat is sufficiently resourced to continue to support the Scientific Committee and able to respond to the increasing workload. The Commission made budgetary decisions to strengthen the Data and Science Sections of the Secretariat.</p> <p><b>S22 update (from the TCPR01 / Secretariat):</b> The IOTC science staff section has now increased to 2 persons again and the science manager will commence in June 2018. A further science coordinator position will be advertised in mid-2018.</p>	TBD  Ongoing	TBD  High
PRIOTC02.08 ( <a href="#">para. 123</a> )	<p><b><i>Adoption of Conservation and Management Measures</i></b></p> <p>The PRIOTC02 <b>RECOMMENDED</b> that:</p> <p>a) the Commission acknowledge the inherent difficulty in managing small scale and data poor fisheries and continue efforts to adopt adequate fisheries management arrangements and to assist developing coastal States to overcome constraints to implement the CMMs.</p>	<i>Commission</i>	<p><b>From S21.</b> Ongoing: A workshop on data limited methods has been conducted in May 2017.</p> <p><b>S22 update (from the TCPR01):</b> Ongoing: A workshop on data limited methods has been conducted in May 2017.</p>	TBD  Completed and ongoing	TBD  High

REFERENCE #	RECOMMENDATION	RESPONSIBILITY	UPDATE/STATUS	TIMELINE	PRIORITY
PRIOTC02.09 ( <a href="#">para. 129</a> )	<b><i>Fishing capacity management</i></b> The PRIOTC02 <b>RECOMMENDED</b> that: a) the IOTC should establish a stronger policy on fishing capacity to prevent or eliminate all excess fishing capacity, including options to freeze capacity levels as an interim measure, while alternative management measures are considered. As current capacity limits are generic and apply across all fleets and their ability to control catch of particular species is limited, therefore alternative management measures should be considered which may include spatial-temporal area closures, quota allocation, etc.	<i>Commission</i>	<b>From S21.</b> Pending.  <b>S22 update (from the TCPR01):</b> Ongoing: For yellowfin tuna since January 2017 through Resolution 17/01, which superseded Resolution 16/01. For skipjack tuna, Resolution 16/02 sets the Harvest Control Rules.	TBD  Completed and ongoing	High
	b) the Commission undertake a formal process to develop transfer mechanisms to developing coastal States, and in particular the least developed among them, with a view to realising their fleet development aspirations within sustainable levels.	<i>Commission</i>	<b>From S21.</b> Pending.  <b>S22 update.</b> None.	TBD	TBD
PRIOTC02.12 ( <a href="#">para. 139</a> )	<b><i>Flag State duties</i></b> The PRIOTC02 <b>RECOMMENDED</b> that 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 and take due note of the FAO Guidelines on flag State performance.	<i>Commission</i>	<b>From S21.</b> Pending: To be addressed by the Technical Committee on Performance Review.  <b>S22 update (from the TCPR01):</b> A drafting group under the TCPR has been formed and work has commenced on the IOTC Agreement text.	TBD  2018-2020	TBD  High

REFERENCE #	RECOMMENDATION	RESPONSIBILITY	UPDATE/STATUS	TIMELINE	PRIORITY
PRIOTC02.13 ( <a href="#">para. 144</a> )	<p><b>Port State measures</b></p> <p>The PRIOTC02 <b>RECOMMENDED</b> that:</p> <p>a) since port State measures are critical for the control of fishing in the IOTC area and beyond, CPCs should take action to ratify the FAO Agreement on Port State Measures, and the Commission explore possible ways of including ports situated outside the IOTC area known to be receiving IOTC catches in applying port State measures established by the IOTC.</p>	<i>Commission</i>	<p><b>From S21.</b> Ongoing: 19 of the 35 CPCs have signed or ratified or accepted or approved or acceded to the FAO PSMA.</p> <p><b>S22 update (from the TCPR01):</b> Ongoing: 20 of the 33 CPCs have signed or ratified or accepted or approved or acceded to the FAO PSMA.</p>	Review annually at IOTC meetings.	Medium
	<p>b) the Commission, through its port State measures training, support the implementation, including support from FAO and other donors, of the requirements of the FAO PSMA and the IOTC Resolution 10/11 <i>On port state measures to prevent, deter and eliminate illegal, unreported and unregulated fishing.</i></p>	<i>Commission</i>	<p><b>From S21.</b> Ongoing: The IOTC has a well-established capacity building programme for the implementation of port State measures.</p> <p><b>S22 update (from the TCPR):</b> The IOTC has a well-established capacity building programme for the implementation of port State measures. An online management and communications platform has been developed and in use by the major IOTC port States (13 CPCs), Flag States (19 CPCs) and 9 non-CPCs flag States. 2,466 port calls have been logged through the application.</p>	Review annually at IOTC meetings.	Medium



REFERENCE #	RECOMMENDATION	RESPONSIBILITY	UPDATE/STATUS	TIMELINE	PRIORITY
PRIOTC02.16 ( <a href="#">para. 159</a> )	<p><b><i>Cooperative mechanisms to detect and deter non-compliance</i></b></p> <p>The PRIOTC02 <b>RECOMMENDED</b> that the Commission considers strengthening the intersessional decision making processes in situations where CPCs have not transmitted a response such that a decision can be taken for effective operational cooperative mechanisms and that the Commission encourages the CPCs to be more involved in decision making and for the Commission to collaborate to the greatest extent possible with other RFMOs.</p>	<i>Commission</i>	<p><b>From S21.</b> Pending.</p> <p><b>S22 update (from the TCPR01).</b> Pending.</p>	TBD	TBD
PRIOTC02.17 ( <a href="#">para. 163</a> )	<p><b><i>Market-related measures</i></b></p> <p>The PRIOTC02 <b>RECOMMENDED</b> that:</p> <p>a) the Commission considers strengthening the market related measure (Resolution 10/10 <i>Concerning market related measures</i>) to make it more effective.</p>	<i>Commission</i>	<p><b>From S21.</b> To be developed/Ongoing: The <i>ad-hoc</i> Working Group on Catch Documentation System (CDS) should resume its work intersessionally to propose a CDS scheme for the consideration of the Commission. If adopted, the CDS scheme will strengthen market related measures.</p> <p><b>S22 update (from the TCPR01).</b> To be developed/Ongoing: The <i>ad-hoc</i> Working Group on Catch Documentation System (CDS) should resume its work intersessionally to propose a CDS scheme for the consideration of the Commission. If adopted, the CDS scheme will strengthen market related measures.</p>	TBD	TBD

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	b) the Commission considers to invite key non-CPCs market States that are the main recipient of IOTC catches as observers to its meetings with the aim of entering into cooperative arrangements.	<i>Commission</i>	<b>From S21.</b> Pending: There is a need to identify key non-CPCs market States.  <b>S22 update (from the TCPR01).</b> Pending: There is a need to identify key non-CPCs market States.	TBD	TBD
PRIOTC02.19 ( <a href="#">para. 175</a> )	<b>Decision-making</b> The PRIOTC02 <b>RECOMMENDED</b> that intersessional processes be utilised (e.g. via formal or informal subsidiary bodies, or through facilitated electronic working groups) such that proposals brought to the Commission have been subject to debate and consideration by all CPCs.	<i>Commission</i>	<b>From S21.</b> Pending.  <b>S22 update (from the TCPR01).</b> Pending.	TBD	TBD
PRIOTC02.20 ( <a href="#">para. 198</a> )	<b>Relationship to Non-Cooperating Non-Members (Non-CPCs)</b> The PRIOTC02 <b>RECOMMENDED</b> that the IOTC continue to strengthen its actions towards coastal State non-CPCs to have all such coastal States included under its remit, and that Contracting Parties take diplomatic missions to coastal State non-CPCs with active vessels in the IOTC area of competence.	<i>Commission</i>	<b>From S21. Ongoing:</b> The IOTC Chair of the Commission regularly invites coastal State non-CPCs with active vessels in the IOTC area of competence to become either a Contracting Party to the Agreement establishing the IOTC, or a Cooperating Non-Contracting Party. This was last done in February 2017 for 11 coastal States bordering the IOTC Area.  <b>S22 update (from the Secretariat).</b> Ongoing: in addition to the above action, the Secretariat will work with RECOFI members (Bahrain, Iraq, Iran, Kuwait, Oman, Qatar, Saudi Arabia, and United Arab Emirates) to promote membership of IOTC.	TBD  Ongoing	TBD  Medium

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PRIOTC02.21 ( <a href="#">para. 204</a> )	<p><b>Cooperation with other RFMOs</b></p> <p>The PRIOTC02 <b>RECOMMENDED</b> that:</p> <p>b) The 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</p>	<i>Commission</i>	<p><b>From S21.</b> Ongoing: The IOTC is currently working with other tRFMOs, within the framework of the Kobe process, through joint meetings on the MSE, ecosystem approaches to management, harmonisation of observer schemes and a joint working group on FADs.</p> <p><b>S22 update (from the TCPR01).</b> Ongoing: The IOTC is currently working with other tRFMOs, within the framework of the Kobe process, through joint meetings on the MSE, ecosystem approaches to management, harmonisation of observer schemes and a joint working group on FADs. A porbeagle risk assessment (southern hemisphere) was presented at WPEB in 2017. The IOTC Secretariat, the SC Chair and the Chair of WPEB all participated in the tRFMO joint meeting on EBFM (FAO, Rome) and the FAD Working Group (Madrid) in 2017.</p>	TBD	TBD
				Ongoing	Medium

REFERENCE #	RECOMMENDATION	RESPONSIBILITY	UPDATE/STATUS	TIMELINE	PRIORITY
PRIOTC02.22 ( <a href="#">para. 211</a> )	<p><b><i>Special requirements of developing States</i></b> The PRIOTC02 <b>RECOMMENDED</b> that:</p> <p>a) the continuation and optimisation of the IOTC Meeting Participation Fund indefinitely as part of the IOTC Regular Budget, and that the MPF is used to support participation of all eligible Contracting Parties in order to create a more balanced attendance to both science and non-science meetings of the Commission.</p>	<i>Commission</i>	<p><b>From S21.</b> Ongoing: In 2017, 67 MPF applications were accepted by the IOTC Secretariat, the highest number to date – although a significant proportion of applicants were funded through external funding sources rather than the IOTC regular budget.</p> <p><b>S22 update (from the TCPR01 / Secretariat).</b> In 2017, 71 MPF applications were accepted by the IOTC Secretariat, the highest number to date – although a significant proportion of applicants were funded through external funding sources rather than the IOTC regular budget.</p>	TBD  Completed and ongoing	TBD  High
PRIOTC02.23 ( <a href="#">para. 228</a> )	<p><b><i>Availability of resources for IOTC activities &amp; Efficiency and cost-effectiveness</i></b> The PRIOTC02 <b>RECOMMENDED</b> that:</p> <p>a) the IOTC continue to strengthen its actions towards non-paying Contracting Parties including consideration of diplomatic missions to non-paying Contracting Parties to encourage payment and to explore other mechanisms to recover the outstanding contributions (debt), and collaborate with FAO to identify the difficulties faced in recovering outstanding contributions.</p>	<i>Commission</i>	<p><b>From S21.</b> Ongoing: The issue of non-payment has been raised with FAO Permanent Representatives of the Member countries with outstanding contributions.</p> <p><b>S22 update (from the TCPR01).</b> Ongoing: The issue of non-payment has been raised with FAO Permanent Representatives of the Member countries with outstanding contributions</p>	TBD	TBD

REFERENCE #	RECOMMENDATION	RESPONSIBILITY	UPDATE/STATUS	TIMELINE	PRIORITY
	c) the Commission, as a matter of urgency, decide whether remaining inside the FAO structure (as an Article XIV body) provides the most suitable means to effectively deliver upon the IOTC Objectives.	<i>Commission</i>	<b>From S21.</b> Pending: This is to be addressed, initially, by the Technical Committee on Performance Review (TCPR).  <b>S22 update (from the TCPR01).</b> In 2018 the TCPR was unable to meet the Commission request on making a recommendation, and requested the Commission to make a decision on this matter.	TBD  Ongoing	TBD  High
PRIOTC02.24 ( <a href="#">para. 233</a> )	<b>FAO</b> The PRIOTC02 <b>RECOMMENDED</b> that the IOTC would be more appropriate as an independent entity. As such, as a matter of the highest priority, the Commission should decide whether the IOTC should remain within the FAO framework or become a separate legal entity, and as necessary, begin consultations with the FAO on this matter.	<i>Commission</i>	<b>From S21.</b> This is to be addressed, initially, by the Technical Committee on Performance Review (TCPR).  <b>S22 update (from the Secretariat).</b> see above update para 228c.	TBD	TBD