ON AMENDING THE IOTC RULES OF PROCEDURES

SUBMITTED BY: Japan

Explanatory Memorandum

In 2025, the Commission discussed paper IOTC-2025-S29-08 submitted by Japan on the operation of IOTC's meetings which provided some comments and suggestions to improve the efficiency and the effectiveness of IOTC's meetings.

Paragraph 16 of the Commission Report (IOTC-2025-S29-R) states:

> "*16. The Commission **REQUESTED** that a small informal working group, open to any interested party, but involving at a minimum the Commission Chair and Vice-Chairs, and those of the CoC, SCAF and SC as well as other relevant subsidiary bodies, with support from the IOTC Secretariat, undertake a comprehensive review of IOTC meeting operations. This review should include at a minimum, the following topics:*
>
> *a) the current structure of the annual meeting series (CoC, SCAF, TCMP, and Commission meetings);*
>
> *b) the topics raised in paper IOTC-2025-S29-08;*
>
> *c) the annual meeting calendar and meeting formats.*
>
> d) *potential amendments to the IOTC Rules of Procedure that might be required to improve the IOTC's meetings and their structure*."

As such, the Commission Chair and Vice-Chairs, and those of the CoC, SCAF and SC met on the 19 November 2025 to discuss this issue and plan a way forward to facilitate the Commissions request. It was agreed to send a letter to Members requesting their feedback on paper IOTC-2025-S29-08 as well as any other relevant issues related to the operation of IOTC meetings. This letter was distributed to Members on the 25th of November and Members were requested to provide feedback by the 9th of December.

On the 5th of January 2026, the Commission Chair and Vice-Chairs, and those of the CoC, SCAF and SC met again to discuss the responses received and provide their own insights. The comments received as well as those added by the Chairs were included in document IOTC-2026-S30-INF01. The Commission Chair then invited all interested parties to participate in an open small informal working group meeting held on the 24th of February to make recommendations on IOTC processes (IOTC-2026-S30-07) and propose revisions to the IOTC Rules of Procedure (See below).

The proposed revisions are included in:

- Rule XV, Paragraph 1 – to facilitate the current practice of adopting the Commission report intersessionally rather than during the meeting, to allow more timer for negotiations and agreement on management measures during the meeting.
- Appendix IV, Paragraph 9 – to allow, under exceptional circumstances, the submission of working documents after the meeting deadline for receiving these documents.
- Appendix VII, Paragraphs 7 and 8, to specify when Terms of Reference (TORs) for a Working Party do not exist, the Working Party shall be guided by the TORs of the Scientific Committee, and that a Guideline for Meeting Operations will be discussed and adopted separately.

Rev1 – includes small revisions to "About the 2026 revisions" on page 1 as well as some additional comments added to Appendix IV Paragraph 9 and Appendix IX from members of the SWG.

INDIAN OCEAN TUNA COMMISSION: RULES OF PROCEDURE (March2026May2026)

About the 20265 revisions

In 20256, the following section of the 202356 IOTC Rules of Procedure was revised by the Commission (IOTC-20265-S3029-R):

- Rule XV, Paragraph 1 – to facilitate the current practice of adopting the Commission report intersessionally rather than during the meeting, to allow more timer for negotiations and agreement on management measures during the meeting.
- Appendix IV, Paragraph 9 – to allow, under exceptional circumstances, the submission of working documents after the meeting deadline for receiving these documents.
- Appendix VII, Paragraphs 7 and 8, to specify when Terms of Reference (TORs) for a Working Party do not exist, the Working Party shall be guided by the TORs of the Scientific Committee, and that a Guideline for Meeting Operations will be discussed and adopted separately.
- Appendix IX for the same rationale as the additions to Appendix VII

~~Appendix V. The Compliance Committee – terms of reference and rules of procedure, paragraphs 4a(i), 4a(iii) and 4a(iv) were revised based on the deliberations held during the 22nd session of the Compliance Committee and document IOTC-2025-S29-06 presented to the Commission at its 29th session.~~

~~The Terms of Reference for the Working Party on Socio-Economics have been added to the Rules of Procedure as Appendix IX, in accordance with paragraph 3 of Resolution 23/10. Corresponding revisions were made to RULE XIII paragraphs 2 and 3.~~

RULE I: DEFINITIONS

For the purpose of these Rules of Procedure, the following definitions apply:

Agreement: the Agreement for the Establishment of the Indian Ocean Tuna Commission, approved by the FAO Council at its Hundred-and-Fifth Session in November 1993, and entered into force on 27 March 1996.

Commission: the Indian Ocean Tuna Commission.

Conference: the Conference of the Organization.

Conservation and Management Measure (CMM): as specified in Article IX of the Agreement, CMMs consist of Resolutions, which are binding on Members, subject to Article IX para 5 of the IOTC Agreement, and Recommendations, which are non-binding, subject to Article IX para 8 of the Agreement.

Contracting Parties and Cooperating Non-Contracting Parties (CPCs): Consisting of Members and Cooperating Non-Contracting Parties.

Cooperating Non-Contracting Party (CNCP): any non-Member of the Commission, which voluntarily ensures that vessels flying its flag fish in a manner which conforms with the Conservation and Management Measures adopted by the IOTC and have completed the application process to become a Cooperating Non-contracting Party to the IOTC, as detailed in Appendix IV, and which the Commission has endorsed.

Council: the Council of the Organization.

Delegate: the representative of a Member as specified in Article VI.1 of the Agreement, or a Cooperating Non-Contracting Party as endorsed by the Commission.

Delegation: the delegate and his/her alternates, experts and/or advisers.

Director-General: the Director-General of the Organization.

Executive Secretary: the Secretary of the Commission, as specified and defined in Article VIII of the Agreement.

Information paper: documents which do not require a decision or conclusion to be developed, and which are provided purely for information purposes.

Members: Members of the Commission as specified in Article IV of the Agreement.

Observer Nations: Members of FAO which are not members of the Commission attending Sessions of the Commission as observers in accordance with Article VII, paragraph 1 of the Agreement.

Observer Associate Members: Associate Members of FAO which are not members of the Commission attending Sessions of the Commission as observers in accordance with Article VII, paragraph 1 of the Agreement.

Observer Non-member States of FAO: Non-member States of FAO which are not members of the Commission, but are members of the United Nations, any of its specialized agencies or the International Atomic Energy Agency, attending Sessions of the Commission as observers in accordance with Article VII, paragraph 2 of the Agreement.

Observer Intergovernmental Organizations: Intergovernmental Organizations attending Sessions of the Commission as observers in accordance with Article VII, paragraph 3 of the Agreement.

Observer Non-governmental Organizations: Non-governmental Organizations attending Sessions of the Commission as observers in accordance with Article VII, paragraph 3 of the Agreement.

Observer: the representative of an Observer Nation, Observer Associate Member, Observer Non- member State of FAO, Observer Intergovernmental Organization or Observer Non-governmental Organization.

Organization: the Food and Agriculture Organization of the United Nations (FAO).

Recommendations: Conservation and Management Measures which are non-binding on Members of the Commission, subject to Article IX, para 8 of the Agreement.

Resolutions: Conservation and Management Measures which are binding on Members of the Commission, subject to Article IX, para 1 to 7 of the Agreement.

Scientific Committee: the permanent committee provided for in Article XII.1 of the Agreement.

Session: Any meeting of the Commission or its subsidiary bodies.

Working paper: any document which requires the direct attention of the Commission or subsidiary body to develop conclusions and/or decisions.

RULE II: SESSIONS OF THE COMMISSION

1. In accordance with Article VI.4 of the Agreement, the regular Sessions of the Commission shall be held once a year. They shall be convened by the Chairperson of the Commission.

2. In pursuance with Article VI.5 of the Agreement, during intervals between regular Sessions, the Chairperson of the Commission may convene special Sessions of the Commission, if so requested by at least one third of its Members.

3. The dates of the Sessions shall be determined by the Commission.

4. Should a Session of the Commission be held in a place which is not the seat of the Commission, the Director-General, in accordance with the provisions of Rule XXXVII.4 of the General Rules of the Organization, should, before that Session be convened, be assured that the Government hosting the Session is willing to grant to all delegates, alternates, experts, advisers, observers and members of the Secretariat of the Commission and of the Secretariat of the Organization and other persons entitled to attend such Session, the privileges and immunities that are necessary for the independent exercise of their functions in connection with the Session.

5. Invitations to a regular Session of the Commission shall be prepared by the Executive Secretary and issued by the Chairperson of the Commission not less than 90 days in advance of the date fixed for the opening of the Session. Invitations to special Sessions shall be issued not less than 30 days in advance of the date fixed for the opening of the Session.

RULE III: CREDENTIALS

1. At each Session the Executive Secretary shall receive the Letter of Credentials of each delegation issued by, or on behalf of, the Head of state, the head of government, the minister for foreign affairs or the minister concerned, indicating clearly the head of delegation and the alternate, as well as the list of advisors and experts who will be part of the delegation. Such Letter of Credentials shall conform to the standard set out in Appendix I. The Executive Secretary shall report to the Commission the Letter of Credentials received and recommendations for any action if required.

RULE IV: AGENDA

1. A provisional agenda for each regular Session of the Commission shall be drawn up by the Executive Secretary and sent to the Members following the approval of the Chairperson. The provisional agenda will also be sent to the Observer Nations and Observer Associate Members, which attended the previous regular Session of the Commission or have requested to attend the next Session. It shall be sent not less than sixty days before the date of the Session, together with the reports and documents available in connection with the Session.

2. For Observer Non-member States of FAO, Observer Intergovernmental Organizations or Observer Non-governmental Organizations, such information shall be sent if a decision to invite them to attend the Session of the Commission has already been taken. In accordance with Rule XIII.10, invitations will also be sent to intergovernmental organizations or institutions having concluded with the Commission, under Article XV of the Agreement, an agreement formally providing for the participation of these organizations and institutions in Commission Sessions.

3. The Executive Secretary shall send a provisional agenda with comments, including any proposal by members, not less than thirty days before the Session.

4. The provisional agenda of the regular Sessions shall include:

   a) election of the Chairperson and of the Vice-chairpersons as provided for under Article VI.6 of the Agreement, as appropriate

   b) adoption of the agenda

   c) reports and recommendations of the Commission's subsidiary bodies as appropriate

   d) approval of a Programme of Work and Budget of the Commission for the ensuing financial period

   e) applications for membership in accordance with Article IV.2 of the Agreement, and for acquisition of the Cooperating Non-Contracting Party status, in accordance with the process agreed to by the Commission

   f) proposals relating to the Conservation and Management Measures pursuant to Article IX of the Agreement

   g) items approved at the previous Session

   h) proposals for amendments to the Agreement, the Rules of Procedure and the Financial Regulations of the Commission, as appropriate

   i) items referred to the Commission by the Conference, the Council or the Director-General.

5. The provisional agenda may also include:

   a) items proposed by the subsidiary bodies of the Commission

   b) items proposed by a Member.

6. The agenda of a special Session shall consist only of items relating to the purpose for which the Session was called.

RULE V:THE SECRETARIAT

1. The Secretariat shall consist of the Executive Secretary and such staff appointed by him/her and under his/her supervision.

2. The Executive Secretary of the Commission shall be appointed by Director-General with the approval of the Commission, in accordance with the procedure set out at Appendix II. The three IOTC representatives referred to in Appendix II shall be the IOTC Chairperson and two Vice-Chairpersons, unless otherwise decided by the Commission. These IOTC representatives shall conduct themselves impartially with the objective of ensuring an IOTC view is represented throughout the recruitment process.

3. The Executive Secretary shall be appointed for a term of three years renewable for two further terms of three years each.

4. The Executive Secretary will remain in function until a successor has taken up duties.

5. The Executive Secretary shall be responsible for implementing the policies and activities of the Commission and shall report thereon to the Commission. In the exercise of his/her functions, the Executive Secretary will have direct contact with all Members of the Commission as well as with FAO at all levels.

6. The duties of the Executive Secretary are listed in Appendix II.

7. Copies of all communications concerning the affairs of the Commission shall be sent to the Executive Secretary by the Members for purposes of information and record.

RULE VI: MEETINGS OF THE COMMISSION

1. In accordance with Article VII of the Agreement, meetings of the Commission shall be open to Observers. When the Commission decides to hold a private meeting, it shall at the same time determine the scope of such a decision with respect to observers.

2. The meetings of the Scientific Committee, the sub-commissions, the committees, working parties and other subsidiary bodies, which may be established, shall be open to Delegations only unless otherwise decided by the Commission.

RULE VII: ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSONS

1. Pursuant to Article VI.6 of the Agreement, the Commission shall, at the end of its regular Session in each alternate year or sooner if an office falls vacant, elect its Chairperson and no more than two Vice-Chairpersons, who shall hold office until their successors are elected.

2. Nominees must be delegates or alternates attending the meeting. The Chairperson and Vice-Chairpersons shall not be eligible for re-election if they have held the positions for two consecutive terms preceding the elections to fill these positions.

RULE VIII: FUNCTIONS OF THE CHAIRPERSON AND VICE-CHAIRPERSONS

1. The Chairperson shall exercise the functions conferred on him/her in the Agreement and in these Rules and in particular shall:

   a) declare the opening and closing of each Session of the Commission

   b) direct the discussions at such meetings and ensure observance with these Rules, accord the right to speak, put questions to the vote and announce decisions

   c) rule on points of order

   d) subject to these Rules, have control over the proceedings of the meeting.

2. In the absence of the Chairperson or at his/her request, the functions of the Chairperson shall be exercised by one of the Vice-Chairpersons.

3. The Chairperson or the Vice-Chairperson acting as Chairperson has a right to vote if he is acting as only representative of his country.

4. In the interval between two Sessions of the Commission, the Chairperson shall exercise the functions assigned to him/her by the Agreement or the Rules of Procedure, as well as any function entrusted to him/her by the Commission.

RULE IX: COOPERATING NON-CONTRACTING PARTY STATUS

1. The Chairperson or the Vice-Chairperson acting as Chairperson of the Commission, shall annually send a letter to all non-Contracting Parties known to be fishing in the IOTC area of competence for species covered by the Agreement to urge them to become a Contracting Party to IOTC or attain the status of a Cooperating Non-Contracting Party. In doing so, the Chairperson or the Vice-Chairperson shall instruct the Executive Secretary to provide a copy of all relevant Conservation and Management Measures adopted by the Commission.

2. The application process for requesting the status of Cooperating Non-Contracting Party is provided at Appendix III.

RULE X: VOTING ARRANGEMENTS AND PROCEEDINGS

1. Except as provided for in paragraph 4 of this Rule, votes at meetings of the Commission shall be by show of hands unless a member requests that the vote be taken by a roll call or secret ballot, and that this request is seconded.

2. A vote by roll call shall be taken by calling the names of the members of the Commission entitled to vote in the English alphabetical order, beginning with the member which has been chosen by lot.

3. A record of any roll call vote or postal vote shall show the vote cast by each delegate and any abstention.

4. Unless the Commission decides otherwise, voting on matters relating to individuals, including the election of officers of the Commission and, if applicable, the recommendation regarding the name of the Executive Secretary to be forwarded to the Director-General for appointment, shall be by secret ballot.

5. When no nominee for an office obtains on the first ballot a majority of the votes cast, there shall be taken a second ballot confined to the two candidates obtaining the largest number of votes. If the votes are equally divided on the second ballot, as many ballots as necessary will be held to determine the elected candidate.

6. Votes cast means votes "in favour" and "against".

7. If the Commission is equally divided when a vote is taken on a question other than an election and the recommendation regarding the name of the Executive Secretary to be forwarded to the Director-General for appointment, a second vote and a third vote may be taken at the current Session at the request of the proposer. If the Commission remains equally divided, the proposal shall not be further considered at the current Session.

8. Voting arrangements and other related matters not specifically provided for in the Agreement or in these Rules shall be governed *mutatis mutandis* by the provisions of the General Rules of the Organization.

RULE XI: THE COMMITTEES

1. Pursuant to Articles XII.1 and XII.5 of the Agreement, the Commission establishes the following permanent committees which will act as advisory bodies to the Commission.

   a) Scientific Committee

b) Compliance Committee

c) Standing Committee on Administration and Finance.

2. Unless otherwise decided by the Commission, the terms of reference, and rules of procedure outlined in Appendices following will govern the procedures to be applied to the Committees.

a) Appendix IV – Scientific Committee

b) Appendix V – Compliance Committee

c) Appendix VI – Standing Committee on Administration and Finance.

RULE XII: THE SUB-COMMISSIONS

1. Pursuant to Article XII.2 of the Agreement, the Commission may establish sub-commissions to deal with one or more of the stocks covered by the Agreement.

2. Sub-commissions shall be open to Members of the Commission which are coastal States lying on the migratory path of the stocks concerned in the sub-commission or are States whose vessels participate in the fisheries of these stocks.

3. Pursuant to Article XII.4 a sub-commission provides a forum for consultation and cooperation on matters related to the management of the stocks concerned and in particular:

a) to keep under review the stocks concerned and to gather scientific and other relevant information relating to the stocks concerned

b) to assess and analyse the conditions and trends of the stocks concerned

c) to examine management options and recommend to the Commission appropriate management measures

d) to coordinate research and studies of the stocks

e) to report to the Commission on its findings

f) to consider any matter referred to it by the Commission.

4. A majority of the members of a sub-commission shall constitute a quorum.

5. Recommendations and proposals of the sub-commissions can be adopted by simple majority. However, the preference would be to take the decision by consensus. Each member of the sub- commission will have the right to have its opinion included in the report.

6. The procedures of the sub-commissions established in accordance with paragraph 2 of Article XII of the Agreement shall be governed *mutatis mutandis* by the Rules of Procedure of the Commission.

RULE XIII: THE OTHER SUBSIDIARY BODIES OF THE COMMISSION

1. Pursuant to Article XII.5 the Commission may also establish such committees, working parties or other subsidiary bodies as may be necessary for the purposes of the Agreement.

2. Pursuant to Article XII.5 of the Agreement, the Commission establishes the following permanent working parties which will act as advisory bodies to the Scientific Committee or the Commission

   a) Working Party on Billfish (WPB)

   b) Working Party on Data Collection and Statistics (WPDCS)

   c) Working Party on Ecosystems and Bycatch (WPEB)

   d) Working Party on Methods (WPM)

   e) Working Party on Neritic Tunas (WPNT)

   f) Working Party on Temperate Tunas (WPTmT)

   g) Working Party on Tropical Tunas (WPTT).

   h) Working Party on Socio-Economics (WPSE)

3. Unless otherwise decided by the Commission, the terms of reference, and rules of procedure outlined in the Appendix VII will govern the procedures to be applied to the Working Parties. The rules of procedure for the Working Party on Socio-Economics are outlined in Appendix IX.

RULE XIV: PARTICIPATION BY OBSERVERS

1. The Director-General or a representative designated by him, shall have the right to participate without vote in all meetings of the Commission as well as the Committees and of any other subsidiary body of the Commission.

2. Members and Associate Members of the Organization that are not Members of the Commission are, upon their request, invited to be represented by an observer at Sessions of the Commission.

3. States which are not Members of the Commission, nor Members of the Organization, but that are Members of the United Nations, any of its Specialized Agencies or the International Atomic Energy Agency, may, upon request and subject to the concurrence of the Commission through its chairperson and to the principles relating to the granting of observer status to Nations adopted by the Conference, be invited to attend Sessions of the Commission in an observer capacity.

4. The Commission may, on their request, invite intergovernmental organizations having special competence in the field of activity of the Commission, to attend such of its meetings as the Commission may specify.

5. The Commission may invite, upon request, non-governmental organizations having special competence in the field of activity of the Commission to attend such of its meetings as the Commission may specify. The list of the NGOs wishing to be invited will be submitted beforehand by the Executive Secretary to the Members of the Commission, no later than 60 days before the Session. If one of the Members of the Commission objects giving in writing its reasons within 30 days, the matter will then be subject to decision of the Commission out of Session by written procedure.

6. The Commission, on proposal of its Executive Secretary, may decide to request a contribution towards the additional administrative costs arising from the attendance of observers at its Sessions, subject to reciprocity in the case of intergovernmental organizations.

7. Participation of regional economic integration organizations in the work of the Commission and the relations between the Commission and such organizations shall be governed by the relevant provisions of the Constitution

and the General Rules of the Organization, as well as by the rules on the relations with international regional economic integration organizations adopted by the Conference or the Council.

8. Unless the Commission expressly determines otherwise, observers may attend the plenary meetings of the Commission. Observer nations and Observer Associate Members may submit memoranda and participate without vote in the discussions. Observer Non-Member States of FAO as well as Observer intergovernmental organizations or Observer non-governmental organizations may be invited by the Commission to submit memoranda and deliver oral statements.

9. The Commission may invite consultants or experts, in their individual capacity, to attend the meetings or participate in the work of the Commission as well as the Committees and the other subsidiary bodies of the Commission.

10. In accordance with Article XV of the Agreement, the Commission may enter into agreements with other intergovernmental organizations and institutions, especially those active in the fisheries sector, which might contribute to the work and further the objectives of the Commission. Such agreements may provide that these organizations or institutions may be represented as observers in the Sessions of the Commission. Observers from these organizations or institutions will be authorized to submit memoranda and, as appropriate, to participate in the discussions of the Commission, the Committees and the other subsidiary bodies of the Commission, without voting right.

RULE XV: RECORDS, REPORTS AND RECOMMENDATIONS

1. A report shall be adopted at the end of each Session of the Commission or by correspondence as soon thereafter as possible; the report of the Session shall be published together with such technical papers and other documents, as the Commission may wish to publish.

2. The report adopted shall embody the Commission's decisions and recommendations, including, when requested, a statement of minority views.

3. At the closure of each Session, the report as well as the decisions and recommendations, together with the schedule for their implementation by the Members of the Commission, shall be transmitted to the Director-General. The Executive Secretary shall circulate them to the Members of the Commission, to all FAO Members and Associate Members, to non-members of the Commission, non-members of FAO, which are coastal States situated wholly or partly within the area defined in Article II of the Agreement or are States whose vessels engage in fishing in the area for stocks covered by the Agreement as well as to other States and international organizations that were represented at the Session.

4. Decisions and recommendations which might have policy, programme or financial implications for the Organization shall be brought by the Director-General to the attention of the Conference through the Council for action.

5. Subject to the provisions of the preceding paragraph, the Chairperson may request the Members of the Commission to supply the Commission or the Director-General with information on action taken on the basis of decisions and recommendations made by the Commission.

6. This rule shall apply *mutatis mutandis* to the subsidiary bodies of the Commission established in accordance with paragraph 5 of Article XII of the Agreement.

RULE XVI: MEETING PARTICIPATION FUND

1. A special Meeting Participation Fund (MPF) is established for the purposes of supporting scientists and representatives of IOTC Contracting Parties (Members) who are developing States to attend and/or contribute to the work of the Commission, Committees and other subsidiary bodies.

2. The MPF shall be financed from extra-budgetary contributions, including voluntary contributions from Members and such other sources as the Commission may identify.

3. The Fund will be administered by the Executive Secretary, in accordance with the same financial controls as regular budget appropriations, and in accordance with the IOTC Financial Regulations and the rules set out in Appendix VIII.

4. The Executive Secretary shall submit an annual report to the Commission on the status of the Fund, including a financial statement of contributions to and disbursements from the Fund;

5. The Fund will be allocated in such a way that no more than 25% of the expenditures of the Fund in one year is used to fund attendance to non-scientific meetings.

6. Applicants should note that alternative avenues of funding are available to developing State Members who wish to send scientists to IOTC scientific meetings. For example, a fund has been established under Part VII of UNFSA to assist developing States that are signatories of the UNFSA to implement its provisions, including participation in the work of Regional Fisheries Management Organisations. For those eligible Members of IOTC, this could provide for an alternative source of funding to participate in meetings of the Commission and subsidiary bodies or to fund attendance at IOTC meetings as training and capacity building required to fulfill the obligations under the UNFSA.

RULE XVII: AMENDMENTS TO THE AGREEMENT

1. As provided for in Article XX.2 of the Agreement, proposals for the amendment of the Agreement may be made by any Member of the Commission or by the Director-General. Proposals made by a Member of the Commission shall be addressed to both the Chairperson of the Commission and the Director-General and those made by the Director-General shall be addressed to the Chairperson of the Commission, not later than 120 days before the Session of the Commission at which the proposal is to be considered. The Director-General shall immediately inform all Members of the Commission of all proposals for amendments.

2. No action on a proposal of amendment to the Agreement shall be taken by the Commission at any Session unless it has been included in the provisional Agenda of the Session.

RULE XVIII: AMENDMENT OF RULES OF PROCEDURE

Amendments or additions to these Rules may be adopted on the motion of any delegation by a two-thirds majority of the Members of the Commission at any plenary meeting of the Commission provided that copies of the proposals for amendment or addition have been distributed or circulated to the delegations at least 60 days before the Session of the Commission.

RULE XIX: OFFICIAL LANGUAGES

The official languages of the Commission shall be English and French.

APPENDIX I
LETTER OF CREDENTIALS

Dear IOTC Executive Secretary,

Upon instructions of [the Head of state, the head of government, the minister for foreign affairs or the minister concerned] I wish to inform you that [name of IOTC Contracting Party (Member)] will participate in the […Number...] Session of the Indian Ocean Tuna Commission (IOTC) [and/or any Committee of the Commission] and will be represented by the following delegation (or by [Title and Name] if the delegation is constituted by one person):
[Title and Name] – Head of delegation
[Title and Name] – Alternate
[Title and Name] – Expert
[Title and Name] – Adviser

The delegation is authorised to fully take part in the proceedings of the Session on behalf of the Government (or Authority concerned for Regional Economic Integration Organisation e.g. EU) of [name of IOTC Member] in accordance with Article VI.1 of the *Agreement for the Establishment of the Indian Ocean Tuna Commission*.

[Title and Name], Head of Delegation or, in his/her absence, the Alternate designated in this Letter of Credentials, is authorised to take any decision required in relation with this Session, including to vote on behalf of the Government (or Authority concerned for Regional Economic Integration Organisation e.g. EU) of [name of IOTC Member] at this Session.

…..Signature…..

[on behalf of, Head of state, the head of government, the minister for foreign affairs or the minister concerned]

APPENDIX II

PROCEDURE FOR THE SELECTION AND APPOINTMENT OF THE EXECUTIVE SECRETARY OF THE COMMISSION

1) A Vacancy Announcement is drafted by technical departments with support of the Human Resources Division ("CSH") as is done for all senior (D1 and above) staff positions. The draft Vacancy Announcement is shared with the Chairperson of the Body concerned who is invited to provide views thereon.

2) The Vacancy Announcement is issued and posted for 30 days[1].

3) A first review and screening of candidates is undertaken by CSH based on the minimum criteria and qualifications set out in the Vacancy Announcement.

4) A second review is undertaken by the offices of the relevant Deputy Director-General and the relevant Director (D2) and three representatives of the Members of the Article XIV Body to establish a shortlist of candidates for interview. The interview shortlist must contain at least seven candidates including at least one female candidate. If there is no female candidate in the shortlist, the Panel Report must contain a justification. If the interview shortlist does not contain seven candidates, the Report must contain a justification.

5) An Interview Panel is established, which is composed of:
   a) the relevant Deputy Director-General or Director (D2);
   b) two Senior FAO officers;
   c) three representatives of the Members of the Article XIV Body;
   d) one external member, to be selected by other Interview Panellists from among three candidates proposed by CSH; and
   e) one representative of CSH, without the right to participate in decision-making. The role of the CSH representative is to offer administrative support to the panel. He/She will not be involved in interviewing or assessing the candidates.

6) Interviews of shortlisted candidates are conducted by the Interview Panel, which will prepare a report. The Panel Report will identify a minimum of three and a maximum of five qualified candidates. If no female candidate is selected at this stage, the Panel Report must contain a justification.

7) Both the shortlist of candidates for interview as well as the three to five candidates submitted to the Director-General is compiled with due regard to gender and geographic balance in line with the policy of the Organization. If this balance is not achieved, the Panel Report must contain a justification for this. All efforts should be made to reach a decision by consensus.

8) Reference checks are undertaken by CSH.

9) The Panel Report is submitted for consideration by the Director-General.

10) The Director-General identifies for appointment one candidate, from the proposed candidates identified in the Panel Report, whose name and curriculum vitae are referred to the relevant Article XIV Body for approval in accordance with the provisions of the treaty concerned. The name and curriculum vitae, and a written statement that reference checks have been conducted, will be transmitted to the Article XIV Body Chairperson, who will keep the information confidential, within ten weeks of the closure of the Vacancy Announcement.

11) Upon approval of the Body, an offer is issued to the candidate. Should there be non-approval, the Director-General will propose to the Body another candidate, identified in the Panel Report, recommended for appointment. In case none of the candidates identified in the Panel Report are approved by the Body, the Vacancy shall be reissued.

12) Upon acceptance, the Director-General appoints the candidate.

[1] Unless the Article XIV Body requests for a longer period up to maximum 45 days

Qualifications and benefits

1. The applicant should have university level qualifications, preferably at post–graduate level, in fisheries biology, fisheries science, fisheries economics or related field. He/she should have at least fifteen years of experience in fisheries management, policy formulation, preferably including bilateral and international relations. He/she should have the ability to exercise a high degree of professional initiative. The applicant should also be conversant with the preparation of budgets, documents and the organization of international meetings. He/she should have working knowledge, level C on the FAO scale, of either English or French. Preference may be given to candidates who have working knowledge in both languages.

2. Other essential requirements include competence in the selection of staff; demonstrated ability to supervise professional matters in subject field; and familiarity with the use of word processing, spread sheets and database management systems.

3. Desirable requirements include: a high degree of adaptability and ability to cooperate effectively with people of different nationalities and of various social and cultural backgrounds and education levels, as well as experience on fisheries related issues in the region.

4. The Executive Secretary will be graded at the D–1 level based on the United Nations salary scheme for professional and higher categories. He/she will in addition, be entitled to a variable element for post adjustment, pension, insurance, etc. The Executive Secretary is appointed under the same terms and conditions as staff members of FAO.

Terms of reference

Pursuant to Article VIII.2 of the Agreement, the Executive Secretary shall be responsible for implementing the policies and activities of the Commission and shall report thereon to the Commission. He/she shall also act as Executive Secretary to the subsidiary bodies established by the Commission, as required.

The incumbent will have overall responsibility for planning, coordination and administration of the Commission in accordance with the Agreement and the decisions of the Commission.

He/she shall, for administrative purposes, be responsible to the Director–General of FAO.

He/she will in particular:

a) receive and transmit the Commission's official communications;

b) maintain high level contacts with appropriate government officials, fishery institutions and international organizations concerned with tuna fisheries to facilitate consultation and cooperation between them on information collection and analysis;

c) maintain an active and effective network of national focal points for routine communication of progress and results of the activities of the Commission;

d) prepare and implement work programmes, prepare budgets and ensure timely reporting to the Commission;

e) authorize disbursement of funds in accordance with the Commission's budget;

f) account for the funds of the Commission;

g) stimulate interest among Members of the Commission and potential donors in the activities of the Commission and in possible financing or in implementing of pilot projects and complementary activities;

h) promote, facilitate and monitor the development of databases for resource assessment and biological and socio–economic research to provide a sound basis for conservation management;

i) coordinate the Members' programmes of research when required;

j) organize sessions of the Commission and its subsidiary bodies and other related *ad hoc* meetings, and to maintain records of the proceedings;

k) prepare background papers and a report on the Commission's activities and the programme of work for submission to the Commission at the regular sessions, and arrange the subsequent publication of the report and the proceedings of the Commission as well as its subsidiary bodies and related *ad hoc* meetings;

l) perform other related duties as required by the Commission.

Managerial competencies – Standard FAO requirements

1. Strategic vision: Capacity to develop a vision, mission statement and strategies and to focus on the needs of member countries and to adjust strategies to take changing circumstances into account.

2. Managing people: Fosters team spirit through building trust and commitment to common objectives and recognizing team successes.

3. Result Orientation: Demonstrates an ability to manage programmes and projects efficiently under shifting priorities, in order to achieve targets.

4. Partnering: Negotiates effectively with partners to enable successful outcomes for all stakeholders and actively supports interdisciplinarity across the Commission.

5. Strong Communication Skills: Demonstrates a high level of communication skills in negotiations with stakeholders and promoting the Commission’s messages.

APPENDIX III

ON COOPERATION WITH NON-CONTRACTING PARTIES

Application process to become a Cooperating Non-Contracting Party to the IOTC

1. Any non-Contracting Party requesting the status of a Cooperating Non-Contracting Party shall apply to the Executive Secretary. Requests must be received by the Executive Secretary no later than ninety (90) days in advance of an Annual Session of the Commission, to be considered at that meeting.

2. Non-Contracting Parties requesting the status of Cooperating Non-Contracting Party shall provide the following information in order to have this status considered by the Commission:

   a) where available, data on its historical fisheries in the IOTC area, including nominal catches, number/type of vessels, name of fishing vessels, fishing effort and fishing areas;

   b) all the data that Contracting Parties have to submit to IOTC based on the Resolutions adopted by IOTC;

   c) details on current fishing presence in the IOTC area, number of vessels and vessel characteristics and;

   d) information on any research programmes it may have conducted in the IOTC Area and the information and the results of this research.

3. An applicant for Cooperating Non-Contracting Party shall also:

   a) confirm its commitment to respect the Commission's Conservation and Management Measures and;

   b) inform IOTC of the measures it takes to ensure compliance by its vessels of IOTC Conservation and Management Measures

4. The Compliance Committee shall be responsible for reviewing requests for cooperating status and for recommending to the Commission whether or not an applicant should receive cooperating status. In this review, the Compliance Committee shall also consider information regarding the applicant available from other RFMOs as well as data submission of the applicant. Caution shall be used so as not to introduce into the IOTC Area the excessive fishing capacity of other regions or IUU fishing activities by granting cooperating status to the applicant.

5. Cooperating Non-Contracting Parties status shall be annually reviewed and renewed unless revoked by the Commission due to non-compliance with IOTC Conservation and Management Measures.

APPENDIX IV

THE SCIENTIFIC COMMITTEE – TERMS OF REFERENCE AND RULES OF PROCEDURE

1. Unless otherwise decided by the Commission, the following procedures will apply to the Scientific Committee.

2. Pursuant to Article XII.1 of the Agreement, the Commission establishes a permanent Scientific Committee which shall act as an advisory body to the Commission.

3. The Scientific Committee shall be constituted of scientists; each Member of the Commission shall have the right to appoint a representative and an alternate, if needed, both with suitable scientific qualifications, who may be accompanied by experts and advisers.

4. The Commission may invite experts, in their individual capacity, to enhance and broaden the expertise of the Scientific Committee and of its working parties.

5. The Members of the Commission shall finance the participation of their representatives, alternates, experts and advisers to the Scientific Committee meetings, as well as to its working parties. They will also finance the out of Session work, within the framework of the Scientific Committee, of these representatives, alternates, experts and advisers. The Commission may finance the participation of the experts invited in their individual capacity to participate in its meetings or in the working parties meetings.

6. The Chairperson of the Scientific Committee shall have, during the Scientific Committee meetings, the same powers and duties as the Chairperson of the Commission has in relation to meetings of the Commission itself.

7. The Chairperson of the Scientific Committee shall, in consultation with the Chairperson of the Commission, convene Sessions of the Scientific Committee. In the interval between two Sessions of the Scientific Committee he/she will also exercise any function entrusted to him/her by the Scientific Committee.

8. Pursuant to Article VIII.2 of the Agreement the Executive Secretary of the Commission, or his/her delegate, shall act as Executive Secretary to the Scientific Committee.

9 All documents submitted to the Scientific Committee or its working parties shall be submitted to the IOTC Secretariat no later than 15 days prior to the start of the respective Scientific Committee or working party meeting. Any documents submitted less than 15 days prior, shall be considered for information purposes only. In exceptional circumstances, and with appropriate justification to be recorded in the report of the meeting, the Chair and Vice-Chairperson(s) may decide to accept ~~upon justification to be recorded in the report of the meeting,~~ a document submitted after the deadline as a working paper, provided that it is received no later than ten days prior to the start of the meeting and is deemed essential to the successful outcome of the meeting. ~~and provided that~~Such a document may be presented at the meeting only if no opposition has been expressed by three (3) or more CPCs or delegates, ~~where~~as appropriate~~, attending the meeting, online or in person, to accept a document which has been submitted after the deadline but at least [5] working days [less than 2 days] after the deadline but prior to the start of the meeting as a working paper if the document is fundamental to the successful outcomes of the meeting.~~

10. The Scientific Committee shall:

    a) recommend policies and procedures for the collection, processing, dissemination and analysis of fishery data

    b) facilitate the exchange and critical review among scientists of information on research and operation of fisheries of relevance to the Commission

    c) develop and coordinate cooperative research programmes involving Members of the Commission and other interested parties, in support of fisheries management

d) assess and report to the Commission on the status of stocks of relevance to the Commission and the likely effects of further fishing and of different fishing patterns and intensities

e) formulate and report to the sub-commission, as appropriate, on recommendations concerning conservation, fisheries management and research, including consensus, majority and minority views

f) consider any matter referred to by the Commission

g) to carry out other technical activities of relevance to the Commission.

11. The Scientific Committee will carry out its work at annual meetings held before those of the Commission. With the approval of the Commission, the Chairperson of the Scientific Committee may convene special meetings between its annual meetings. In consultation with the Secretariat of the Commission, the Chairperson of the Scientific Committee may initiate and direct some work to be carried out by the Scientific Committee through correspondence.

12. The Chairperson of the Scientific Committee, in consultation with the Secretariat of the Commission, may also convene working parties of scientists for the purpose of stock assessment, preparation of management advice and any other research in support of fisheries management. They shall be constituted of scientists who are directly involved in and/or who may significantly contribute to the proposed work of the working parties. These scientists may also include scientists from non-Members of the Commission that are eligible to become Members and experts in their individual capacity.

13. The procedures of the Scientific Committee shall be governed *mutatis mutandis* by the Rules of Procedure of the Commission.

APPENDIX V

THE COMPLIANCE COMMITTEE – TERMS OF REFERENCE AND RULES OF PROCEDURE

1. Meeting of the Compliance Committee

The meetings of the Compliance Committee shall be held for a period of at least 2 days to assess individual IOTC Contracting Parties (Members) and Cooperating Non-Contracting Parties' (hereinafter referred together as "CPCs") compliance and implementation with their obligations as Members and Cooperating Non-Contracting Parties of IOTC.

2. Mandate and Objectives of the Compliance Committee

a) The Compliance Committee shall be responsible for reviewing all aspects of CPCs individual compliance with articles X.1, X.2 and XI.2 of the IOTC Agreement and applicable IOTC Conservation and Management Measures.

b) The Compliance Committee shall report directly to the Commission on its deliberations and recommendations.

c) The Compliance Committee shall cooperate closely with other IOTC subsidiary bodies in order to remain informed on all issues concerning compliance with applicable IOTC Conservation and Management Measures.

d) The work of the Compliance Committee shall be guided by the following overall objectives:

i) To provide a structured forum for discussion of all problems related to effective implementation of, and compliance with articles X.1, X.2 and XI.2 of the IOTC Agreement and applicable IOTC Conservation and Management Measures

ii) To gather and review information relevant to compliance with articles X.1, X.2 and XI.2 of the IOTC Agreement and applicable IOTC Conservation and Management Measures, and from documents submitted by CPCs (e.g. Reports of Implementation and standard questionnaires on compliance) or IOTC subsidiary bodies

iii) To identify and discuss problems related to the implementation of, and compliance with, articles X.1, X.2 and XI.2 of the IOTC Agreement and applicable IOTC Conservation and Management Measures, and to make recommendations to the Commission on how to address these problems, including considering all available responses to CPC non-compliance.

iv) To promote a positive compliance culture that focuses on improving CPCs overall compliance with the IOTC Agreement and applicable IOTC conservation and management measures.

3. The terms of reference of the Compliance Committee shall be to:

a) Review each individual CPC's compliance with articles X.1, X.2 and XI.2 of the IOTC Agreement and applicable IOTC Conservation and Management Measures and make such recommendations to the Commission as may be necessary to ensure their effectiveness, notably in relation to:

i) The mandatory statistical requirements and all issues related to obligatory reporting and data providing, including non-targeted species;

ii) The level of CPCs' conformity with articles X.1, X.2 and XI.2 of the IOTC Agreement and applicable IOTC Conservation and Management Measures;

iii) The level of CPCs' conformity with the resolutions concerning the limitation of the fishing capacity;

iv) The status of implementation of resolutions for monitoring, control, surveillance and enforcement adopted by the Commission (e.g. Port inspections, VMS, follow-up on infringements and market related measures);

v) The reporting on authorised as well as active vessels in IOTC area of competence, in particular, in relation to the IOTC Resolution on fishing effort limitation.

b) The Compliance Committee shall also be tasked to:

i) Compile reports, with the help of the IOTC Secretariat, based on information submitted by CPCs in accordance with the various Resolutions adopted by the Commission and, which will form the basis for the compliance review process.

ii) Develop a structured, integrated approach to evaluate the compliance of each CPC against articles X.1, X.2 and XI.2 of the IOTC Agreement and applicable Conservation and Management Measures, as described in paragraphs 4, 5 and 6 below. The Chair of the Compliance Committee, assisted by the IOTC Secretariat, will identify, select and transmit the significant non-compliance issues to each CPC and submit them for discussion at the Compliance Committee meeting.

iii) Issue its recommendation on the compliance status of each CPC at the end of the meeting, in accordance with the process described in paragraphs 4, 5 and 6 below.

iv) Develop a scheme of incentives and, where appropriate, other follow-up actions including a mechanism for their application to encourage compliance by all CPCs.

v) Perform such other tasks as directed by the Commission.

4. IOTC Compliance Committee preparatory works:

a) In preparation for the meeting of the IOTC Compliance Committee the IOTC Secretariat shall:

i) Provide each CPC on a secure section of the IOTC website, and notified by email 4 months prior to the annual meeting, a standard questionnaire on compliance with the various binding applicable IOTC Conservation and Management Measures covering the previous calendar year. Such questionnaire shall also seek information on any follow-up actions by CPCs in response to the previous year's IOTC Final Compliance Report as stipulated in paragraph 6, for receiving comments and answers from the concerned CPCs no later than 80 days before the Commission meeting. The IOTC standard questionnaire as answered by a CPC shall be made available to all CPCs on the IOTC website.

ii) Compile CPCs' initial replies to the questionnaire in the form of a draft IOTC Compliance Report. The draft IOTC Compliance Report shall summarise all available information relating to each CPC's implementation of and compliance with obligations for review by the IOTC Compliance Committee and shall include the suggested compliance status based on Annex A for each compliance issue identified. It shall also include relevant information regarding compliance with the submission of the annual report referred in articles X.1 and X.2 of the IOTC Agreement.

iii) The draft IOTC Compliance Report shall be provided to the relevant CPC on a secure section of the IOTC website and notified by email no later than 50 days before the Commission meeting. Upon website posting of the relevant draft report, each CPC may reply to the IOTC Secretariat no later than 30 days before the Commission meeting in order to (where appropriate):

1. provide additional information, clarifications, amendments or corrections to information contained in its draft report;
2. identify any particular difficulties with respect to implementation of any obligations;
3. identify technical assistance or capacity building needed to assist the CPC with implementation of any obligations; and/or
4. propose a change to any suggested compliance status based on justified grounds.

iv) The Secretariat shall then produce the IOTC Summary Compliance Report based on the draft Compliance Report of each CPC. Upon availability of the IOTC Summary Compliance Report, each CPC may reply to the IOTC Secretariat no later than 10 days before the Commission meeting in order to (where appropriate) provide follow-up/remedial actions to information contained in its IOTC Summary Compliance Report. The IOTC Summary Compliance Report shall form the basis for the compliance examination process described in paragraphs 5 and 6 and shall include, *inter alia*, a summary of each CPC's compliance with obligations, any compliance issues identified and a suggested

preliminary compliance status by the Secretariat in accordance with Annex A.

v) The IOTC Summary Compliance Report shall be made available to all CPCs on the IOTC website no later than 25 days before the Commission meeting.

5. Provisional IOTC Compliance Report

a) At each meeting, the IOTC Compliance Committee shall review the IOTC Summary Compliance Report, taking into account information contained in the report, as well as any further suitably documented information provided prior to or at the Compliance Committee meeting. The Compliance review process shall be undertaken CPCs by CPCs as well as measure by measure and obligation by obligation, as needed, and if required, prioritising non-compliance of category 2 and other recurring compliance issues. The Compliance Committee may request any CPCs that have relevant information to provide further details. The Compliance Committee shall also discuss non-submission or late submission of the questionnaire referred to in paragraph 4.a)i).

b) On the basis of the information available, the Compliance Committee shall recommend a Provisional Compliance Report. The IOTC Provisional Compliance Report shall record any compliance issues identified, including an assessment of compliance status in accordance with Annex A. The IOTC Provisional Compliance Report shall record suggested follow-up actions in respect of compliance issues identified, in accordance with Annex A, including timeframes for implementation.

c) For the purposes of the Provisional and Final IOTC Compliance Report, "Compliance Status" shall be based on the following information:

i) For a CPC-level quantitative limit or collective CPC quantitative limit, such as a limit on fishing capacity, fishing effort, or catch: verifiable data indicating that the limit has not been exceeded.

ii) For other obligations:

1. Implementation – where an obligation applies, the CPC is required to inform and provide support documents, in national language if French and English are not available, that it has adopted, in accordance with its own national policies and procedures, binding measures that implement that obligation; and

2. Monitor and ensure compliance – the CPC is required to provide information showing that it has a system or procedures to monitor compliance of vessels and persons with these binding measures, a system or procedures to respond to instances of non-compliance and has taken action in relation to potential infringements.

d) The IOTC Provisional Compliance Report shall, where appropriate, also include recommendations to the Commission regarding:

i) any remedial action taken, or proposed to be taken, by the CPC;

ii) priority obligations to be reviewed for the next compliance assessment cycle, during the process described in paragraphs 4, 5 and 6; and

iii) other responsive action, including incentive measures which may be considered by the Commission as appropriate.

6. IOTC Final Compliance Report

The Commission shall consider the IOTC Provisional Compliance Report and any associated or other relevant information, including responses to compliance issues and follow-up actions recommended by the Compliance Committee and adopt it, with amendments as required, as the IOTC Final Compliance Report.

7. The process described in paragraphs 4, 5 and 6 shall be reviewed by the Compliance Committee after the compliance assessment process has been completed in full once. The Compliance Committee shall make recommendations to the Commission on future improvements to the process if necessary.

8. The Compliance Committee should take into consideration the capacity constraints and extenuating circumstances

of developing coastal states. Nothing in this document shall contravene any obligation and special considerations provided for coastal fisheries in applicable IOTC Conservation and Management Measures.

9. The procedures of the Compliance Committee shall be governed *mutatis mutandis* by the Rules of Procedure of the Commission.

APPENDIX V – ANNEX A COMPLIANCE STATUS CATEGORIES

Compliance status	Criteria	Possible follow-up action
Compliant	A CPC will be deemed Compliant where there are no compliance issues with an obligation, including the following (where applicable) have all been met: a. reporting or submission deadlines; b. implementation of obligations through national laws, regulations or administrative orders; c. submission of all mandatory information or data required, in the agreed format, as applicable.	No action required.
Partially compliant	A CPC will be deemed Partially Compliant with an obligation if any of the following have occurred, as applicable: a. information or data for the obligation has been submitted or reported, but in a way that is incomplete or incorrect; b. a CPC has failed to meet reporting or submission deadlines by less than 15 days; c. has failed to implement, monitor or ensure compliance with some but not all obligations specified in that CMM.	• **No further action**: the CPC demonstrates that it has already taken appropriate action and no further action is required. • **Follow-up action needed**: the CPC shall provide additional information or address the compliance issue within a given period of time, and at the latest before the following annual meeting, unless otherwise decided by the Commission.
Non-compliant category 1	A CPC will be deemed to be non-compliant category 1 if any of the following have occurred, as applicable: a. the CPC has not submitted or reported information or data for the obligation; b. the CPC has failed to meet a reporting or submission deadline by more than 15 days; c. the CPC has failed to implement, monitor or ensure compliance with an obligation.	• **No further action**: the CPC demonstrates that it has already taken appropriate action and no further action is required. • **Follow-up action needed**: the CPC shall address the compliance issue within a given period of time, and at the latest before the following annual meeting, unless otherwise decided by the Commission. The follow-up action shall be appropriate to the relevant compliance issue and shall include one or more of, but are not limited to, the following responses, taking into account the history,

		circumstances, extent, and gravity of the compliance issue. **Actions to be taken by the CPC** - actions proposed by the CPC and endorsed by the Commission; - the completion of an investigation by the CPC regarding a compliance issue and reporting back to the Compliance Committee, where required; - enhanced monitoring of the fleet; - amendments to domestic procedures, legislation or policy including penalties, where required; - other remedies. **Actions recommended by the Compliance Committee and endorsed by the Commission** - the provision of capacity building or technical assistance for a specified amount of time; - other remedies.
Non-compliant category 2	A CPC will be deemed to be non-compliant category 2 with an obligation if any of the following have occurred, as applicable: a. exceeding quantitative limit established by the Commission in two or more consecutive year; b. failure to respect a catch limit deduction resulting from an over-catch; c. failure to submit the standard questionnaire on compliance; d. failure to submit the implementation report; e. failure to provide nominal catch data, including zero catches for one or more species for two or more consecutive year; f. failure to report back against follow-up actions agreed by the Commission for compliance issues;	• **No further action**: the CPC demonstrates that it has already taken appropriate action and no further action is required; • **Follow-up action needed**: the CPC shall submit, within 3 months from the end of the Commission annual session, a detailed plan and timeline on how it intends to address the non-compliance of category 2 identified. The follow-up actions and plan shall be appropriate to the relevant compliance issue and shall include one or more of, but are not limited to, the following responses, taking into account the history, circumstances, extent, and gravity of the compliance issue: **Actions to be taken by the CPC** - submission of a detailed plan and timeline to address the non-

	g. failure to implement, monitor or ensure compliance with a non-retention ban on a species for two or more consecutive years; h. failure to provide nominal catch data in time for the conduct of stock assessment for one or more species for two or more consecutive years; i. failure to implement, monitor or ensure compliance with the same obligation for two or more consecutive years.	compliance of category 2 identified; - actions proposed by the CPC and endorsed by the Commission; - the completion of an investigation by the CPC regarding a compliance issue and reporting back to the Compliance Committee, where required; - enhanced monitoring of the fleet; - amendments to domestic procedures, legislation or policy including penalties, where required; - other remedies. **Actions recommended by the Compliance Committee and endorsed by the Commission** - the provision of capacity building or technical assistance for a specified amount of time; - other remedies.
Capacity building in progress	A CPC will be assessed as "capacity building in progress" with an obligation if this CPC is benefiting from an IOTC capacity building activity intended to address the implementation with this obligation	
N/A	The measure does not apply to the CPC	

APPENDIX VI

THE STANDING COMMITTEE ON ADMINISTRATION AND FINANCE – TERMS OF REFERENCE AND RULES OF PROCEDURE

1. The Standing Committee on Administration and Finance shall advise the Commission on such matters of an administrative and financial character as are remitted to it by the Commission and shall annually:

   a) examine the operating budget for the current year

   b) examine the draft budget for the ensuing and following year.

2. The Standing Committee on Administration and Finance may draw to the attention of the Commission any matter of an administrative or financial character.

3. The Standing Committee on Administration and Finance may appoint from amongst its members a smaller, informal group to give preliminary consideration, in consultation with the Executive Secretary, to matters before it.

4. The Standing Committee on Administration and Finance shall prepare a report of each meeting of the Committee for transmission to the Commission.

5. The procedures of the Standing Committee on Administration and Finance shall be governed *mutatis mutandis* by the Rules of Procedure of the Commission.

APPENDIX VII

WORKING PARTY (SCIENCE) – TERMS OF REFERENCE AND RULES OF PROCEDURE

These general Terms of Reference for the IOTC Working Party's that support the scientific process, reflect the Scientific Committee's mandate to provide the Commission with the information it needs to manage IOTC stocks in accordance with the IOTC Agreement.

The work of the Working Parties will include the specific tasks listed below:

1. Review new information on the biology and stock structure of the relevant species, their fisheries and environmental data.

2. Coordinate and promote collaborative research on the species and their fisheries.

3. Develop and identify agreed models and procedures for the assessment of stock status of each species.

4. Conduct stock assessments for each of each species or stock.

5. Provide technical advice on management options, the implications of management measures and other issues.

6. Identify research priorities, and specify data and information requirements that are necessary for the Working Party to meet its responsibilities.

The Terms of Reference for each of the following working parties shall be those adopted by the Scientific Committee.

- Working Party on Billfish
- Working Party on Data Collection and Statistics
- Working Party on Ecosystems and Bycatch
- Working Party on Methods
- Working Party on Neritic Tunas
- Working Party on Temperate Tunas
- Working Party on Tropical tunas

7. The procedures of the Working Parties shall be governed mutatis mutandis by the Rules of Procedure of the Scientific Committee (Appendix IV).

~~7.~~8. The procedures for the meeting registration process and the submission of documents shall be established in the Guidelines for Meeting Operations, adopted separately

APPENDIX VIII

RULES OF PROCEDURE FOR THE ADMINISTRATION OF THE IOTC MEETING PARTICIPATION FUND

1) Definitions

Developing Contracting Party, is any Contracting Party (Member) that was under the categories of "Low" or "Middle" income, according to the criteria used in the most recent calculation of the contributions (see Annex of the IOTC Financial Regulations).

The **Selection Panel**, in the case of Working Parties**,** is composed by the Chair of the scientific body concerned, the Chair of the Scientific Committee, or their delegates, and the Secretariat.

Non-scientific meetings are regular and special Sessions of the Commission, including Sessions of the Compliance Committee and the Standing Committee on Administration and Finance, and other non-scientific subsidiary bodies of the Commission.

2) Eligibility criteria

Meeting Participation Fund for IOTC Working Parties and technical workshops

- Any nominated scientist from a developing Contracting Party (Member), submitting a complete application before the set deadline, including a working paper or document relevant to the subject of the meeting, is eligible to benefit from the IOTC Meeting Participation Fund. Priority will be given to scientists from least developed countries.

- Delegates from Contracting Parties (Members) of the Commission which are in arrears in the payment of its financial contributions to the Commission are not be eligible to benefit from the IOTC Meeting Participation Fund if the amount of its arrears equals or exceeds the amount of the contributions due from it for the two preceding calendar years.

Meeting Participation Fund for IOTC Scientific Committee Sessions

- Any delegate from a developing Contracting Party (Member) of IOTC, submitting a complete application before the set deadline, including the National Report and an official Letter of Credentials, is eligible to benefit from the IOTC Meeting Participation Fund. Priority will be given to delegates from least developed countries.

- Delegates from Contracting Parties (Members) of the Commission which are in arrears in the payment of its financial contributions to the Commission are not be eligible to benefit from the IOTC Meeting Participation Fund if the amount of its arrears equals or exceeds the amount of the contributions due from it for the two preceding calendar years.

Meeting Participation Fund for Sessions of the Commission (including Compliance Committee and Standing Committee on Administration and Finance) and other non-scientific meetings

- Any delegate from a developing Contracting Party (Member) of IOTC submitting an application before the set deadline, including the relevant reports (if applicable) and an official Letter of Credentials, is eligible to benefit from the IOTC Meeting Participation Fund. Priority will be given to delegates from least developed Contracting Parties (Members).

- If Contracting Parties (Members) have access to other sources of funding, such as the Assistance Fund from Part VII of the UNFSA[1], they are encouraged to make use of these funds.

[1] UNFSA refers to the Agreement for the implementation of the provisions of the Convention of 10 December 1982 relating to the conservation and management of straddling fish stocks and highly migratory fish stocks.

- Delegates from Contracting Parties (Members) of the Commission which are in arrears in the payment of its financial contributions to the Commission are not be eligible to benefit from the IOTC Meeting Participation Fund if the amount of its arrears equals or exceeds the amount of the contributions due from it for the two preceding calendar years.

Meeting Participation Fund for IOTC Chairpersons and Vice-Chairpersons

- Any nominated Chairperson and/or Vice-Chairperson from a developing Contracting Party (Member), submitting a complete application before the set deadline, including a working paper or document relevant to the subject of the meeting, is eligible to benefit from the IOTC Meeting Participation Fund to attend the meeting in which they act as Chairperson or Vice-Chairperson. The Guidelines for the preparation of papers as part of the MPF application process set out in Annex A will apply to Chairs and Vice-Chairs funded by the MPF.

- Any nominated Chairperson or Vice-Chairperson from a developing Contracting Party (Member), is eligible to benefit from the IOTC Meeting Participation Fund to attend the Scientific Committee meeting to present the report of the Working Party in which they are Chairperson or Vice-Chairperson.

3) Application for support to attend Working Parties and technical workshops

As the main goal of the MPF is to increase the participation of scientists of developing Contracting Parties (Members) to scientific meetings of IOTC, and in line with Rule XVI, paragraph 1, applications to the MPF should only be considered if the applicant intends to produce and present a working paper, relevant to the work of the working party that he or she wishes to attend. Guidelines for the preparation of such a document are provided in Annex A.

Timeline for the selection of Meeting Participation Fund recipients for workings parties and workshop

	Action Item	Responsibility	Due date
1	Circular to CPCs and message distributed through the IOTC relevant mailing lists calling for applications to the MPF. The call for applications will include terms and conditions and timeline for the selection of MPF recipients.	Secretariat	No later than 90 days prior to the commencement of the meeting.
2	Deadline for submissions of application, including: - Official nomination letter with request of support signed by the director of fisheries or any other relevant authority; - Contact details of the nominee and a copy of his/her passport - Abstract of the scientific paper or document to be presented at the meeting.	MPF applicants	No later than 45 days prior to the meeting.
3	The Secretariat to: (i) Review applications to determine those who meet eligibility criteria; (ii) Offer non-eligible applicants an additional three-day period to complete the application	Secretariat	Within 2 days of the due date for applications (Step 2 above), or earlier.
4	The Secretariat to distribute the list of complete applications to the Selection Panel	Secretariat	3 days after step 3 (no later than 40 days before the meeting)
5	The Selection Panel to review the list of complete applications within five days to assess the relevance of the document to the subject of the meeting.	Selection Panel	5 days after step 4 (no later than 35 days before the meeting)
6	The Secretariat to issue an invitation to successful applicants, and commence travel arrangements.	Secretariat	1 day after step 5 (no later than 34 days before the meeting)
7	Documents by applicants to be submitted and published in the relevant IOTC meeting webpage.	Secretariat	No later than 15 days before the meeting.

4) Application for support to attend Scientific Committee

The template for the preparation of the National Report (an eligibility requirement for applicants for the Scientific Committee) can be downloaded from the IOTC website or be obtained through the Secretariat.

Timeline for the selection of Meeting Participation Fund recipients for the Scientific Committee.

	Action Item	Responsibility	Due date
1	Circular to CPC's and message distributed through the relevant IOTC mailing lists calling for applications to the MPF. The call for applications will include terms and conditions and the timeline for the selection of MPF recipients.	Secretariat	No later than 90 days prior to the commencement of the SC meeting.
2	Deadline for submissions of application, including: - Official nomination letter with request of support signed by the director of fisheries or any other relevant authority. - Letter of credentials (see Rule X.3 of the IOTC rules of procedure) - Contact details of the nominee and a copy of his/her passport - CPC National Report.	MPF applicants	No later than 45 days prior to the meeting.
3	The Secretariat to: (i) Review applications to determine those who meet eligibility criteria; (ii) Offer non-eligible applicants an additional three-day period to complete the application	Secretariat	Within 2 days of the due date for applications (Step 2 above), or earlier.
4	The Secretariat to issue an invitation to successful applicants, and commence the travel arrangements.	Secretariat	3 days after step 3 (no later than 40 days before the meeting)

5) Application for support to attend non-scientific meetings

In line with Rule XV, paragraph 1, it is mandatory for funded participants "*to present reports relevant to the meeting in question*". In the case of the Compliance Committee, SCAF and Commission meetings, the relevant report is the Report of Implementation (as described in Article X, para. 2 of the IOTC Agreement) and, therefore, applications to the MPF should only be considered if the CPC of the applicant has submitted its Report of Implementation.

When the Compliance Committee and the SCAF meetings are held in conjunction with the regular Sessions of the Commission, only one participant from each CPC will be supported from the MPF.

Timeline for the selection of Meeting Participation Fund recipients for non-scientific meeting, in particular Commission meeting.

	Action Item	Responsibility	Due date
1	Circular to CPCs for applications to the MPF. The call for applications will include terms and conditions and timeline for the selection of MPF recipients.	Secretariat	No later than 90 days prior to the commencement of the Commission meeting.
2	Deadline for submissions of application, including: - Official nomination letter with request of support. - Letter of credentials (see Rule X.3 of the IOTC rules of procedure) - Contact details of the nominee and a copy of his/her passport - CPC Report of Implementation.	MPF applicants	No later than 60 days prior to the Commission meeting.
3	The Secretariat to: (i) Review applications to determine those who meet eligibility criteria; (ii) Offer non-eligible applicants an additional three-day period to complete the application	Secretariat	Within 2 days of the due date for applications (Step 2 above), or earlier.
4	The Secretariat to issue an invitation to successful applicants, and commence travel arrangements.	Secretariat	3 days after step 2 (no later than 45 days before the meeting)

ANNEX A (*of the Rules of Procedure for the MPF*)

GUIDELINES FOR THE PREPARATION OF PAPERS AS PART OF THE MEETING PARTICIPATION FUND APPLICATION PROCESS

As stated in para. 6 of the Resolution "*Priority will be given to those applicants that will contribute a scientific document on a subject of interest to the meeting they wish to attend*".

The working document to be prepared by the applicant to the Meeting Participation Fund should follow the guidelines below:

FOR A SESSION OF THE COMMISSION, the working document to be submitted should be:

- a Report of Implementation following the template produce by the Secretariat which is sent through an IOTC Circular at least 90 days before the Session. Please note that the deadline for submitting the Report of Implementation is 60 days before the Session.

FOR A SESSION OF THE SCIENTIFIC COMMITTEE, the document to be submitted should be:

- a National Report following the guidelines adopted by the Scientific Committee at its thirteenth Session (IOTC–2010–SC13–R, Appendix VI). Please note that the deadline for submitting the National Report is 30 days before the Session of the Scientific Committee.

FOR A WORKING PARTY OR ANY OTHER AD HOC WORKSHOP, the working document to be submitted should relate specifically to the topic of interest of the meeting, and should be:

- a document related to the biology (e.g. growth, genetic, etc.) of one particular species, or group of species, under the mandate of the Working Party the applicant wishes to attend, or

- a document on the fisheries targeting one particular species, or group of species, under the mandate of the Working Party the applicant wishes to attend. This should include a description of the fleet, gear used, fishing zones, data collection system and its short comings, related research, relevant legislation, socio-economic issues and fisheries statistics such as nominal catch, catch and effort, length frequency, CPUEs, etc…, or

- a document describing an analysis conducted for one particular species under the mandate of the Working Party the applicant wishes to attend such as a CPUE standardization, a stock assessment, etc…, or

- any other specific document requested by the chair of the Working Party the applicant wishes to attend and endorsed by the chair of the Scientific Committee and the Executive Secretary.

APPENDIX IX

WORKING PARTY ON SOCIO-ECONOMICS — TERMS OF REFERENCE AND RULES OF PROCEDURE

The Working Party on Socio-Economics (WPSE) shall inform the Commission on the socio-economic status and dynamics of fisheries for tuna and tuna-like species in the IOTC area of competence and to assess and advise on potential impacts to CPCs arising from the Conservation and Management Measures, allocation of quotas and catch limits, and recommendations of the IOTC Scientific Committee.

Composition:

The WPSE would be technical and scientific in nature and should be composed of stakeholders, experts and practitioners, in particular the following:

a. social scientists;

b. economists;

c. fisheries officers;

d. invited experts.

The participation of the Chair of the Scientific Committee (or designee) in the WPSE shall be mandatory.

Mandate:

The WPSE shall;

a. Establish the work plan for the WPSE.

b. Identify, review, and recommend appropriate, robust metrics and indicators to assess the social and economic dynamics of fisheries.

c. Identify and recommend the reporting criteria and modalities of submitting the information to the IOTC Secretariat or sourcing the information from multilateral agreements and organisations, bearing in mind that this new data collection requirement should not be an administrative burden.

d. Propose and promote:

   i. regionally harmonised and improved methods and tools for the collection and management of social and economic data as identified in subparagraph a.

   ii. analysis of fisheries value chains to assess the social and economic state and dynamics of fisheries for tuna and tuna-like species in the IOTC area of competence.

   iii. analysis of the likely impact of CMMs on these factors.

e. Provide guidance on data and indicator definitions to ensure a consistent approach to data and indicators across CPCs.

f. Work closely with the Working Party on Data Collection and Statistics to collect and compile information about past and present social and economic indicators including but not limited to social and economic contribution of fisheries for tuna and tuna-like species in the IOTC area of competence, respective economic dependence on fish stocks, the social and economic importance of the fishery, contribution to national food security needs, domestic consumption, income from exports, fisheries subsidies and employment.

g. Develop the assessment framework to analyse the social and economic impacts arising from the implementation of CMMs, allocation of quotas and catch limits, and recommendations of the IOTC Scientific Committee.

h. Support and coordinate capacity development and training initiatives in the areas falling within its mandate.

i. Meet annually with the first meeting being in-person and subsequent meetings being conducted either in person or in hybrid mode. Acknowledging the IOTC budget constraints and IOTC Resolution 22/01 [superseded by Resolution 24/01 and then 25/01], virtual meetings will be the preferred option, or for in -person meetings, the Secretariat will look for solutions to reduce meeting costs.

The IOTC Meeting Participation Fund shall be used to fund a maximum of one (1) participant from each eligible CPC to facilitate and contribute to the mandate of the WPSE.

All data collected by the WPSE shall be subject to the confidentiality policy and procedures outlined in Resolution 12/02 (or any superseding Resolutions).

The procedures of the Working Party shall be governed mutatis mutandis by the Rules of Procedure of the Commission (Rules II - XX).

The procedures for the meeting registration process and the submission of documents shall be established in the Guidelines for Meeting Operations, adopted separately