

Appendix 4b

INTER-AMERICAN TROPICAL TUNA COMMISSION
COMMITTEE FOR THE REVIEW OF IMPLEMENTATION OF
MEASURES ADOPTED BY THE COMMISSION
9TH MEETING
San Diego, California (USA)
21-22 August 2018

CHAIR'S REPORT
AGENDA

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2 Adoption of the agenda	
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a. Report by the staff on compliance	COR-09-01
b. Review of the questionnaires submitted by CPCs in compliance with Resolution C-11-07	
4 Identification of Members whose implementation of IATTC measures is inadequate, and mechanisms to improve compliance	
5 Consideration of the provisional IUU Vessel List	COR-09-02
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The 9th meeting of the Committee for the Review of Implementation of Measures Adopted by the Commission (Review Committee) was held in San Diego, California (USA), on 21-28 August 2018.

Opening of the meeting

The meeting was opened by the Chair of the Committee, Mr. David Hogan, of the United States.

Adoption of the agenda

The Committee adopted the provisional agenda with no changes.

Compliance with IATTC measures in 2017

a. Report by the staff on compliance

Mr. Ricardo Belmontes, of the Commission staff, presented Document COR-09-01, which summarizes

compliance with IATTC resolutions in 2017. A number of Members asked questions, sought clarifications, and identified errors to be corrected. Overall, trends in compliance are improving: infractions of most measures show decreases over time. Implementation of more recent measures is still incomplete, and a number of CPCs pointed out the need for improvement regarding measures addressing sharks, observer coverage, and FAD data reporting, including Resolution C-16-01. Members also requested that the compendium of possible compliance cases, which had been available for previous Committee meetings, be available for future meetings. .

b. Presentations by CPCs

The Committee heard presentations by each CPC present at the meeting, including explanations of certain responses to the compliance questionnaire, explanations and clarifications of certain cases that appeared in the compliance report, and follow-up to prior cases. The Committee used the compendium of compliance matters to also help guide the discussion, and after each presentation other CPCs were provided the opportunity to ask questions and make comments.

Identification of Members whose implementation of IATTC regulations is inadequate, and mechanisms to improve compliance

The Committee discussed institutional and systemic implementation issues, and offered suggestions for improving procedures, engagement, and reporting by CPCs, and related matters. No individual CPCs were identified.

Consideration of the provisional IUU Vessel List

The Committee reviewed Document COR-09-02, including Fiji's reiterated request to remove the vessel *Xin Shi Ji 16* from the IUU List, and Peru's proposal to add five Ecuadorian vessels to the list. No recommendation on Peru's proposal was agreed. The Committee made a recommendation to implement Fiji's request.

Cooperating non-Members

The Committee reviewed Document COR-09-03, and recommended that the status of all five Cooperating Non-Members (Bolivia, Chile, Honduras, Indonesia, and Liberia) be renewed by the Commission.

Other business

No other business was discussed.

Recommendations

a. Recommendations for the Committee/Secretariat

1. To better manage the work of the Committee, review the compliance report initially only for corrections or questions, and conduct the substantive discussions and comments within the CPC review portion of the agenda. CPCs should review and record corrections as soon as possible, with an emphasis on doing so immediately after the initial circulation of the compliance report.
2. In developing and presenting the compliance report, where there are multiple reporting or compliance requirements within resolutions, the Secretariat should separate compliance reporting for each specific requirement, rather than showing compliance with aggregated requirements (*e.g.*, multiple data reporting requirements).
3. The Secretariat should include the table entitled "Possible infractions in the transshipment program and responses from CPCs" (Table 3.13 in Document COR-09-01) in the summary presentations for future meetings.
4. Consider whether the timing of the compliance reporting procedure in Resolution C-11-07 can be improved or should be changed, as appropriate, in particular to minimize, when possible, the period of

time for the Secretariat to initially report possible infractions to flag States, recognizing that it is also important for national observer programs to submit their data to the Secretariat in a timely way and make direct reports to their flag authorities.

5. The Committee should explore whether a verification step should be added in the reporting of possible infractions, similar to the function of the IRP under the AIDCP.
6. The Secretariat should not revise or edit the preliminary observer reports directly given the difficulty this presents to flag States relying on the original form for investigative or adjudicative purposes, but instead, following the Commission's standard editing protocol and procedures, issue supplemental edits and clarifications in a separate document.
7. In future reporting and follow-up to reported cases of possible non-compliance, CPCs should provide detail on the type and, if financial, the amount of sanctions applied to any cases from the current or prior compliance reports, taking advantage of the opportunity to add attachments to the questionnaire.
8. In the event that cases involving investigations or administrative actions are unresolved at the time the responses to the compliance questionnaire and to the letter from the Secretariat on compliance are due, CPCs should follow up to provide the Secretariat with a written updating the results of the investigations.
9. In future compliance reports, include reporting on the status of the implementation of the Commission's rules of confidentiality.
10. The Secretariat should continue to produce the compendium document for each meeting to help guide the work of the Committee and, with input from CPCs and in collaboration with the Chair, should develop a format for the compendium to input responses from CPCs, and an appendix to the compendium for tracking of the status of cases from year to year.
11. The Secretariat modify the format of the Compliance Questionnaire to provide a specific space for CPCs to explain "not applicable" responses.
12. Regarding silky sharks, adapt the compliance record format in the silky sharks section to include an additional classification field or comment section for those sharks that fall into the well directly from the brail. For all sharks, ensure observer report formats include all required data for sharks, and make clear the applicability of the shark requirements by gear type.
13. To ask the Commission staff to identify, no later than the 2019 meeting of the Scientific Advisory Committee (SAC), data collection formats, handling and release procedures, and any recommended conservation measures for a specific resolution for the conservation and management of whale sharks, taking into account the identified issues of compliance related to sets on this species as well as discussions of the SAC where information gaps regarding this species have been noted.
14. The Committee should continue to highlight areas where compliance and implementation trends continue to improve.
15. Ensure scheduling of at least 2 full days for the meeting of the Committee.
16. Review and assess implementation of prior Committee recommendations.

b. Recommendations for the Commission

1. Examine whether the Commission needs to clarify or state that the purse-seine observer IATTC compliance summary form is preliminary and not definitive and may be supplemented by additional information from the Secretariat or national programs, and that an incomplete or unclear observer compliance form should not prevent effective execution of flag State responsibilities to investigate and

adjudicate compliance cases for each CPC's flag vessels.

2. Clarify the scope of the requirement(s) in the Commission's resolutions for reporting of shark trade data (*e.g.*, do they apply only for sharks harvested in the EPO).
3. Revise the notification guidelines for transits without observers, with a view to establishing deadlines for sending these notifications and confirming their receipt. This task could be carried out with special attention from the *Ad Hoc* Working Group to review the legal and operational coherence of IATTC resolutions.
4. Consider clarifying the implementation of paragraph 1 of Resolution C-16-06 on conservation of sharks (silky sharks) regarding the prohibition of retention on board, transshipment, landing or storage, to clarify the scope of applicability of the prohibition.
5. Delete the Fijian vessel *Xin Shi Jih 16* from the IATTC IUU Vessel List.
6. Renew Cooperating Non-Member status for Bolivia, Chile, Honduras, Indonesia and Liberia.
7. Communicate to Kiribati to remind its responsibility to participate in the meetings of the Commission and subsidiary bodies and to submit the required compliance questionnaire.
8. Consider adopting a specific resolution to consolidate and strengthen conservation measures and data collection for whale sharks.

c. Discussions (not resulting in recommendations)

1. The Committee discussed the usefulness and possible benefit of encouraging the longline fisheries operating in the EPO to consider joining efforts to strengthen implementation of the current requirements for observer coverage, and to consider electronic monitoring to strengthen the Commission's observer coverage objectives.
2. The Committee discussed the cases that illustrated for some CPCs the need to clarify the implementation of the silky shark resolution C-16-06, *i.e.*, that it only applies when every effort has not been made to avoid retention.
3. The Committee had a significant discussion about the need for improved implementation of Resolution C-16-01.

Adjournment

The initial Committee session was left open to continue working through the agenda and to await the participation of Costa Rica and Kiribati if those delegations attended the Commission plenary meeting. A session was convened on the afternoon of 23 August, and was left open to await the participation of all CPCs in the discussion of agenda items 3(b) and 5. The Committee reconvened on 28 August, and adjourned that same day.