

INTER-AMERICAN TROPICAL TUNA COMMISSION

94TH MEETING

Bilbao, Spain, 22-26 July 2019

PROPOSAL IATTC-94 J-1

SUBMITTED BY MEXICO

**PROPOSAL FOR A RESOLUTION ON CONFIDENTIALITY IN THE USE OF
INFORMATION ON COMPLIANCE**

EXPLANATORY MEMORANDUM

Article XXII of the Antigua Convention establishes that the Commission shall determine rules of confidentiality for access, use and disclosure of information pursuant to the Convention. Moreover, Article XVIII on the implementation, compliance and enforcement by Parties provides that each Party shall authorize the use and release, subject to any applicable rules of confidentiality, of pertinent information recorded by on-board observers of the Commission or a national program.

RESOLUTION C-19-XX

CONFIDENTIALITY IN THE USE OF INFORMATION ON COMPLIANCE

The Inter-American Tropical Tuna Commission (IATTC), gathered in Bilbao, Spain, on the occasion of its 94th Meeting:

Recalling that the “Antigua Convention”, in Article XXII establishes that the Commission shall determine rules of confidentiality for access, use and disclosure of information pursuant to the Convention.

Considering that in the framework of Resolution C-11-07 on Compliance it is established that the IATTC reviews annually the compliance and implementation by each Member of the Commission’s resolutions, based on, *inter alia*, the compliance report provided by the Director.

Recognizing that multilateral actions are more appropriate and effective than unilateral actions.

Affirming therefore the importance of strengthening multilateral cooperation, through mechanisms agreed in the IATTC, and particularly the exchange of information.

Taking into consideration that Article XVIII of the “Antigua Convention” on implementation, compliance and enforcement by Parties provides that each Party shall authorize the use and release, subject to any applicable rules of confidentiality, of pertinent information recorded by on-board observers of the Commission or a national program.

Also considering the clear reduction of the number of possible infractions of IATTC resolutions by purse-seine vessels operating in the EPO as has been observed in the Committee for the Review of the Implementation of Measures Adopted by the Commission, which shows that multilateral work is being done and with good results.

Agrees:

1. That information on compliance that is provided by any Member in the framework of IATTC resolutions is of a strictly confidential nature and its use shall be restricted to the purposes that the Commission itself may establish, unless the Member authorizes its disclosure or use.
2. That the Commission and the member countries may use the information referred to in item 1 above only within the framework of the IATTC.
3. That Resolutions adopted within the Commission, as well as their observation by the Members are for the purpose of complying with the Commission's objectives. Therefore, no Member may use the information contained in the compliance report provided by the Director particularly for unilateral processes that have not been agreed previously by the Commission.