



Report of the Fifth Session of the IOTC Working Party on Implementation of Conservation and Management Measures

Held by video-conference, 16 to 18 February 2022



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Acronyms

CDS	catch documentation scheme
CMM	Conservation and Management Measure (of the IOTC; Resolutions and Recommendations)
CoC	Compliance Committee
CPCs	Contracting Parties (Members) and Cooperating non-Contracting Parties
EU	European Union
EEZ	exclusive economic zone
FAD	fish aggregating device
FAO	Food and Agriculture Organization of the United Nations
IOTC	Indian Ocean Tuna Commission
LSTLV	large-scale tuna longline vessel
MCS	monitoring, control and surveillance
TBD	to be determined
VMS	vessel monitoring system
WP	work plan
WPICMM	Working Party on the Implementation of Conservation and Management Measures

HOW TO INTERPRET TERMINOLOGY CONTAINED IN THIS REPORT

This report has been written using the following terms and associated definitions so as to remove ambiguity surrounding how particular paragraphs should be interpreted.

Level 1: From a subsidiary body of the Commission to the next level in the structure of the Commission:

RECOMMENDED, RECOMMENDATION: Any conclusion or request for an action to be undertaken, from a subsidiary body of the Commission (Committee or Working Party), which is to be formally provided to the next level in the structure of the Commission for its consideration/endorsement (e.g. from a Working Party to the Scientific Committee; from a Committee to the Commission). The intention is that the higher body will consider the recommended action for endorsement under its own mandate, if the subsidiary body does not already have the required mandate. Ideally this should be task specific and contain a timeframe for completion.

Level 2: From a subsidiary body of the Commission to a Contracting Party or Cooperating Non-Contracting Party (CPC), the IOTC Secretariat, or other body (not the Commission) to carry out a specified task:

REQUESTED: This term should only be used by a subsidiary body of the Commission if it does not wish to have the request formally adopted/endorsed by the next level in the structure of the Commission. For example, if a Committee wishes to seek additional input from a CPC on a particular topic, but does not wish to formalize the request beyond the mandate of the Committee, it may request that a set action be undertaken. Ideally this should be task specific and contain a timeframe for the completion.

Level 3: General terms to be used for consistency:

AGREED: Any point of discussion from a meeting which the IOTC body considers to be an agreed course of action covered by its mandate, which has not already been dealt with under Level 1 or level 2 above; a general point of agreement among delegations/participants of a meeting which does not need to be considered/adopted by the next level in the Commission's structure.

NOTED/NOTING: Any point of discussion from a meeting which the IOTC body considers to be important enough to record in a meeting report for future reference.

Any other term: Any other term may be used in addition to the Level 3 terms to highlight to the reader of the IOTC report, the importance of the relevant paragraph. However, other terms used are considered for explanatory/informational purposes only and shall have no higher rating within the reporting terminology hierarchy than Level 3, described above (e.g. **CONSIDERED; URGED; ACKNOWLEDGED**).

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EXECUTIVE SUMMARY

The Fifth Session of the Indian Ocean Tuna Commission's (IOTC) Working Party on the Implementation of Conservation and Management Measures (WPICMM) was held by video-conference, from 16 to 18 February 2022. A total of 89 participants attended the Session. The meeting was opened by the Chairperson, Mr Benedict Kiilu (Kenya), who welcomed participants to the Session.

The following is a subset of the recommendations from the WPICMM05, which are provided in full at [Appendix 6](#):

- WPICMM05.01 ([Para. 15](#)) The WPICMM05 **RECOMMENDED** that Compliance Committee 19 review and endorse the Terms of Reference recorded in [Appendix 3](#).
- WPICMM05.02 ([Para. 42](#)). The WPICMM05 **RECOMMENDED** that Compliance Committee 19 endorse the Work Plan reviewed by the WPICMM05 ([Appendix 4](#)).
- WPICMM05.03 ([Para. 53](#)) The WPICMM05 **RECOMMENDED** the Compliance Committee consider and discuss the assessment criteria for partial compliance with 9.2 and 9.3, as well as whether assessment would be waived for Compliance Committee 20.
- WPICMM05.04 ([Para. 63](#)) The WPICMM05 **NOTED** that the European Union will present an updated proposal to the Compliance Committee and **RECOMMENDED** that the Compliance Committee consider it in its deliberations.
- WPICMM05.06 ([Para. 74](#)) The WPICMM05 **RECOMMENDED** that the Compliance Committee endorse the draft Terms of Reference.
- WPICMM05.09 ([Para. 91](#)) The WPICMM05 **RECOMMENDED** that the e-MARIS application will have entered into implementation for the next compliance assessment of the 2023 Compliance Committee meeting (CoC20) and **FURTHER RECOMMENDED** that those CPCs encountering problems be allowed to continue using the paper system for Compliance Committee 20.
- WPICMM05.10 ([Para. 97](#)) The WPICMM05 **RECOMMENDED** that report [IOTC-2022-WPICMM05-11](#) and a summary of impediments be presented to Compliance Committee 19 to give CPCs an opportunity for further comment and **FURTHER RECOMMENDED** the Compliance Committee reconsider the application of Resolution 19/04 with respect to the information on beneficial owners.
- WPICMM05.11 ([Para. 101](#)) The WPICMM05 **ENDORSED** the proposals of the legal scrubbing and **RECOMMENDED** Compliance Committee 19 be presented the version of the legal scrubbing, where suggested changes opposed by CPCs are removed.
- WPICMM05.12 ([Para. 114](#)) The WPICMM05 **RECOMMENDED** the Compliance Committee and the Commission clarify paragraph 14 of Resolution 21/01 to read that over-catch be allowed to be split over two years.
- WPICMM05.13 ([Para. 123](#)) The WPICMM05 **RECOMMENDED** that the Compliance Committee consider the consolidated set of recommendations arising from WPICMM05, provided at [Appendix 6](#).

1. OPENING OF THE SESSION

1. The Fifth Session of the Indian Ocean Tuna Commission's (IOTC) Working Party on Implementation of Conservation and Management Measures (WPICMM) was held by video-conference, from 16 to 18 February 2022. A total of 89 participants attended the Session. The list of participants is provided at [Appendix 1](#). The meeting was opened by the Chairperson of the WPICMM, Mr Benedict Kiilu (Kenya), who welcomed participants to the video-conference and thanked them for their presence for the fifth session of the WPICMM.

2. ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION

2. The WPICMM05 **ADOPTED** the agenda provided in [Appendix 2](#).

3. ADMISSION OF OBSERVERS

3. The WPICMM05 **ADMITTED** the observers in the list of participants in [Appendix 1](#).

4. IMPLEMENTATION OF THE WPICMM WORK PLAN

4.1 *Progress report on the implementation of the WPICMM work plan and on the recommendations of the WPICMM04*

4. The WPICMM05 **NOTED** paper [IOTC-2022-WPICMM05-03](#) that describes the progress on the implementation of the WPICMM Work Plan and on the recommendations of the WPICMM04.
5. The WPICMM05 **NOTED** the progress made in the implementation of the WPICMM Work Plan, where:
 - 28 actions are pending implementation;
 - 23 actions are ongoing; and
 - 36 actions have been fully implemented.
6. Further, the WPICMM05 **NOTED** the implementation of the recommendations that WPICMM04 made to the CoC18, where:
 - one recommendation is ongoing in terms of its implementation;
 - one recommendation is pending; and
 - ten recommendations have been fully implemented.

4.1.1 *Component 1 Action 1.2.3-A plan to improve compliance, it could include: specific training events, amendments to reporting requirements, data analysis assistance*

7. The WPICMM05 **NOTED** there was no comment on this agenda item.

4.1.2 *Component 14 Action 14.1.4 - On capacity building and training interventions*

8. The WPICMM05 **NOTED**, in terms of capacity building to improve compliance, a request for training and support on the following themes: observer training; PSM implementation; identification of tuna and tuna like species; and compliance support missions.

4.1.3 *Component 15 Action 15.1.1 - Develop Terms of Reference for a Comparative assessment of existing sanctioning systems in other organizations*

9. The WPICMM05 **NOTED** paper [IOTC-2022-WPICMM05-03 Add1](#) providing a review of the Terms of Reference for a comparative assessment of existing sanctioning and incentive systems in other organisations to improve compliance of both Contracting Parties and Cooperating non-Contracting Parties (CPCs).
10. The WPICMM05 **NOTED** the serious need for capacity building, and **FURTHER NOTED** imposing sanctions on CPCs at this point may be premature.

11. The WPICMM05 **NOTED** that the scheme of sanctions and incentives should be used only as a last resort, to address cases of serious and/or repeated non-compliance, where all reasonable efforts have been exhausted and proven unsuccessful.
12. The WPICMM05 **NOTED** that there should be consideration of the level of capacity of CPCs when applying sanctions and **FURTHER NOTED** the need to include on the ToR, the impact of the implementation of the schemes of sanctions and incentives on CPCs' compliance.
13. The WPICMM05 **NOTED** that there should be focus on incentives and positive/remedial responses, in addition to sanctions in the ToR.
14. The WPICMM05 **NOTED** that comments on the draft ToR had been received from European Union and Indonesia.
15. The WPICMM05 **RECOMMENDED** that Compliance Committee 19 review and endorse the Terms of Reference recorded in [Appendix 3](#).

4.1.4 Component 18 Action 18.1.3 - To include additional reporting and implementation obligations in the Compliance Assessment Process

16. The WPICMM05 **NOTED** there was no comment on this agenda item.

4.1.5 Component 19 Action 19.1.1

4.1.5.1 On the implementation of scientific observer scheme (Resolution 11/04)

17. The WPICMM05 **NOTED** paper [IOTC-2021-WPDCS17-10_Rev2](#) on the Update on the Implementation of the IOTC Regional Observer Scheme.
18. The WPICMM05 **NOTED**:
 - 15 CPCs submitted a list of observers;
 - 442 observers are currently registered as active;
 - 2,413 observed fishing trips have been reported;
 - observer coverage for the longliners averaged 2.49% and for purse seiners averaged 1.39% (2016-2020); and
 - no coverage of the artisanal fleet.
19. The WPICMM05 **NOTED** since its origin in 2009, national implementation of the Regional Observer Scheme remains low, wide ranging and highly variable in the type and quality of information and **FURTHER NOTED** reporting of data to IOTC standards remains poor and of little value.
20. The WPICMM05 **NOTED** the observations, recommendations and suggestions of the Scientific Committee summarised in the paper and **FURTHER NOTED** the progress made on the implementation of the pilot project adopted to promote the Regional Observer Scheme of IOTC through Resolution 16/04.
21. The WPICMM05 **RECALLED** the recommendation made by Compliance Committee 18, on the reporting to the Compliance Committee by CPCs with ongoing Electronic Monitoring System pilot projects.
22. The WPICMM05 **SUGGESTED** that CPCs, presenting their EMS pilot project to the Compliance Committee, include information on i) the approximate number of vessels equipped or foreseen to be equipped, ii) degree of progress, iii) problems encountered during implementation, iv) solutions found, v) complementarity with the observer program, and vi) forthcoming steps.

4.1.5.2 On the possibility of reviewing other Conservation and Management Measures (CMMs) in future WPICMM meetings

23. The WPICMM05 **REQUESTED** the IOTC Secretariat include implementation problems of those Resolutions that CPCs are having difficulty in implementing, when identified by the Compliance Committee or by the Commission, as a matter of course in the agenda of the WPICMM.

4.2 Review the list of Large-scale Tuna Longline Vessels (LSTLVs)/carrier vessels presumed to have committed infractions against IOTC CMMs under the at-sea transshipment programme and recommend actions (component 10, sub-component 17.2 of WP)

24. The WPICMM05 **NOTED** paper [IOTC-2022-WPICMM05-04](#) that provides a review of possible infractions detected under the Regional Observer Programme in 2021.
25. The WPICMM05 **NOTED** that for the year 2021, a total of ten possible infractions were reported under the Programme, and **FURTHER NOTED** that responses were received from China, Oman, Seychelles and Taiwan Province of China for all of these, with exception of Seychelles, within the deadline of 15 January 2022.
26. WPICMM05 **NOTED** paper [IOTC-2022-WPICMM05-04 Add1](#) on repeated possible infractions observed under the Regional Observer Programme in 2021.
27. The WPICMM05 **NOTED** that no fleet has LSTLVs with a record of repeated possible infringements from the 2021 Regional Observer Programme and one or more record of possible infringements in 2020 and **FURTHER NOTED** that one fleet, Seychelles, has the occurrence of a possible repeated infringements in 2021 but no record of possible infringement in the 2020 Regional Observer Programme.
28. The WPICMM05 **NOTED** paper [IOTC-2022-WPICMM05-04 Add2](#) that provides information on results of investigations received from the fleets on the possible infractions detected under the Regional Observer Programme in 2021.
29. The WPICMM05 **REVIEWED** the assessments conducted by the IOTC Secretariat and **ENDORSED** nine pre-assessments conducted by the IOTC Secretariat described as “Appropriate action taken by the fleet”.
30. The WPICMM05 **REVISED** the assessment regarding vessel ISRAR1 flagged to Oman and its possible infraction (see [IOTC-2022-WPICMM05-04 Add2 Rev1](#)), and **REQUESTED** Oman to provide further evidence for discussion at Compliance Committee 19 on the result of their investigations and the action they have taken.
31. The WPICMM05 **RECALLED** that in its fourth meeting WPICMM had encouraged the participation of all fleets involved in the Regional Observer Programme in its meetings and **EXPRESSED** its disappointment in Oman’s repeated and continued absence.
32. The WPICMM05 **NOTED** that the vessel ISRAR1 flagged to Oman has been placed on the ICCAT IUU list.
33. The WPICMM05 **NOTED** that the IOTC Secretariat would circulate the cross-listing notice to CPCs in the week following WPICMM05, and **FURTHER NOTED** that this would include vessel ISRAR1 flagged to Oman.
34. The WPICMM05 **NOTED** that Seychelles had provided missing logbook pages for vessel FV JUMANJI and **FURTHER NOTED** that the captain had removed the original from the logbook rather than the copy from it.
35. The WPICMM05 **NOTED**, in relation to this type of possible infraction, that Seychelles had commenced electronic reporting on its purse seine vessels and **FURTHER NOTED** they would be doing so for longline vessels soon.
36. The WPICMM05 **RECALLED** that 2020 was the year with the highest number of transshipments ever (1,615), there were 63 deployments in that year, with 14 (22 per cent) observed and **FURTHER NOTED** that there were only 60 deployments approved in 2021 and only five (8 per cent) of these were observed.
37. The WPICMM05 **NOTED** that the Regional Observer Programme was suspended in 2020 and 2021 without any alternative measure in place and **FURTHER NOTED** that the Regional Observer Programme has resumed on a case-by-case basis since December 2021. The WPICMM05 further **EXPRESSED** the need to develop a sustainable approach that would leave no major gaps in case of future unintended interruptions to the Regional Observer Programme.
38. The WPICMM05 **NOTED** that from November 2021 quarantine rates for observers are provided for in the Regional Observer Programme contract and **FURTHER NOTED** that this will allow the contractor to deploy more observers.
39. The WPICMM05 **REQUESTED** the IOTC Secretariat continue to provide a paper on the status of the ROP and provide a paper summarising the effort of the secretariat and contractor to resume normal deployment of observers for the Compliance Committee.

4.3 **Review and update of the WPICMM Work Plan**

40. The WPICMM05 **NOTED** paper [IOTC-2022-WPICMM05-05](#) that provides the status of the Work Plan, as at January 2022.
41. The WPICMM05 **NOTED** that the present Work Plan terminates in the last quarter 2022, and **EXTENDED** the Work Plan for two years, to the end of 2024.
42. The WPICMM05 **RECOMMENDED** that Compliance Committee 19 endorse the Work Plan reviewed by the WPICMM05 ([Appendix 4](#)).

5. REVIEW OF THE ASSESSMENT CRITERIA FOR THE 2022 CPC COMPLIANCE REPORTS

43. The WPICMM05 **NOTED** documents [IOTC-2022-WPICMM05-06](#), [IOTC-2022-WPICMM05-06 Add1 Rev1](#) that present the new assessment criteria added to the 2022 Compliance Report, and **FURTHER NOTED** [IOTC-2022-WPICMM05-06 Add2](#), template of the Compliance Report for Compliance Committee 19.
44. The WPICMM05 **NOTED** that there is no template for item 2.9 Reporting MCS actions related to Resolution 17/07 *On the prohibition to use large-scale driftnets in the IOTC area* and **FURTHER NOTED** that there is specific provision in the Implementation Report for reporting on this.
45. The WPICMM05 **NOTED** that some fields of the Compliance Questionnaire were not working at the time and **FURTHER NOTED** that the IOTC Secretariat had subsequently resolved the issue.
46. The WPICMM05 **NOTED** regarding 2.15 that reporting on catch reductions applies only to those CPCs that had over-catch so the assessment criteria apply to whether those CPCs reported on corrective actions taken.
47. The WPICMM05 **NOTED** that Resolution 21/01 cannot be applied retrospectively to 2.16, 2.18 and 2.19 and **AGREED** to change references to Resolution 21/01 and its paragraphs to Resolution 19/01 and its paragraphs.
48. The WPICMM05 **NOTED** that Resolution 21/02 cannot be applied retrospectively to 8.1 and 8.4 and **AGREED** to change references to Resolution 21/02 and its paragraphs to Resolution 19/06 and its paragraphs.
49. The WPICMM05 **NOTED** that current practice is that 9.2 and 9.3 are assessed as partially compliant if there is observer coverage greater than zero per cent and less than five per cent.
50. The WPICMM05 **NOTED**, given the low threshold of five per cent and the importance of such data for stock assessment, the European Union's objection that an assessment of partial compliance regarding 9.2 and 9.3, be given if the coverage is over zero per cent and less than five per cent.
51. The WPICMM05 **NOTED** regarding 9.2 and 9.3, the European Union's view that observer coverage could be assessed as partially compliant when a CPC has reported a minimum coverage of five per cent of at least one segment of their fleet.
52. The WPICMM05 **AGREED** that section 9 Observers would not be assessed for the year 2020 during the CoC19, since its implementation was universally affected by the Covid-19 pandemic.
53. The WPICMM05 **RECOMMENDED** the Compliance Committee consider and discuss the assessment criteria for partial compliance with 9.2 and 9.3, as well as whether assessment would be waived for Compliance Committee 20.
54. The WPICMM05 **ENDORSED** the Assessment Criteria and **REQUESTED** that the IOTC Secretariat compile the Compliance Reports for the Compliance Committee 19 using the Assessment Criteria and the Compliance Report template as amended and endorsed by the WPICMM05, accessed through the links in [Appendix 5](#).

6. PROPOSAL TO AMEND APPENDIX V OF THE IOTC RULES OF PROCEDURE

55. The WPICMM05 **NOTED** paper [IOTC-2022-WPICMM05-07](#) from the European Union that proposes to amend Appendix V of the IOTC Rules of Procedure.
56. The WPICMM05 **NOTED** that European Union presentation to the WPICMM05 had taken into consideration comments from Indonesia, Maldives and, Korea, and **FURTHER NOTED** changes to the timeline, language and references to the IOTC Agreement.
57. The WPICMM05 **NOTED** the five elements that were missing and can be improved and which the proposal aims to address:
 - i. No distinction made on the compliance issues that have an impact on the status of the stock, functioning of the organisation and scientific advice from compliance issues with less impact
 - Increased from three to six types of compliance status
 - ii. Emphasis on the issues and problems rather than on the solutions and ways forward
 - Focus on source of the issues and follow-up actions, especially capacity building
 - iii. No long-term memory: structural compliance issues are not followed-up over the years
 - Focus on follow-up actions in the short-, medium- and long-term
 - iv. Criteria to distinguish the three are left to the IOTC Secretariat
 - Detailed criteria to assess compliance
 - v. No formal possibility to raise an interpretation issue with an obligation
 - Formal recommendation from CoC to Commission to review unclear CMM.
58. The WPICMM05 **ACKNOWLEDGED** the work of the European Union in the proposal.
59. The WPICMM05 **NOTED** that the follow-up actions described for the compliance status identified as Partially Compliant, Non-compliant and Seriously Non-compliant were identical and **REQUESTED** the European Union to include a detailed timeframe of actions to provide further clarity to the different compliance status.
60. The WPICMM05 **NOTED** the suggestion to categorise repeated Non-compliance as Serious Non-compliance.
61. The WPICMM05 **NOTED** the proposal to include a category entitled “Capacity Building” and **AGREED** that non-compliant CPCs assessed as “Capacity Building” be subjected to a limited timeframe for renewed assessment.
62. The WPICMM05 **AGREED** to the comments on the European Union’s proposal and **INVITED** further written comments to the European Union or to the IOTC Secretariat before 1 March 2022, since the deadline for submission of a proposal to the IOTC Secretariat is 16 March 2022.
63. The WPICMM05 **NOTED** that the European Union will present an updated proposal to the Compliance Committee and **RECOMMENDED** that the Compliance Committee consider it in its deliberations.

7. PROGRESS OF WORK AND PLAN FOR 2022 OF THE VESSEL MONITORING SYSTEM WORKING GROUP

64. The WPICMM05 **NOTED** paper [IOTC-2022-WPICMM05-08](#) providing the progress of work and plan for 2022 of the Vessel Monitoring System Working Group (VMSWG).
65. The WPICMM05 **ACKNOWLEDGED** the work done by the Vessel Monitoring System Working Group and by its Chair.
66. The WPICMM05 **ACKNOWLEDGED** the significant progress since the last WPICMM meeting and **FURTHER ACKNOWLEDGED** the completion of definition of the objectives and three aspects of the Terms of Reference: preferred model, including hosting options; scope and application; and method for ensuring real time or near real time position reporting.
67. The WPICMM05 **NOTED** the following issues where progress is ongoing: develop possible funding models and options; consider improvements that can be made to Resolution 15/03; and develop rules and procedures for the sharing, use and protection of VMS data.

68. The WPICMM05 **NOTED** that one issue is outstanding: develop mechanism for the smooth transition of the existing to the new system, if required.
69. The WPICMM05 **NOTED** that the VMSWG was not yet in a position to make a proposal to the Compliance Committee or to the Commission meetings in 2022, and **FURTHER NOTED** that the next meeting of the VMSWG would take place on 12 July 2022.
70. The WPICMM05 **RECOMMENDED** that the Compliance Committee and the Commission provide feedback to the VMSWG.

7.1 ***Presentation by the General Fisheries Commission for the Mediterranean on their VMS Pilot Project***

71. The WPICMM05 **NOTED** paper [IOTC-2022-WPICMM05-INFO2](#), that provides a draft Terms of Reference for technical cooperation through a pilot project between the General Fisheries Commission for the Mediterranean (GFCM) and the IOTC on the Vessel Monitoring System.
72. The WPICMM05 **NOTED** that it would not be necessary to formalise any bilateral agreement between the GFCM and the IOTC, since both organisations are FAO bodies, and that discussions would be held at a technical level.
73. The WPICMM05 **NOTED** that IOTC would not incur any extra expenses for this project.
74. The WPICMM05 **RECOMMENDED** that the Compliance Committee endorse the draft Terms of Reference.

8. PROGRESS OF WORK AND PLAN FOR 2022 OF THE CATCH DOCUMENTATION SCHEME WORKING GROUP

75. The WPICMM05 **NOTED** paper [IOTC-2022-WPICMM05-09](#), which provides progress of work and the plan for 2022 of the Catch Documentation Scheme Working Group (CDSWG).
76. The WPICMM05 **ACKNOWLEDGED** the work done by the Catch Documentation Scheme Working Group and by its Chair.
77. The WPICMM05 **NOTED** that the CDSWG had agreed to drop design Option 1, in view of the current situation in the three RFMOs, and **FURTHER NOTED** that discussion on basic design relating to Options 2 and 3 was ongoing.
78. The WPICMM05 **NOTED** that the CDSWG had agreed that the three tropical tuna species (BET, SKJ and YFT) be included, taking into consideration the criteria identified, namely stock status, IUU risk, level of international trade, difficulty of implementation, the nature of the fisheries (what species it catches) and any other factor.
79. The WPICMM05 **NOTED** that the CDSWG had agreed that the CDS should be electronic, but special consideration would be required for artisanal fleets or developing coastal States.
80. The WPICMM05 **NOTED** that the CDSWG had sought information from CPCs on the difficulties on implementation of a CDS and **WELCOMED** feedback from CPCs.
81. The WPICMM05 **NOTED** that none of the items in the ToR are concluded and **FURTHER NOTED** that all six items in the ToRs are subject to ongoing discussion.
82. The WPICMM05 **NOTED** the slow progress made by the CDSWG to draft the IOTC CDS strategy and **FURTHER NOTED** that further discussions are required to progress the work of the CDSWG.
83. The WPICMM05 **RECOMMENDED** that the Compliance Committee consider that the submission of a proposal for an IOTC CDS strategy be postponed to 2023.
84. The WPICMM05 **RECOMMENDED** that the Compliance Committee and the Commission provide feedback to the CDSWG.

9. E-MARIS – PROGRESS OF WORK

85. The WPICMM05 **NOTED** paper [IOTC-2022-WPICMM05-10](#), which provides progress on the development of the Electronic Monitoring and Reporting Information System (e-MARIS) application.
86. The WPICMM05 **NOTED** the progress made for the development of the e-MARIS application, the online Record of Authorised Vessels and the work plan for 2022 and 2023.
87. The WPICMM05 **RECALLED** that the Commission had approved the implementation of e-MARIS and that pushing it back would have severe contractual implications.
88. The WPICMM05 **NOTED** that for the universal application of e-MARIS a binding decision (Resolution or other) might be necessary eventually.
89. The WPICMM05 **NOTED** that full implementation of e-MARIS in 2022 would be premature for some CPCs.
90. The WPICMM05 **REQUESTED** all CPCs wishing to participate in the Pilot Training 2 of e-MARIS (from March 2022 to May 2022) contact the IOTC Secretariat latest 28 February 2022 and **FURTHER NOTED** that there was no announcement from the IOTC Secretariat yet.
91. The WPICMM05 **RECOMMENDED** that the e-MARIS application will have entered into implementation for the next compliance assessment of the 2023 Compliance Committee meeting (CoC20) and **FURTHER RECOMMENDED** that those CPCs encountering problems be allowed to continue using the paper system for Compliance Committee 20.

10. ANALYSIS OF INFORMATION ON BENEFICIAL OWNERS OF AUTHORISED VESSELS

92. The WPICMM05 **NOTED** paper [IOTC-2022-WPICMM05-11](#), which provides an analysis on information on beneficial owners of vessels on the IOTC Record of Authorised Vessels (RAV).
93. The WPICMM05 **NOTED**
 - the low rate of information submitted on vessel beneficial ownership (19 per cent) and company (14 per cent);
 - only 14 CPCs out of 23 CPCs with vessels in the RAV, are submitting information on vessel beneficial ownership;
 - beneficial owner information largely matches with the information provided for owners (87 per cent) and operators (77 per cent).
94. The WPICMM05 **NOTED** the need to have a standardised definition of beneficial owner and **RECALLED** that the work on the glossary of definitions and key terms to be used by IOTC has been put on stand-by pending the completion of the legal scrubbing.
95. The WPICMM05 **NOTED** that for some countries it is not possible legally to reveal the beneficial owner and **FURTHER NOTED** that the definition of a beneficial owner normally refers to a natural person, not a company or legal person as reported by many CPCs.
96. The WPICMM05 **REQUESTED** CPCs with vessels in the IOTC Record of Authorised Vessels, to provide to the IOTC Secretariat 45 days (by 24 March 2022) before the Compliance Committee meeting, (i) missing information for beneficial owner and company, or to provide information to the IOTC Secretariat to explain any impediment and (ii) the definition of beneficial owner if defined in their national law.
97. The WPICMM05 **RECOMMENDED** that report [IOTC-2022-WPICMM05-11](#) and a summary of impediments be presented to Compliance Committee 19 to give CPCs an opportunity for further comment and **FURTHER RECOMMENDED** the Compliance Committee reconsider the application of Resolution 19/04 with respect to the information on beneficial owners.

11. LEGAL SCRUBBING

98. The WPICMM05 **NOTED** paper [IOTC-2022-WPICMM05-12](#), which provides a summary of the implementation process and the progress of the legal scrubbing of IOTC Resolutions and **FURTHER NOTED** the comments from CPCs in paper [IOTC-2022-WPICMM05-12 Add1](#) provided by Australia, European Union, Japan and Maldives.
99. The WPICMM05 **RECALLED** the recommendations of Compliance Committee 18:
- The Compliance Committee **RECOMMENDED** that the CPCs who have not provided their feedback on the legal scrubbing to do so at least one month in advance of the next WPICMM, after which other comments will not be taken into consideration.
 - The Compliance Committee **RECOMMENDED** that the WPICMM shall conclude the work on the legal scrubbing at its next session with the comments received.
100. The WPICMM05 **NOTED** its deep disappointment that no further CPC has provided comments since WPICMM04.
101. The WPICMM05 **ENDORSED** the proposals of the legal scrubbing and **RECOMMENDED** Compliance Committee 19 be presented the version of the legal scrubbing, where suggested changes opposed by CPCs are removed.

12. SCHEME TO OPERATIONALISE THE FAO VOLUNTARY GUIDELINES ON THE MARKING OF FISHING GEAR

102. The WPICMM05 **NOTED** paper [IOTC-2022-WPICMM05-13](#) on the status of development of an IOTC scheme to operationalise the FAO Voluntary Guidelines on the Marking of Fishing Gear and **FURTHER NOTED** paper [IOTC-2022-WPICMM05-13 Add1](#) on the operationalisation of FAO Voluntary Guidelines for the Marking of Fishing Gear in the IOTC area of competence.
103. The WPICMM05 **NOTED** the progress made by the IOTC Secretariat in securing the service of a consultant to develop a scheme to operationalise the FAO Voluntary Guidelines on the Marking of Fishing Gear in the IOTC Area.
104. The WPICMM05 **NOTED** the presentation of the Consultant in paper [IOTC-2022-WPICMM05-13 Add2](#) that includes a summary of the priority gears, risk assessment, marking, and the fact that the study includes a draft resolution, for both normal conditions and those including abandonment, loss and discards.
105. The WPICMM05 **NOTED** that five important fishing gears with respect to gear marking are purse seine, drifting gill nets, longline, trolling line and pole and line.
106. The WPICMM05 **NOTED** that FAO is developing manuals on marking that are expected to be available in late 2022 or early 2023.
107. The WPICMM05 **NOTED** that stakeholder involvement is important for reducing risk, and for determining priorities and perhaps exemptions.
108. The WPICMM05 **NOTED** that costs should be considered and **FURTHER NOTED** they would be possible to assess only after a risk analysis with stakeholders determining the types and frequency of markings.
109. The WPICMM05 **NOTED** that CPCs have not yet had time to comment on the report of the consultant [IOTC-2022-WPICMM05-13 Add1](#) and **REQUESTED** CPCs provide comments by 10 March 2022 on the following:
- Major fishing gears of interest to IOTC;
 - Gear marking technologies and practices;
 - Risk assessment for the marking of fishing gear.

13. ON THE INTERPRETATION OF RESOLUTION 21/01

110. The WPICMM05 **NOTED** paper [IOTC-2022-WPICMM05-14 Rev3](#) on the interpretation of Resolution 21/01.
111. The WPICMM05 **NOTED** there was support to Seychelles' interpretation and **AGREED** to allow that the payback for over-catch be split over two years.
112. The WPICMM05 **NOTED** that the catch limit estimations are an output of the discussions of Scientific Committee 24.
113. The WPICMM05 **NOTED** that paragraph 14 of Resolution 21/01 regarding the deductions due to over-catch is unclear and **FURTHER NOTED** that its wording should be clarified in a future proposal to revise Resolution 21/01.
114. The WPICMM05 **RECOMMENDED** the Compliance Committee and the Commission clarify paragraph 14 of Resolution 21/01 to read that over-catch be allowed to be split over two years.
115. The WPICMM05 **NOTED** the concerns of China over the new method of allocating catches between the fleets of China and Taiwan, Province of China and **FURTHER NOTED** that the IOTC Secretariat would follow up with them bilaterally.
116. The WPICMM05 **NOTED** support for China's case that the allocation be assessed separately and **FURTHER NOTED** that this has been the practice of the IOTC Secretariat in the past.

14. ANY OTHER BUSINESS

14.1 Resolution 21/01 Reporting on Active Vessels

117. The WPICMM05 **NOTED** that the obligation for submission under Resolution 21/01 paragraph 26 by 15 February 2022 on the list of vessels which have fished for yellowfin tuna in the preceding year was not in the Guide to IOTC Data Reporting and nor was there a stand-alone template and **FURTHER NOTED** its potential inclusion, if necessary, in the existing reporting template for Resolution 10/08.
118. The WPICMM05 **NOTED** that the obligation under Resolution 21/01 paragraph 27 for the IOTC Secretariat to report to the Compliance Committee and to the Scientific Committee on aggregated statistics concerning fishing fleet capacity metrics.
119. The WPICMM05 **NOTED** that the obligation under Resolution 21/01 paragraph 26 applies for the list of vessels which would have fished for yellowfin tuna in 2022 to be submitted by 15 February 2023, considering Resolution 21/01 came into effect from 1 January 2022.
120. The WPICMM05 **REQUESTED** the IOTC Secretariat to produce a reporting template and remind the CPCs of this requirement.

14.2 Election of a Vice-Chairperson for the next biennium

121. The WPICMM05 **ELECTED** Mr Hiroyuki Morita (Japan) as Vice-Chair for the next biennium.

14.3 Date and place of the 6th and 7th Sessions of the Working Party on Implementation of CMMs

122. The WPICMM05 **AGREED** on dates for the meeting in 2023, and **FURTHER AGREED** that this may be held in person, virtually or a hybrid of the two.

Future meetings

Meeting	2023			2024		
	No.	Date	Format	No.	Date	Format
Working Party on Implementation of CMMs (WPICMM)	6 th	15-17 February 2023	TBD	7 th	TBD	TBD

14.4 Review of the draft, and adoption of the Report of the Fifth Session of the Working Party on Implementation of CMMs

123. The WPICMM05 **RECOMMENDED** that the Compliance Committee consider the consolidated set of recommendations arising from WPICMM05, provided at [Appendix 6](#).
124. The report of the Fifth Session of the Working Party on the Implementation of Conservation and Management Measures ([IOTC-2022-WPICMM05-R](#)) was **ADOPTED** on 24 March 2022.

APPENDIX 1
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APPENDIX 2
ADOPTED AGENDA

ADOPTED AGENDA: FIFTH MEETING OF THE WORKING PARTY ON THE IMPLEMENTATION OF CONSERVATION AND MANAGEMENT MEASURES

07 February 2022

Date: 16 to 18 February 2022

Location: Online

Platform: Zoom

Time: 1100–1500 hrs daily (Seychelles time)

Chair: Mr. Benedict Kiilu (Kenya)

Vice chair: Vacant

1. **OPENING OF THE SESSION** (Chair)
2. **ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION** (Chair)
3. **ADMISSION OF OBSERVERS** (Chair)
4. **IMPLEMENTATION OF THE WPICMM WORKPLAN** (Secretariat/Plenary)
 - 4.1 **Progress report on the implementation of the WPICMM work plan and on the recommendations of the WPICMM04** (Secretariat/Plenary)

Discuss on (and RECOMMEND to the Compliance Committee):

 - Component 1 Action 1.2.3 - A plan to improve compliance, it could include: specific training events, amendments to reporting requirements, data analysis assistance,
 - Component 14 Action 14.1.4 - On capacity building and training interventions,
 - Component 15 Action 15.1.1 - Develop ToRs for a Comparative assessment of existing sanctioning systems in other organizations
 - Component 18 Action 18.1.3 - To include additional reporting and implementation obligations in the Compliance Assessment Process,
 - Component 19 Action 19.1.1
 - On the implementation of scientific observer (Resolution 11/04),
 - On the possibility of reviewing other Conservation and Management Measures (CMMs) in future WPICMM meetings,
 - 4.2 **Review the list of Large-Scale Tuna Longline Vessels (LSTLVs)/carrier vessels presumed to have committed infractions against IOTC CMMs under the at-sea transshipment programme and recommend actions [component 10, sub-component 17.2 of WP]** (Secretariat/Plenary),
 - 4.3 **Review and update of the WPICMM Work Plan** (Secretariat/Plenary),
5. **REVIEW OF THE ASSESSMENT CRITERIA FOR THE 2022 CPCs' COMPLIANCE REPORT** (Secretariat/Plenary)
6. **PROPOSAL TO AMEND APPENDIX V OF THE IOTC RULES OF PROCEDURE** (European Union/Plenary)
7. **PROGRESS OF WORK AND PLAN FOR 2022 OF THE VESSEL MONITORING SYSTEM (VMS) WORKING GROUP** (VMS WG Chair/Plenary)
 - 7.1 **Presentation by General Fisheries Commission for the Mediterranean on their VMS Pilot Project** (Secretariat/Plenary)
8. **PROGRESS OF WORK AND PLAN FOR 2022 OF THE CATCH DOCUMENTATION SCHEME (CDS) Working Group** (CDS WG Chair/Plenary)

- 9. E-MARIS – PROGRESS OF WORK** (Secretariat /Plenary)
- 10. ANALYSES OF BENEFICIAL OWNERS INFORMATION OF AUTHORISED VESSELS** (Secretariat/Plenary)
- 11. LEGAL SCRUBBING** (Secretariat/Plenary)
- 12. SCHEME TO OPERATIONALISE THE FAO VOLUNTARY GUIDELINES ON THE MARKING OF FISHING GEAR**
(Consultant/Plenary)
- 13. ON THE INTERPRETATION OF RESOLUTION 21-01** (Secretariat/Plenary)
- 14. ANY OTHER BUSINESS** (Chair)
 - 14.1 Resolution 21/01 Reporting on Active Vessels**
 - 14.2 Election of a Vice-Chairperson for the next biennium** (Chair/CPCs)
 - 14.3 Date and place of the 6th and 7th Sessions of the WPICMM** (Chair/CPCs)
 - 14.4 Review of the draft, and adoption of the Report of the Fifth Session of the WPICMM** (Chair)

APPENDIX 3

TERMS OF REFERENCE FOR A COMPARATIVE ASSESSMENT OF EXISTING SYSTEMS OF SANCTIONS AND INCENTIVES IN OTHER ORGANISATIONS

IOTC-2022-WPICMM05-03_Add2_Rev1

Terms of Reference

For

Comparative assessment of existing sanctioning systems in other organizations to develop a schedule of sanctions for non-compliance with IOTC CMMs

Background and context:

The Indian Ocean Tuna Commission is an intergovernmental organization established under article XIV of the FAO constitution. The IOTC agreement was concluded in 1993 and entered in force in 1998. The IOTC is mandated to manage tuna and tuna-like species in the Indian Ocean and adjacent seas, being its primary objective to ensure, through appropriate management, their conservation and optimum utilisation. To achieve this objective, the Contracting Parties and Cooperating non-Contracting Parties (CPCs) adopt legally binding resolutions which contain conservation and management measures (CMMs) that parties are obligated to implement. To monitor their compliance in respect to the effective implementation of these IOTC CMMs, a Compliance Committee is established in 2002.

Over the years, however, the repeated lack of compliance of CPCs, particularly concerning information reporting requirements has resulted in the adoption of further measures by the Commission, such as Resolution 18/07 *On Measures Applicable in Case of Non-Fulfilment of Reporting Obligations in the IOTC*. With more emphasis being placed on compliance, the Terms of Reference of the Compliance Committee was revised in 2009, with a view on strengthening its role and capacity to improve the level of compliance of CPCs with IOTC CMMs ([IOTC-RoP-2014](#)). In particular, under the revised terms of reference, the Compliance Committee is mandated to identify and discuss the root causes of non-compliance and recommend suitable actions for the consideration of the Commission. To address cases of serious and/or repeated non-compliance, where all reasonable efforts are exhausted and proven unsuccessful, the Compliance Committee is also tasked to develop a scheme of incentives and sanctions and a mechanism for their application.

The IOTC Performance Review Panel noted within its two performance reviews, concluded in 2009 and 2016, that the Compliance Committee, needed still to develop a scheme of incentives and sanctions and a mechanism for their application to encourage compliance by all CPCs. To make headway in the debate on this subject, the IOTC Working Party on the Implementation of Conservation and Management Measures (WPICMM) adopted a work plan with proposed timelines and priorities, which included Recommendation 15 entitled “Develop recommendations and guidelines for a schedule of sanctions for non-compliance with IOTC CMMs for consideration by the CPCs and the Commission” ([IOTC-2022-WPICMM05-05](#)). At its 15th Session, the work plan was adopted by the Compliance Committee ([IOTC-2018-CoC15-R](#)).

Purpose of the assignment:

As per recommendation 15, section 15.1 of the WPICMM work plan, the purpose of the assignment is to conduct a comparative assessment of existing sanctioning systems in other organizations to improve compliance of both Contracting Parties and Cooperating non-Contracting Parties (CPCs).

The findings of this comparative assessment will serve to assist the Commission in the development of a scheme of sanctions and incentives to improve compliance with respect to the effective implementation of IOTC CMMs.

Activities of the consultant:

Under the supervision of IOTC Secretariat, the consultant will:

1. Review existing schemes of penalties, incentives and other remedial measures aiming at ensuring compliance currently implemented by other RFMOs and/or relevant international organisations having a mandate over maritime affairs and fisheries.

2. Make a comparative analysis of the existing schemes of penalties and incentives identified. The expert may contact secretariats of RFMOs that have a schedule of sanctions in place for the purpose of collecting information on the status of implementation, constraints these RFMOs and/or relevant international organizations face in implementing the scheme and potential improvement to facilitate the implementation of such scheme.
3. Review existing mechanisms or structured approaches by other RFMOs and/or relevant international organisations for cases of non-compliance by their members and non-members, including but not limited to, the legal basis of the sanction scheme, the actual use of the mechanism and the decision-making process to impose penalties and incentives on members.
4. Review the impact of the implementation of the incentive and sanction to the improvement of compliance of the CPCs in other RFMOs and/or relevant international organizations.
5. Conduct comparative analyses of the selected implementation approaches identified.
6. Prepare a preliminary draft report for review and guidance by the IOTC Secretariat that identifies, which RFMOs (and relevant international organisations) have implemented a scheme of sanctions and incentives. The draft report shall also include, (i) a preliminary review and comparative assessment of the schemes of sanctions and incentives implemented, (ii) the structured approach taken for its application, (iii) any issues encountered in their implementation, and (iv) considerations and avenues to adapt such a scheme in the IOTC taking into account the specificities of the Organisation.
7. Taking into account comments from the IOTC Secretariat, prepare a final report that includes:
 - An introduction and background.
 - A summary of the findings.
 - A summary assessment of the current regional schemes of sanctions and incentives implemented by RFMOs.
 - A summary assessment of the current global and/or regional schemes of sanctions and incentives implemented by other relevant international organisations.
 - A summary assessment of the current global and/or regional structured approaches used for the application of these schemes.
 - A comparative analysis of the existing schemes of sanctions and incentives
 - A comparative analysis of the existing mechanisms for the implementation of the schemes of sanctions and incentives
 - Limitations/weaknesses and challenges as well as remedial actions put in place
 - Any substantive issues specific to IOTC CPCs, area or regulation, including considerations and avenues to adapt such a scheme in the IOTC taking into account the specificities of the organisation.
 - Conclusions derived from the comparative analysis.

As a general practice, the final report and its findings should be based on a number of principles, and considerations, namely:

- i. Consistency with the IOTC Agreement, IOTC Financial Regulations (2019), IOTC Rules of Procedure (2014) and existing international instruments and law. Due regards must be given to the United Nations Convention on the Law of the Sea of 10 December 1982, relating to the conservation and management of straddling fish stocks and highly migratory fish stocks (UNFSA), the United Nations Convention on the Law of the Sea (UNCLOS 1982), the Agreement to promote compliance with international conservation and management measures by fishing vessels on the high seas (FAO CA 1993) and other relevant Conventions. No proposal in this guideline shall undermine the basic principles and terms of these international instruments.
- ii. Due consideration of IOTC Conservation and Management Measures in force.
- iii. Recognition of the special requirements of Developing States and Small Island Developing States. The development of a fair, transparent and non-discriminatory scheme would increase the acceptance of effectiveness of these actions as means of deterrence.
- iv. Due consideration to both positive responses, such as financial or technical assistance and capacity building and negative responses, *such as* (automatic) quota reductions, loss of fishing opportunities, enhanced monitoring and non-discriminatory trade measures.

Expected outputs/delivery:

- A preliminary draft report for review and guidance by the IOTC Secretariat that identifies (i) which RFMOs (and relevant international organizations) have implemented a scheme of sanctions and incentives, and that includes (ii) a preliminary review and comparative assessment of the schemes of sanctions and incentives implemented, (iii) the structured approach taken for its application, and (iv) any issues encountered on their implementation.
- A final report that includes:
 - An introduction and background.
 - A summary of the findings.
 - A summary assessment of the current regional schemes of sanctions and incentives implemented by RFMOs.
 - A summary assessment of the current global and/or regional schemes of sanctions and incentives implemented by other relevant international organisations.
 - A summary assessment of the current global and/or regional structured approaches used for the application of these schemes.
 - A comparative analysis of the existing schemes of sanctions and incentives
 - A comparative analysis of the existing mechanisms for the implementation of the schemes of sanctions and incentives
 - Limitations/weaknesses and challenges as well as remedial actions put in place
 - Any substantive issues specific to IOTC CPCs, area or regulation, including considerations and avenues to adapt such a scheme in the IOTC taking into account the specificities of the organisation.
 - Conclusions derived from the comparative analysis.
- In-person or virtual presentation of the report and the findings of the study to the WPICMM and the Compliance Committee

Qualifications and Experience

The consultant should be able to demonstrate a successful history of consultancy engagements related to these Terms of Reference or similar work.

Qualifications and skills

- A post graduate degree (LL.M. or equivalent in international law with expertise in law of the sea or equivalent)
- Excellent communication and legal drafting skills
- A high level of proficiency in written and spoken English

Experience

- Experience in the region/countries of the IOTC and knowledge of IOTC functioning
- Minimum 10 years of professional experience in international law and areas of law closely related to RFMOs and fisheries management
- Demonstrated knowledge of international and regional fisheries instruments related to IOTC Resolutions
- Experience in legal drafting of international fisheries instruments
- Ability to work under pressure and meet tight deadlines

APPENDIX 4
REVISED WORK PLAN OF THE WPICMM

The WIPCMM Work Plan endorsed by the WPICMM05 is available [HERE](#)

APPENDIX 5
ASSESSMENT CRITERIA AND COMPLIANCE REPORT TEMPLATE

The assessment criteria endorsed by the WPICMM05 are available [HERE](#)

Compliance report template for the CoC19 endorsed by the WPICMM05 is available [HERE](#)

APPENDIX 6

CONSOLIDATED SET OF RECOMMENDATIONS ARISING FROM WPICMM05

- WPICMM05.01 ([Para. 15](#)) The WPICMM05 **RECOMMENDED** that Compliance Committee 19 review and endorse the Terms of Reference recorded in [Appendix 3](#).
- WPICMM05.02 ([Para. 42](#)). The WPICMM05 **RECOMMENDED** that Compliance Committee 19 endorse the Work Plan reviewed by the WPICMM05 ([Appendix 4](#)).
- WPICMM05.03 ([Para. 53](#)) The WPICMM05 **RECOMMENDED** the Compliance Committee consider and discuss the assessment criteria for partial compliance with 9.2 and 9.3, as well as whether assessment would be waived for Compliance Committee 20.
- WPICMM05.04 ([Para. 63](#)) The WPICMM05 **NOTED** that the European Union will present an updated proposal to the Compliance Committee and **RECOMMENDED** that the Compliance Committee consider it in its deliberations.
- WPICMM05.05 ([Para. 70](#)) The WPICMM05 **RECOMMENDED** that the Compliance Committee and the Commission provide feedback to the VMSWG.
- WPICMM05.06 ([Para. 74](#)) The WPICMM05 **RECOMMENDED** that the Compliance Committee endorse the draft Terms of Reference
- WPICMM05.07 ([Para. 83](#)) The WPICMM05 **RECOMMENDED** that the Compliance Committee consider that the submission of a proposal for an IOTC CDS strategy be postponed to 2023.
- WPICMM05.08 ([Para. 84](#)) The WPICMM05 **RECOMMENDED** that the Compliance Committee and the Commission provide feedback to the CDSWG.
- WPICMM05.09 ([Para. 91](#)) The WPICMM05 **RECOMMENDED** that the e-MARIS application will have entered into implementation for the next compliance assessment of the 2023 Compliance Committee meeting (CoC20) and **FURTHER RECOMMENDED** that those CPCs encountering problems be allowed to continue using the paper system for Compliance Committee 20.
- WPICMM05.10 ([Para. 97](#)) The WPICMM05 **RECOMMENDED** that report [IOTC-2022-WPICMM05-11](#) and a summary of impediments be presented to Compliance Committee 19 to give CPCs an opportunity for further comment and **FURTHER RECOMMENDED** the Compliance Committee reconsider the application of Resolution 19/04 with respect to the information on beneficial owners.
- WPICMM05.11 ([Para. 101](#)) The WPICMM05 **ENDORSED** the proposals of the legal scrubbing and **RECOMMENDED** Compliance Committee 19 be presented the version of the legal scrubbing, where suggested changes opposed by CPC are removed.
- WPICMM05.12 ([Para. 114](#)) The WPICMM05 **RECOMMENDED** the Compliance Committee and the Commission clarify paragraph 14 of Resolution 21/01 to read that over-catch be allowed to be split over two years.
- WPICMM05.13 ([Para. 123](#)) The WPICMM05 **RECOMMENDED** that the Compliance Committee consider the consolidated set of recommendations arising from WPICMM05, provided at [Appendix 6](#).