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

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Held in person and by video-conference, 15 to 17 February 2023

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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 Sixth Session of the Indian Ocean Tuna Commission's (IOTC) Working Party on the Implementation of Conservation and Management Measures (WPICMM) was held in Nairobi and by video-conference, from 15 to 17 February 2023. A total of 50 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 WPICMM06, which are provided in full at [Appendix 5](#):

- WPICMM06.02 ([Para. 24](#)) The WPICMM06 **RECOMMENDED** that Compliance Committee 20 consider putting aside a system of penalties and sanctions in favour of incentives and positive actions relating to capacity development and technical assistance.
- WPICMM06.03 ([Para. 34](#)) The WPICMM06 **RECOMMENDED** that Compliance Committee 20 consider endorsing those terms of the glossary that have already been agreed by the WPICMM06.
- WPICMM06.04 ([Para. 55](#)) The WPICMM06 **RECOMMENDED** that the Compliance Committee request that fleets participating in the transshipment at sea programme attend the WPICMM and respond to the possible infractions reported.
- WPICMM06.06 ([Para. 62](#)) The WPICMM06 **RECOMMENDED** that Compliance Committee 20 consider endorsing the Work Plan reviewed by the WPICMM06 ([Appendix 3](#)).
- WPICMM06.07 ([Para. 78](#)) The WPICMM06 **RECOMMENDED** that Compliance Committee 20 discuss this proposal, after consideration of the deliberations of the WPICMM06 and its Report.
- WPICMM06.08 ([Para. 82](#)) The WPICMM06 **NOTED** meeting document IOTC-2023-WPICMM06-08 as well as progress of the recent Sixth VMSWG and **RECOMMENDED** Compliance Committee 20 consider recommendations arising from the VMS Working Group.
- WPICMM06.09 ([Para. 87](#)) The WPICMM06 **RECOMMENDED** that Compliance Committee 20 consider endorsing the CDS Strategy, as amended by the Eighth meeting of the CDS Working Group.
- WPICMM06.10 ([Para. 94](#)) The WPICMM06 **RECOMMENDED** that Compliance Committee 20 consider requesting the IOTC Secretariat to identify, propose and secure financing for the operation and maintenance of the e-MARIS application and the online Record of Authorised Vessels application after the end of the SWIOFish2 project in September 2023, and to keep future sessions of the Compliance Committee informed of progress.
- WPICMM06.11 ([Para. 95](#)) The WPICMM06 **RECOMMENDED** that Compliance Committee 20 consider that e-MARIS is encouraged to be used while continuing to be voluntary for the 2024 campaign leading to Compliance Committee 21 and **FURTHER RECOMMENDED** that the use of e-MARIS become mandatory henceforth.
- WPICMM06.12 ([Para. 105](#)) The WPICMM06 **RECOMMENDED** that the Compliance Committee 20 consider tasking the IOTC Secretariat to develop a system to efficiently remove vessels whose date of authorisation has expired, in line with the recommendation by CoC19, which was endorsed by the Commission (S26).
- WPICMM06.13 ([Para. 124](#)) The WPICMM06 **RECOMMENDED** that the Compliance Committee consider the consolidated set of recommendations arising from WPICMM06, provided at [Appendix 5](#).

## 1. OPENING OF THE SESSION

1. The Sixth Session of the Indian Ocean Tuna Commission's (IOTC) Working Party on Implementation of Conservation and Management Measures (WPICMM) was held in Nairobi and by video-conference, from 15 to 17 February 2023. A total of 50 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 Nairobi and to the video-conference and thanked them for their presence at the Sixth Session of the WPICMM.

## 2. ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION

2. The WPICMM06 **ADOPTED** the agenda provided in [Appendix 2](#).

## 3. ADMISSION OF OBSERVERS

3. The WPICMM06 **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 WPICMM05*

4. The WPICMM06 **NOTED** paper [IOTC-2023-WPICMM06-03](#) that describes the progress on the implementation of the WPICMM Work Plan and on the recommendations of the WPICMM05 endorsed by the Nineteenth Compliance Committee (CoC19).
5. The WPICMM06 **NOTED** the progress made in the implementation of the WPICMM Work Plan, where:
  - 24 actions are pending implementation;
  - 19 actions are ongoing; and
  - 43 actions have been fully implemented.
6. Further, the WPICMM06 **NOTED** the implementation of the recommendations that WPICMM05 made to the CoC19, where the 13 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 WPICMM06 **NOTED** that the training in Action 1.2.3 relates to capacity building measures related to compliance and port State measures.
8. The WPICMM06 **NOTED** requests for assistance to CPCs on the transposition of Resolutions into national legislation.
9. The WPICMM06 **NOTED** a request for capacity building from a CPC on e-PSM application and **FURTHER NOTED** that while training had already been provided, refresher courses could indeed be delivered.
10. The WPICMM06 **NOTED** that CPCs could send requests to the IOTC Secretariat for specific training needs, including refresher courses.

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

11. The WPICMM06 **NOTED** the difference between items 1.2.3 and 14.1.4 and **FURTHER NOTED** a request for compliance support missions, in particular before mandatory statistics are due to be submitted in June, and that the CPC concerned would send a request to the IOTC Secretariat.
12. The WPICMM06 **NOTED** that the period before June is a busy period and that compliance support missions can be requested any time so that they can be planned in advance.
13. The WPICMM06 **NOTED** that compliance support missions can continue to be undertaken, and that these are reported to the Compliance Committee and **FURTHER NOTED** that the IOTC Secretariat encourages CPCs to make specific requests.

14. The WPICMM06 **NOTED**, in terms of capacity building to improve compliance, a request for training and support on the following themes: PSM implementation and e-PSM use; compliance support missions for mandatory statistics; e-MARIS use and management; and support for transposition of IOTC Resolutions into national legislation.

**4.1.3 Component 15 Action 15.1.3 - Develop Terms of Reference for a Comparative assessment of existing sanctioning systems in other organizations- Review of the consultant report and provision of recommendations by the WPICMM “Sanctions, penalties and incentives to promote compliance in the Indian Ocean Tuna Commission (IOTC)”**

15. The WPICMM06 **NOTED** document [IOTC-2023-WPICM06-03 Add1](#) on sanctions, penalties and incentives to promote compliance in the IOTC.
16. The WPICMM06 **RECALLED** that the WPICMM05 noted that sanctions should be used only as a last resort, to address cases of serious and/or repeated non-compliance, when all reasonable efforts have been exhausted and proved unsuccessful.
17. The WPICMM06 **NOTED** that the report is fundamental for understanding the utility of sanctions in the compliance process of RFMOs.
18. The WPICMM06 **NOTED** that there are special considerations that might be given to developing States and **FURTHER NOTED** that the adoption and implementation of a scheme of sanctions is premature and efforts should be focused on strengthening capacity at national level and understanding the drivers of non-compliance.
19. The WPICMM06 **NOTED** that the report recommended that IOTC build on its compliance assessment approaches and:
- Prioritise the implementation of work done to date to harmonise and streamline obligations;
  - Undertake an independent review of IOTC Secretariat’s capacity and technical assistance approach: *Capacity Development and Technical Assistance Strategy*; and
  - Develop and implement two approaches to encourage compliance, including: *Capacity Development Plans*, triggered by a rate of compliance of 60 per cent or less for a period of two years, and *Independent Compliance Reviews*, for those CPCs that consistently fail to meet their obligations (e.g. a rate of compliance of 40 percent or less or a history of systemic non-compliance).
20. The WPICMM06 **NOTED** that IOTC’s Resolution 18/07 *On Measures Applicable in Case of Non-Fulfilment of Reporting Obligations* in the IOTC relates to sanctions for those not providing essential information relating to whether a CPC has caught IOTC species or not, whose effectiveness is in doubt.
21. The WPICMM06 **NOTED** that the proposals for revision of Appendix V of the Rules of Procedure are in the same vein as the recommendations of the consultant’s report in laying the emphasis on incentives and support rather than on sanctions and penalties.
22. The WPICMM06 **NOTED** that the positive approach to non-compliance may be applied to IUU vessels and **FURTHER NOTED** there is room for exploring this possibility.
23. The WPICMM06 **NOTED** that there is a spectrum of non-compliance, ranging from those who will never comply and those who will always comply, and in the middle of the spectrum it is important to understand the drivers of non-compliance and **FURTHER NOTED** the question of what to do when support and incentives have not worked.
24. The WPICMM06 **RECOMMENDED** that Compliance Committee 20 consider putting aside a system of penalties and sanctions in favour of incentives and positive actions relating to capacity development and technical assistance.
25. The WPICMM06 **RECOMMENDED** that Compliance Committee 20 consider endorsing the Consultant’s report “Sanctions, Penalties and Incentives to Promote Compliance in the Indian Ocean Tuna Commission (IOTC)”.

#### **4.1.4 Component 17 – To resume the work of the Glossary**

26. The WPICMM06 **NOTED** document [IOTC-2023-WPICMM06-03 Add2 Rev2](#), which presents the draft Glossary of definitions and key terms which should be used by Members when drafting proposals for Resolutions for the Commission.
27. The WPICMM06 **RECALLED** that the Commission endorsed for the legal scrubbing to be adopted in two packages of Resolutions over its Sessions in 2023 and 2024.
28. The WPICMM06 **NOTED** that there were some terms in the Glossary that had been agreed and some had not been agreed to date and **FURTHER NOTED** that those that had not been agreed had brackets in the current draft.
29. The WPICMM06 **NOTED** that the FAO had adopted new definitions for some terms (such as transshipment) and **FURTHER NOTED** that there should be consistency between IOTC's terms and terms used in those international instruments.
30. The WPICMM06 **NOTED** that there was a need for advancing on the work of those definitions that had not yet been agreed.
31. The WPICMM06 **NOTED** that the Glossary is a living document and may be subjected to new updates as international good practice develops.
32. The WPICMM06 **NOTED** the updates and comments provided to the list of terms that had not yet been agreed, as indicated in square brackets in [IOTC-2023-WPICMM06-03 Add2 Rev2](#) .
33. The WPICMM06 **AGREED** to proceed with the work on those terms that had not been agreed (in square brackets) by correspondence intersessionally and **FURTHER AGREED** that while the work is in progress, the overall list be split into one that contains those that have been agreed and one that contains those yet to be agreed.
34. The WPICMM06 **RECOMMENDED** that Compliance Committee 20 consider endorsing those terms of the glossary that have already been agreed by the WPICMM06.

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

35. The WPICMM06 **NOTED** there was no comment on this agenda item.

#### **4.1.6 Component 19 Action 19.1.1**

##### **4.1.6.1 WPICMM discuss possibility of conducting the review for other CMMs in WPICMM06 for more comprehensive facilitation of CMMs implementation**

36. The WPICMM06 **NOTED** there was no comment on this agenda item.

#### **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)**

37. The WPICMM06 **NOTED** document [IOTC-2023-WPICMM06-04](#) that provides a review of possible infractions detected under the Regional Observer Programme in 2022.
38. The WPICMM06 **NOTED** that for the year 2022, a total of 148 possible infractions were reported under the Programme, and **FURTHER NOTED** that 136 (92%) responses were received prior to WPICMM06.
39. The WPICMM06 **NOTED** that the responses were received from Japan, Malaysia and Taiwan, Province of China, within the deadline of 15 January 2023 and **FURTHER NOTED** that China, Mauritius and Seychelles provided some responses after the deadline.
40. The WPICMM06 **NOTED** that Oman did not provide any response to the possible infractions notified.



41. The WPICMM06 **EXPRESSED CONCERN** that Oman had not responded and not attended the WPICMM repeatedly.
42. WPICMM06 **NOTED** document [IOTC-2023-WPICMM06-04\\_Add1](#) on repeated possible infractions observed under the Regional Observer Programme in 2022.
43. The WPICMM06 **NOTED** that the fleets of China and Taiwan, Province of China, have one LSTLV each with records of repeated possible infractions in 2022 and having one or more records of possible infractions in 2021.
44. The WPICMM06 **NOTED** that five fleets (China, Taiwan, Province of China, Malaysia, Mauritius and Seychelles), of the seven fleets that have transhipped in 2022, have possible repeated infractions in 2022.
45. The WPICMM06 **NOTED** that the majority of the possible infractions notified to Mauritius relate to LSTLV logbooks and **FURTHER NOTED** that the Secretariat had received an updated official logbook template on 9 February 2023 and that this had been posted on the IOTC website.
46. The WPICMM06 **NOTED** that by the end of 2023 Mauritius will have installed electronic logbooks.
47. The WPICMM06 **NOTED** the repeated infractions for Taiwan, Province of China, relate mostly to vessel markings and **FURTHER NOTED** that the fleet is taking immediate action against the vessel on the same day and prohibiting the vessel from conducting at-sea transshipments until the problem is resolved.
48. The WPICMM06 **NOTED** that Malaysia will take immediate action and **FURTHER NOTED** that the vessel will take time to get back to port in order to address the fault.
49. The WPICMM06 **NOTED** that the fleets of China and Seychelles had no comment on the repeated possible infringements.
50. The WPICMM06 **REQUESTED** fleets to regularly remind their vessel owners and operators that all vessels should be marked well and to ensure that this is the case.
51. The WPICMM06 **NOTED** that there are:
  - 107 responses pre-assessed as “appropriate action taken by the fleet” and no recommendation is required to be made to the Compliance Committee (CoC20).
  - 39 responses that were pre-assessed as “Not considered as a possible infraction” and no recommendation is required to be made to the Compliance Committee (CoC20).
  - 0 responses pre-assessed as “Fleet requested to provide further evidence” for discussion at next meeting of the Compliance Committee.
52. The WPICMM06 **NOTED** that this was the first time that Mauritius participated in the Regional Observer Programme and **FURTHER NOTED** Mauritius’ apologies and assurance that it will be more severe against operators in order to dissuade further infractions of IOTC CMMs.
53. The WPICMM06 **REVIEWED** the assessments conducted by the IOTC Secretariat and **ENDORSED** these assessments.
54. The WPICMM06 **REQUESTED** that the IOTC Secretariat prepare a summary paper on the outcomes of the assessments of the possible infractions, for the next Compliance Committee (CoC20)
55. The WPICMM06 **RECOMMENDED** that the Compliance Committee request that fleets participating in the transshipment at sea programme attend the WPICMM and respond to the possible infractions reported.
56. The WPICMM06 **RECOMMENDED** that Compliance Committee 20 consider the outstanding cases on the outcomes of the assessments of possible infractions.

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

57. The WPICMM06 **NOTED** document [IOTC-2023-WPICMM06-05](#) that provides the status of the Work Plan, as at January 2023.
58. The WPICMM06 **AGREED** to modify the following titles of the WPICMM Work Plan as follows:
  - 1.2.2 Follow-up interviews with CPCs through compliance support missions and gather more detail.

- 6.1.1 Assess CPCs' capacity and ability to comply with reporting requirements and identify drivers of non-compliance at national level.
  - 6.1.4 Recommend the establishment of a permanent capacity building mechanism for N/C and P/C CPCs.
59. The WPICMM06 **NOTED** item 13 on minimum terms and conditions or standards for implementation of the CMMs is not clear and **AGREED** that it should be clarified.
60. The WPICMM06 **AGREED** to include a new item as follows: 14.1.6 CPCs to provide capacity building and training interventions based on needs and gaps identified at national level and reported to the IOTC Secretariat.
61. The WPICMM06 **AGREED** to include a new component 20 as follows: Assistance transposition of IOTC CMMS into national legislation.
62. The WPICMM06 **RECOMMENDED** that Compliance Committee 20 consider endorsing the Work Plan reviewed by the WPICMM06 ([Appendix 3](#)).

## 5. REVIEW OF THE ASSESSMENT CRITERIA FOR THE 2023 CPCs' COMPLIANCE REPORTS

63. The WPICMM06 **NOTED** documents [IOTC–2023–WPICMM06–06 Rev1](#) and [IOTC-2023-WPICMM06-06 Add1](#) that present the new assessment criteria added to the 2023 Compliance Report, and **FURTHER NOTED** document [IOTC–2023–WPICMM06–06 Add2](#), template of the Compliance Report for Compliance Committee 20.
64. The WPICMM06 **NOTED** that there are eight new requirements that relate to those Resolutions adopted in 2019 and 2021.
65. The WPICMM06 **AGREED** that section 9 Observers would not be assessed for the year 2021 during the CoC20, since its implementation was universally affected by the Covid-19 pandemic.
66. The WPICMM06 **NOTED** that the assessment criteria are also available in the e-MARIS application for each individual requirement of the Compliance assessment campaign 2023 (CoC20).
67. The WPICMM06 **NOTED** that CPCs can report mobulid rays either through the logbook (15/01) or through the national observer scheme.
68. The WPICMM06 **FINALISED** and **ENDORSED** the assessment criteria and the template of the Compliance Report, for the compliance assessment process in 2023 (CoC20).
69. The WPICMM06 **NOTED** that the compliance assessment will be carried out in the e-MARIS application and the Compliance Report will be generated by it, following the same structure.
70. The WPICMM06 **AGREED** that the IOTC Secretariat compile the Compliance Reports for the Compliance Committee 20 using the Assessment Criteria and the Compliance Report template as amended and endorsed by the WPICMM06, available at [Appendix 4](#).

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

71. The WPICMM06 **NOTED** document [IOTC–2023–WPICMM06–07](#) from the European Union that proposes to amend Appendix V of the IOTC Rules of Procedure.
72. The WPICMM06 **NOTED** that at the meeting of the Commission, two CPCs expressed some concerns and **FURTHER NOTED** that only one CPC provided comments, which could not be included as they were not aligned with the spirit of the proposal.
73. The WPICMM06 **NOTED** that the version of Appendix V in document [IOTC–2023–WPICMM06–07](#) will be presented to the meeting of the Commission in 2023.
74. The WPICMM06 **NOTED** the concerns expressed by some developing States for transposing Resolutions into national legislation and **FURTHER NOTED** that some developing States could suggest some precise wording to the European Union's proposal.

75. The WPICMM06 **NOTED** that CPCs were concerned that moving from a three-point to a six-point assessment system does not become too burdensome and **FURTHER NOTED** that improvements in compliance might be taken into consideration, in particular for developing States.
76. The WPICMM06 **NOTED** concerns from CPCs on including “CMM Review” among the compliance assessment list and **FURTHER NOTED** that the European Union would consider removing “CMM Review” and “Not applicable” from the list of compliance assessment criteria as these are not assessment criteria *per se*.
77. The WPICMM06 **REQUESTED** CPCs engage bilaterally and send any comments on the European Union’s proposal to the European Union by **1 March 2023** in advance of the deadline for publication of 9 March 2023.
78. The WPICMM06 **RECOMMENDED** that Compliance Committee 20 discuss this proposal, after consideration of the deliberations of the WPICMM06 and its Report.

## 7. PROGRESS OF WORK AND PLAN FOR 2023 OF THE VESSEL MONITORING SYSTEM WORKING GROUP

79. The WPICMM06 **NOTED** document [IOTC-2023-WPICMM06-08](#) providing the progress of work and plan for 2023 of the Vessel Monitoring System Working Group (VMSWG).
80. The WPICMM06 **NOTED** the progress made by the VMS Working Group with respect to its terms of reference and with respect to the pilot project between IOTC and GFCM.
81. The WPICMM06 **ACKNOWLEDGED** the work done by the Vessel Monitoring System Working Group and by its Chair.
82. The WPICMM06 **NOTED** meeting document [IOTC-2023-WPICMM06-08](#) as well as progress of the recent Sixth VMSWG and **RECOMMENDED** Compliance Committee 20 consider recommendations arising from the VMS Working Group.

## 8. PROGRESS OF WORK AND PLAN FOR 2023 OF THE CATCH DOCUMENTATION SCHEME WORKING GROUP

83. The WPICMM06 **NOTED** document [IOTC-2023-WPICMM06-09](#), which provides progress of work and the plan for 2023 of the Catch Documentation Scheme Working Group (CDSWG).
84. The WPICMM06 **NOTED** the availability of the IOTC CDS Strategy at the CDSWG08.
85. The WPICMM06 **NOTED** that the CDS Working Group commented on the draft Strategy and that in the light of the comments a V2.0 would be distributed to its members for comments before submission to Compliance Committee 20 for consideration.
86. The WPICMM06 **ACKNOWLEDGED** that in drafting the CDS Strategy the CDS Working Group had achieved its primary objective.
87. The WPICMM06 **RECOMMENDED** that Compliance Committee 20 consider endorsing the CDS Strategy, as amended by the Eighth meeting of the CDS Working Group.

## 9. E-MARIS AND RAV ONLINE – PROGRESS OF WORK

88. The WPICMM06 **NOTED** document [IOTC-2023-WPICMM06-10](#), which provides progress on the development of the Electronic Monitoring and Reporting Information System (e-MARIS) and online Record of Authorised Vessels (RAV) application and the work plan for 2023.
89. The WPICMM06 **NOTED** that the SWIOFISH 2 project support for-MARIS and the online Record of Authorised Vessels applications will terminate in September 2023.
90. The WPICMM06 **NOTED** that e-MARIS has been fully operational since the beginning of January 2023 and **FURTHER NOTED** that the Commission (S26) endorsed WPICMM05’s recommendation that those CPCs encountering problems in using e-MARIS be allowed to continue using the paper system for Compliance Committee 20.
91. The WPICMM06 **NOTED** a request for training in the use of e-MARIS as soon as possible, and **FURTHER NOTED** that although a regional training is envisaged after the Twenty-seventh Session of the Commission in 2023, in the interim the IOTC Secretariat will continue to provide virtual assistance to CPCs.

92. The WPICMM06 **NOTED** that 18 out of 20 of the Compliance Questionnaires have been received through e-MARIS and the remaining two have been processed into e-MARIS by the IOTC Secretariat.
93. The WPICMM06 **NOTED** that CPCs see the value of the platform in streamlining data reporting and increasing compliance rates.
94. The WPICMM06 **RECOMMENDED** that Compliance Committee 20 consider requesting the IOTC Secretariat to identify, propose and secure financing for the operation and maintenance of the e-MARIS application and the online Record of Authorised Vessels application after the end of the SWIOFish2 project in September 2023, and to keep future sessions of the Compliance Committee informed of progress.
95. The WPICMM06 **RECOMMENDED** that Compliance Committee 20 consider that e-MARIS is encouraged to be used while continuing to be voluntary for the 2024 campaign leading to Compliance Committee 21 and **FURTHER RECOMMENDED** that the use of e-MARIS become mandatory henceforth.

## **10. ANALYSES RELATED TO THE IMPLEMENTATION OF RESOLUTION 19/04 – IOTC RECORD OF AUTHORISED VESSELS**

96. The WPICMM06 **NOTED** document [IOTC–2023–WPICMM06–11](#), which provide analyses on the problems and possible solutions in the implementation of Resolution 19/04.
97. The WPICMM06 **NOTED** the possible solutions in the paper:
  - The IOTC Secretariat remove those vessels whose periods of authorisation have elapsed for two years or more.
  - Future amendments to Resolution 19/04 specify that CPCs should update all their vessel records information contained within the RAV at the moment they become effective, and the IOTC Secretariat be given a more proactive mandate.
  - Implementing the RAV online will facilitate data upload and give flag State CPCs greater responsibility for and control of their data.
  - The IOTC Secretariat put more focus on implementing paragraph 5, which stipulates that a vessel whose information is incomplete shall not be included in the RAV.
  - CPCs be requested to clarify any impediments for the submission and disclosure of data related to the legal entities or persons accountable for the vessels, and on the basis of this, whether some requirements should or should not be maintained.
  - Should beneficial owner be maintained, an internationally-accepted definition would have to be accepted, as at present a large proportion of the information in the RAV is misleading as it identifies a legal entity rather than a natural person.
98. The WPICMM06 **NOTED** that the present process is cumbersome and recognised the online RAV as a potential solution.
99. The WPICMM06 **RECALLED** that CPCs had been asked that they provide legal impediments on providing information on beneficial owner to the IOTC Secretariat.
100. The WPICMM06 **RECALLED** that the IOTC Secretariat is authorised to remove those vessels whose date of authorisation has expired, in line with the recommendation made by CoC19, which was endorsed by the Commission (S26).
101. The WPICMM06 **NOTED** that it is laborious for the IOTC Secretariat to do this manually due to the rolling nature of expiration dates and the large number of vessels.
102. The WPICMM06 **NOTED** that with the introduction of the online RAV the removal would be automatic.
103. The WPICMM06 **NOTED** that the online RAV could be configured to send automatic messages to CPCs whose vessels are due to expire or have expired.
104. The WPICMM06 **INVITED** CPCs to review their vessels on the RAV to determine which vessels, if any, have an expired authorisation date, and update or request removal as appropriate.

105. The WPICMM06 **RECOMMENDED** that the Compliance Committee 20 consider tasking the IOTC Secretariat to develop a system to efficiently remove vessels whose date of authorisation has expired, in line with the recommendation by CoC19, which was endorsed by the Commission (S26).

## 11. PROGRESS OF WORK ON THE SCHEME TO OPERATIONALISE THE FAO VOLUNTARY GUIDELINES ON THE MARKING OF FISHING GEAR

106. The WPICMM06 **NOTED** document [IOTC-2023-WPICMM06-12](#) on the progress of work on the IOTC scheme to operationalise the FAO voluntary guidelines on the marking of fishing gear.
107. WPICMM06 **NOTED** that the document, drafted jointly by the FAO Consultant and IOTC Secretariat, had formed the basis of a [FAO Fisheries and Aquaculture Circular](#) published in 2022 and **FURTHER NOTED** that nothing prevents CPCs from adopting a different version for the IOTC.
108. The WPICMM06 **NOTED** that no comment was provided by CPCs on the Consultant's report during the intersessional period 2022/2023.
109. The WPICMM06 **REQUESTED** CPCs provide their feedback on the report of the consultant, document [IOTC-2022-CoC19-06 Add1](#), during this session of the WPICMM06 or latest 15 March, in time for the submission of reports to Compliance Committee 20.
110. The WPICMM06 **NOTED** that the risks described by the consultant are risks for operators and should be addressed by the operators, not by the IOTC, and **FURTHER NOTED** that a more simplified risk analysis that has more relevance for the IOTC should be included.
111. The WPICMM06 **NOTED** that the document is available in Word format at the link provided in the meeting page of CoC19 of the IOTC web site [IOTC-2022-CoC19-06 Add1](#).
112. The WPICMM06 **NOTED** the environmental consequences of abandoned fishing gear.
113. The WPICMM06 **RECALLED** that the special Session of the Commission has addressed DFAD markings in the [Resolution 23/02](#) On Management of DFADs in the IOTC Area of Competence.

## 12. TRANSSHIPMENT DECLARATION PUBLICATIONS ON E-PSM MODULE 2 IN RESPONSE TO RESOLUTION 22/02

114. The WPICMM06 **NOTED** document [IOTC-2023-WPICMM06-13](#) on a tool to publish the regional observer programme (ROP) transshipment declarations for facilitating the implementation of Resolution 16/11 *On Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing*.
115. The WPICMM06 **NOTED** that the transshipment declarations in e-PSM may provide additional information to the minimum information required in Annex III of Resolution 22/02 *On Establishing a Programme for Transshipment by Large-scale Fishing Vessels*.
116. The WPICMM06 **NOTED** that the function provides a search tool and has been populated to date with transshipments from 1 January 2023 and will gradually incorporate historical transshipment declarations back to the date of entry into force of Resolution 22/02.
117. The WPICMM06 **EXPRESSED** its appreciation to the Secretariat for the e-PSM tool regarding transshipment declarations.

## 13. ELECTION OF A CHAIRPERSON FOR THE NEXT BIENNIUM

118. The WPICMM06 **NOTED** the excellent job of the present Chair, and **RE-ELECTED** Mr Benedict Kiilu as Chair for the next biennium.
119. The WPICMM06 **NOTED** that the present Vice-Chair was elected in 2022, so that position was not up for re-election in 2023.

#### 14. DATE AND PLACE OF THE SEVENTH AND EIGHTH SESSIONS OF THE WORKING PARTY ON IMPLEMENTATION OF CMMs

120. The WPICMM06 **AGREED** on dates for the meeting in 2024, as presented in the table below.

##### Future meetings

Meeting	2024			2025		
	No.	Date	Format	No.	Date	Format
Working Party on Implementation of CMMs (WPICMM)	7 <sup>th</sup>	Second week of February 2024	TBD	8 <sup>th</sup>	TBD	TBD

121. The WPICMM06 **AGREED** that if no Member had offered to host the meeting in the intersessional period, the meeting should be held virtually.

#### 15. ANY OTHER BUSINESS

122. The WPICMM06 **NOTED** that an observer organization raised the subject of guidance for implementing the overall skipjack catch limit as determined by the Harvest Control Rule in Resolution 21/03 *On Harvest Control Rules for Skipjack Tuna in the IOTC Area Of Competence* and **FURTHER NOTED** that this unresolved issue could also be relevant to the newly adopted management procedure for bigeye (Resolution 22/03 *On a Management Procedure for Bigeye Tuna in the IOTC Area of Competence*).

123. The WPICMM06 **NOTED** that guidance in implementing Resolution 21/03, remains outstanding and **REQUESTED** CPCs to work towards resolving this problem.

#### 16. REVIEW OF THE DRAFT, AND ADOPTION OF THE REPORT OF THE SIXTH SESSION OF THE WPICMM

124. The WPICMM06 **RECOMMENDED** that the Compliance Committee consider the consolidated set of recommendations arising from WPICMM06, provided at [Appendix 5](#).

125. The report of the Sixth Session of the Working Party on the Implementation of Conservation and Management Measures ([IOTC-2023-WPICMM06-R](#)) was **ADOPTED** on 7 March 2023.

**APPENDIX 1**  
**LIST OF PARTICIPANTS**

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**APPENDIX 2**  
**ADOPTED AGENDA**

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

**Date:** 15–17 February 2023

**Location:** Safari Park Hotel & Casino, Nairobi, Kenya / Hybrid (Platform: Zoom)

**Time:** 0900–1600 hrs daily (Kenya time)

**Chair:** Mr Benedict Kiilu (Kenya)

**Vice chair:** Mr Hiroyuki Morita

1. OPENING OF THE SESSION
2. ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION
3. ADMISSION OF OBSERVERS
4. IMPLEMENTATION OF THE WPICMM WORKPLAN
  - 4.1 Progress report on the implementation of the WPICMM work plan and on the recommendations of the WPICMM05
 

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 15.1.3 - Comparative assessment of existing sanctioning systems in other organizations - Review of the consultant report and provision of recommendations by the WPICMM "Sanctions, penalties and incentives to promote compliance in the Indian Ocean Tuna Commission (IOTC)",
    - Component 17 – To resume the work of the glossary,
    - Component 18 Action 18.1.3 - To include additional reporting and implementation obligations in the Compliance Assessment Process,
    - Component 19 Action 19.1.1
      - WPICMM discuss possibility of conducting the review for other CMMs in WPICMM06 for more comprehensive facilitation of CMMs implementation.
  - 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]
  - 4.3 Review and update of the WPICMM Work Plan
5. REVIEW OF THE ASSESSMENT CRITERIA FOR THE 2023 CPCs' COMPLIANCE REPORT
6. PROPOSAL TO AMEND APPENDIX V OF THE IOTC RULES OF PROCEDURE
7. PROGRESS OF WORK AND PLAN FOR 2023 OF THE VESSEL MONITORING SYSTEM (VMS) WORKING GROUP
8. PROGRESS OF WORK AND PLAN FOR 2023 OF THE CATCH DOCUMENTATION SCHEME (CDS) WORKING GROUP
9. PROGRESS OF WORK ON E-MARIS AND RAV ONLINE
10. ANALYSES RELATED TO THE IMPLEMENTATION OF RESOLUTION 19/04 – IOTC RECORD OF AUTHORISED VESSELS
11. PROGRESS OF WORK ON THE SCHEME TO OPERATIONALISE THE FAO VOLUNTARY GUIDELINES ON THE MARKING OF FISHING GEAR

- 12. TRANSSHIPMENT DECLARATION PUBLICATIONS ON E-PSM MODULE 2 IN RESPONSE OF RESOLUTION 22/02.**
- 13. ELECTION OF A CHAIRPERSON FOR THE NEXT BIENNIUM**
- 14. DATE AND PLACE OF THE 7TH AND 8TH SESSIONS OF THE WPICMM**
- 15. ANY OTHER BUSINESS**
- 16. REVIEW OF THE DRAFT, AND ADOPTION OF THE REPORT OF THE SIXTH SESSION OF THE WPICMM**

**APPENDIX 3**  
**REVISED WORK PLAN OF THE WPICMM**

The WIPICMM Work Plan endorsed by the WPICMM06 is available [HERE](#)

## **APPENDIX 4**

### **ASSESSMENT CRITERIA AND COMPLIANCE REPORT TEMPLATE**

The assessment criteria endorsed by the WPICMM06 are available [HERE](#)

Compliance report template for the CoC20 endorsed by the WPICMM06 is available [HERE](#)

## APPENDIX 5

### CONSOLIDATED SET OF RECOMMENDATIONS ARISING FROM WPICMM06

- WPICMM06.02 ([Para. 24](#)) The WPICMM06 **RECOMMENDED** that Compliance Committee 20 consider putting aside a system of penalties and sanctions in favour of incentives and positive actions relating to capacity development and technical assistance.
- WPICMM06.01 ([Para. 25](#)) The WPICMM06 **RECOMMENDED** that Compliance Committee 20 consider endorsing the Consultant's report "Sanctions, Penalties and Incentives to Promote Compliance in the Indian Ocean Tuna Commission (IOTC)".
- WPICMM06.03 ([Para. 34](#)) The WPICMM06 **RECOMMENDED** that Compliance Committee 20 consider endorsing those terms of the glossary that have already been agreed by the WPICMM06.
- WPICMM06.04 ([Para. 55](#)) The WPICMM06 **RECOMMENDED** that the Compliance Committee request that fleets participating in the transshipment at sea programme attend the WPICMM and respond to the possible infractions reported.
- WPICMM06.05 ([Para. 56](#)) The WPICMM06 **RECOMMENDED** that Compliance Committee 20 consider the outstanding cases on the outcomes of the assessments of possible infractions.
- WPICMM06.06 ([Para. 62](#)) The WPICMM06 **RECOMMENDED** that Compliance Committee 20 consider endorsing the Work Plan reviewed by the WPICMM06 ([Appendix 3](#)).
- WPICMM06.07 ([Para. 78](#)) The WPICMM06 **RECOMMENDED** that Compliance Committee 20 discuss this proposal, after consideration of the deliberations of the WPICMM06 and its Report.
- WPICMM06.08 ([Para. 82](#)) The WPICMM06 **NOTED** meeting document IOTC-2023-WPICMM06-08 as well as progress of the recent Sixth VMSWG and **RECOMMENDED** Compliance Committee 20 consider recommendations arising from the VMS Working Group.
- WPICMM06.09 ([Para. 87](#)) The WPICMM06 **RECOMMENDED** that Compliance Committee 20 consider endorsing the CDS Strategy, as amended by the Eighth meeting of the CDS Working Group.
- WPICMM06.10 ([Para. 94](#)) The WPICMM06 **RECOMMENDED** that Compliance Committee 20 consider requesting the IOTC Secretariat to identify, propose and secure financing for the operation and maintenance of the e-MARIS application and the online Record of Authorised Vessels application after the end of the SWIOFish2 project in September 2023, and to keep future sessions of the Compliance Committee informed of progress.
- WPICMM06.11 ([Para. 95](#)) The WPICMM06 **RECOMMENDED** that Compliance Committee 20 consider that e-MARIS is encouraged to be used while continuing to be voluntary for the 2024 campaign leading to Compliance Committee 21 and **FURTHER RECOMMENDED** that the use of e-MARIS become mandatory henceforth.
- WPICMM06.12 ([Para. 105](#)) The WPICMM06 **RECOMMENDED** that the Compliance Committee 20 consider tasking the IOTC Secretariat to develop a system to efficiently remove vessels whose date of authorisation has expired, in line with the recommendation by CoC19, which was endorsed by the Commission (S26).
- WPICMM06.13 ([Para. 124](#)) The WPICMM06 **RECOMMENDED** that the Compliance Committee consider the consolidated set of recommendations arising from WPICMM06, provided at [Appendix 5](#).