



20 January 2021

IOTC CIRCULAR 2021-05

Dear Madam / Sir

PROPOSED AMENDMENT TO THE PROCESS FOR THE LEGAL SCRUBBING OF IOTC RESOLUTIONS

In 2020, the Compliance Committee agreed to a roadmap for the legal scrubbing of IOTC resolutions ([IOTC-2020-CoC17-R](#), App 8). The first round of comments on the outputs of this work are due by 31 January 2021.

Given the considerable amount of work required to review the legal scrubbing and the need to prepare for the Special Session in March (which was unforeseen when the roadmap was proposed), Japan has suggested that the deadline for comments be extended to 31 March 2021 (see Japan's letter attached).

While the legal scrubbing roadmap included two rounds of comments (due 31 January and 15 March respectively), the Secretariat is confident that these tasks can still be completed if the deadlines for the first and second rounds of comments are extended to 31 March and 30 April, respectively.

If the proposed extensions for comments are acceptable to the Members, the Secretariat will endeavour to make the legal scrubbing document available to the Compliance Committee at least 15 days in advance of its meeting starting 30 May 2021.

If no objections to this proposal are received by 25 January 2021, the Secretariat will proceed as indicated.

Yours sincerely

Christopher O'Brien
Executive Secretary

Attachments:

1. Letter to IOTC (Legal scrubbing)

Distribution

IOTC Contracting Parties: Australia, Bangladesh, China, Comoros, Eritrea, European Union, France (Territories), India, Indonesia, Iran (Islamic Rep of), Japan, Kenya, Rep. of Korea, Madagascar, Malaysia, Maldives, Mauritius, Mozambique, Oman, Pakistan, Philippines, Seychelles, Sierra Leone, Somalia, South Africa, Sri Lanka, Sudan, United Rep. of Tanzania, Thailand, United Kingdom, Yemen. **Cooperating Non-Contracting Parties:** Liberia, Senegal. **Intergovernmental Organisations, Non-Governmental Organisations. Chairperson IOTC. Copy to:** FAO Headquarters, FAO Representatives to CPCs.

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13 January 2021

Dr. Christopher O'Brien,
IOTC Executive Secretary

Subject: Proposal on extension of deadline of CPC comments to legal scrubbing

Dear Dr. O'Brien,

I hope this letter finds you very well.

Reference is made to the following recommendation from the 17th Compliance Committee (CoC17), which was endorsed by the 24th Session of the Commission (S24).

134. The CoC RECOMMENDED amendments to the timeline of the roadmap (Appendix 8) to conduct the legal scrubbing for consideration of the Commission for adoption.

**APPENDIX 8 REVISED DRAFT ROADMAP FOR THE IMPLEMENTATION PROCESS FOR
THE LEGAL SCRUBBING OF IOTC RESOLUTIONS
(REVISED ANNEX 4 OF IOTC-2020-WPICMM03-R)**

- *CPCs send their comments on Annex 1 and 2 of the consultant report, IOTC-2020-WPICMM03 REPORT - Legal Scrub of IOTC Resolutions and Recommendations, on the legal scrubbing of IOTC Resolutions by 31st of January 2021.*
- *Secretariat will incorporate first round of comments. Secretariat to circulate a consolidated draft with the comments made by the CPCs by means of a circular within 10 working days.*
- *CPCs send their comments on the second draft by 15th March 2021.*
- *Secretariat will incorporate second round of comments. Secretariat to circulate a consolidated version of the legal scrubbing of IOTC Resolutions as a meeting document for consideration by the Compliance Committee (2021-CoC18).*
- *The Compliance Committee (2021-CoC18) considers proposing a final consolidated text for potential adoption by the Commission (2021 - S25). This final text should only include the Resolutions adopted or amended by the Commission before 2020.*

Japan proposes extending the current deadline of CPC comments (underlined) from January 31st 2021 to 31st of March 2021, and the following deadlines accordingly. The reason is that the upcoming Special Session in March 2021 was not envisaged when S24 endorsed the above schedule

and now many CPCs are busy in preparation for the Session. Given the huge amount of work required to review the legal scrubbing document (almost 400 pages), Japan believes that extension of these deadlines would provide CPCs with sufficient time for their work.

Please circulate this letter to all CPCs and consult with the Chair on our proposal.

Sincerely yours,

Tukei Morita

for Shingo Ota
Japan's Commissioner to the IOTC