

INTER-AMERICAN TROPICAL TUNA COMMISSION
COMMITTEE FOR THE REVIEW OF IMPLEMENTATION OF
MEASURES ADOPTED BY THE COMMISSION

14th MEETING

Victoria, B.C., Canada
4-5 August 2023

DRAFT MEETING REPORT

AGENDA

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The 14th meeting of the Committee for the Review of the Implementation of Measures Adopted by the Commission (Review Committee) was held on 4 and 5 August 2023 in Victoria, B.C., Canada. The list of attendees is included as **Appendix 1**.

1. Opening of the meeting

The Chair of the Committee, Mr. Luis Molledo of the European Union, opened the meeting. He noted that this was the first time that the Committee was meeting following the improvements agreed in the resolution and that it was a joint task to develop new dynamics. He also noted the new methodology that the Committee would follow, including the fact that the review would be conducted resolution by resolution, rather than CPC by CPC as in the past. The Chair emphasized the scope and importance of the work ahead of the session and invited members to participate actively in the discussions.

He also clarified that two documents would emerge from the meeting after approval by the Committee. The first, with the recommendations made for the Commission's consideration; the second, the preliminary Compliance Report, which would be considered the final report once endorsed by the Commission.

2. Adoption of the agenda

The provisional agenda was adopted without changes. The U.S. delegation noted that under item 7, "Other business", it would present a proposal on "*pursuing continuous improvement in compliance*".

3. Recommendations of the 13th meeting of the Committee: progress report

Mr. Ricardo Belmontes, of the IATTC staff, presented Document [COR-14-01](#), which summarizes the progress made in implementing the recommendations of the 13th meeting of the Committee, as approved by the Commission. He noted that, in general, the level of compliance with these recommendations was high, as virtually all of them had been implemented, as shown in the document.

The Committee expressed its appreciation for the report, noting the quality of the document and the improvements made in its presentation in recent years, and expressed its satisfaction with the progress made in the implementation of its recommendations.

4. Compliance with IATTC measures in 2022:

4a. Report by the staff on compliance

Mr. Belmontes presented Document COR-13-02 (published on the website with restricted access), which provides a report on compliance with IATTC measures in 2022, in particular with regard to the performance of the tuna fleet operating in the EPO, as well as with regard to the various data submission and reporting obligations established by the various resolutions adopted by the Commission.

He noted that, year after year, it has been possible to observe both improved compliance and a higher level of response by CPCs to reported possible infractions, as illustrated in the Compliance Report, which shows the trends over the last five years, as well as the increasing number of areas where no possible infractions are recorded.

Following this presentation, in addition to expressing satisfaction with the progress made in terms of compliance and also in the work of the Committee, several interventions were made with a view to further developing this process. They emphasized certain specific aspects of compliance by CPCs, but also procedural and operational aspects of the Committee, including the preparatory phase of the Compliance Report by the Secretariat and its subsequent submission.

Also with regard to the report, Japan requested that everything related to compliance with the resolution on financing be included, since this is an important issue on which the Commission should take action to ensure that all Members of the IATTC comply with their financial obligations and thus do not interrupt or hinder the work of the Commission and the Secretariat. Ecuador, referring to the trends in the report, asked that the reference period be homogenized, since in most cases it is five years, as Mr. Belmontes mentioned in his presentation, but in some cases it is longer.

Guatemala highlighted the fact that there is information on 95% of the purse-seine fleet operating in the EPO thanks to the on-board observer program, while in the longline fishery there is only a maximum of 5% of on-board observers from national programs. This clearly shows that there is a large proportion of the longline fleet for which the level of compliance is not known. It suggested that the CPCs be asked, on a voluntary basis, to submit to the Committee the cases of possible non-compliance by their longline vessels that they could identify, so that the Committee could review them and have a better idea of the compliance of the longline fleet. Guatemala also emphasized that the main purpose of this entire review process was not to judge the compliance actions of the CPCs, but rather to identify and encourage the adoption of corrective measures.

As a result of the discussions, the Committee approved a set of recommendations that are included in item 8 of this report.

4b. Review of the questionnaires and additional information submitted by CPCs in compliance with Resolution C-22-02

In accordance with the new methodology explained by the Chair of the Committee in his opening remarks, this review was conducted resolution by resolution, for the 2022 fishing year, based on the document prepared by the Secretariat, referred to as the "Compendium" and henceforth called the "Provisional Compliance Report". Each CPC identified in the document with a possible non-compliance with a given resolution had the opportunity to comment and clarify what actions it had or had not taken in this regard.

The Committee noted the advantages of this method in terms of both time and substance, particularly in terms of greater participation by its members and greater formulation of concrete proposals to promote compliance, which is undoubtedly the primary objective of this subsidiary body of the IATTC.

As a result of the Committee's work under this agenda item, the Compliance Report to be submitted to the IATTC for its eventual adoption as the final Compliance Report was reviewed and approved. This revised version, as approved by the Committee, is reproduced on the IATTC website. Please note that the first part of the document contains the cases that could not be resolved at this meeting of the Committee and will be reconsidered at the 15th meeting of the Committee in 2024. The second part of the report contains all the cases that were reviewed and resolved at this meeting.

Additionally, as a result of the discussions, the Committee approved a set of recommendations to clarify and improve the process, which are included in item 8 of this report.

5. Review of the provisional IUU Vessels List

The IATTC staff presented Document [COR-14-04](#), "IUU Vessel List 2023-2024", which contains information on the provisional IUU Vessel List that the Committee was asked to analyze and make a recommendation to the IATTC. It was reported that there were no substantive changes to the provisional IUU Vessel List other than the change of name of the vessel *Chia Hao No. 66*, which has been on the list for several years and is currently known as *Sage* without a known flag State. It was also reported that, since 2021, the IUU list has been published cross-referenced with information from other RFMOs identified in Resolution C-19-02, in accordance with the procedures set out in paragraphs 19 to 24 of said resolution.

The European Union requested additional information on the status of the vessel *Halehuya*, which is listed in the ICCAT under the consideration of having operated in ICCAT waters without being included in the register of authorized vessels of this RFMO. The vessel could not be included in the IATTC IUU Vessel List due to an objection raised by Colombia. Colombia based its decision on an analysis of the applicable international law and the Colombian legal system. Colombia indicated that neither the vessel in question nor the company to which it belongs have committed any administrative infraction related to illegal, unreported and unregulated (IUU) fishing, and that since the vessel's inclusion in the ICCAT list, it has not received any license or permit to carry out fishing activities in Colombia. The Committee will follow up on this matter at its next meeting in 2024, pending the ICCAT's consideration of the case.

As requested by the United States delegation, the Committee asked the Secretariat to comply with the 30-day period so that the CPCs could review the possible changes to the list and reach a consensus. In fact, the Secretariat acknowledged that it had consulted the CPCs on this occasion, but without strictly respecting this period, which would not be repeated in the future. It also stated that it would send a quarterly report to all CPCs on the updated status and possible changes to the IUU list.

6. Cooperating non-Members

The Secretariat staff presented Document [COR-14-03](#), "Cooperating non-Members", and reported that four of the current Cooperating non-Members—Bolivia, Chile, Indonesia and Liberia—had submitted their respective requests for renewal of this status, and that all of them had met the requirements set out in Resolution [C-07-02](#), as shown in the table in the document.

The Chair apologized for not being able to adequately address Bolivia's request to take the floor to express gratitude once its request for renewal had been accepted by the Committee, as it was participating in the meeting virtually and not in person. Guatemala disagreed with the Chair's decision, stressing the need to ensure the participation of those who had been invited to the meeting, including the delegation of Bolivia, and therefore, as had happened in the Capacity Group, access to the meeting should take precedence, recognizing the technological availability and current presence of the aforementioned delegation through the Zoom platform, and requested that this be reflected in the minutes.

The Committee decided to recommend the renewal of the status of Cooperating non-Member for Liberia, Bolivia and Chile, who participated in the meeting in person or remotely. It decided to defer the cases of Indonesia and Honduras for consideration and decision by the plenary of the Commission and requested the Secretariat to communicate with those two countries to give them the opportunity to intervene, even remotely, to confirm (in the case of Indonesia) or express (in the case of Honduras) their interest in renewing their Cooperating non-Member status.

7. Other business

At the initiative of the United States, and as suggested, the Committee agreed on the need to encourage continuous improvement in the level of compliance and to seek the most effective way to do so. To conclude the discussion on this topic, the Committee agreed that a specific agenda item would be introduced in the future to address this issue.

8. Recommendations for the Commission

The Committee adopted the following recommendations:

Recommendations to the staff

1. To ensure that the initial Report on Compliance prepared by the Secretariat is presented as 'Provisional Compliance Overview' and the Compliance Compendium as 'Draft Provisional Compliance Report', respectively, until they have been endorsed by the Committee.
2. To generalize in the Report on Compliance the inclusion of background information covering compliance over the previous five years and the use of color-coded tables, including on missing reporting obligations.
3. To replace any reference to 'verified infractions' with 'possible non-compliance issues' in the compliance documents prepared by the Secretariat.
4. (a) To circulate quarterly information to CPCs on changes to the IATTC Final IUU Vessel List related to the cross-listing procedure of Resolution C-19-02.
(b) Ensure CPCs are given 30 days to object or comment before including cross-listed vessels to be added to the IATTC List.
5. To ensure that the most recent titles of the IATTC Resolutions are referenced in the documents prepared by the Secretariat.
6. To include in the Provisional Compliance Overview and the Draft Provisional Compliance Report a review of compliance by CPCs with the Resolution on financing.
7. To ensure that the Draft Compliance Report includes for each resolution a list of those CPCs who did not provide the relevant reports or failed to meet the reporting obligations necessary to assess compliance.

8. To task the Secretariat to produce a document for discussion at the 47th Meeting of the Parties to the AIDCP on the provisions applicable rules to transit waivers, specifically the possible elimination of the requirement for waivers for transits between neighboring ports of the same CPC.
9. To align the structure and order of the presentation of the Draft Compliance Overview with the Draft Provisional Compliance Report to facilitate cross references and consultations, including the introduction of numbered sections.
10. The data provided in the Compliance Report must be from the last 5 years.
11. To strengthen information provided to CPCs of the deadlines applicable to the reporting obligations including by posting on the IATTC webpage, and circulated to CPCs, a document listing all reporting deadlines for the upcoming year and with a system of notifications.
12. The Secretary shall distribute the written reports received from the CPCs related to unresolved cases before the next meeting of the Committee.

Recommendations to the Committee

13. To continue to include a permanent item on the agenda of the Committee on possible improvements to the compliance process, including on possible actions to reduce reporting burden for both CPCs and the Secretariat.
14. To ensure the timely drafting and distribution of the reports of the meetings of the Committee
15. To consider as possible very serious non-compliance cases, the following:
 - a. Harassment and safety of observers;
 - b. Fishing during a closure period;
 - c. Failure to provide catch and effort data;
 - d. Observer coverage and the related reporting obligations;
 - e. The systematic and repeated failure to provide the Compliance questionnaire.

The list is non-exhaustive nor indicative and it will continue to be developed by the Committee.

Recommendations to the CPCs

16. To further highlight the importance that the minimum percentage of observer coverage in longliners is met and recall the need to ensure data collection to promote the long-term sustainability of the stocks.
17. To ensure that observers on-board are provided with the same status as the crew as a standard practice.
18. To invite CPCs to provide more information in their replies regarding the circumstances surrounding possible lack of compliance (e.g., lack of time, capacity issues, lack of understanding of the obligations, etc.).
19. To invite CPCs to provide a list of the investigations undertaken to address possible non-compliance of the IATTC Resolutions, no matter the source of the information that initiated the investigation.

20. To recall CPCs of the importance to timely submit the compliance questionnaires and provide the necessary feedback to the possible compliance issues identified by the Secretariat to ensure the task of the Committee.

Recommendations to the Commission

21. To review Resolution C-22-03 to include the use of methodologies and equipment that could increase the accuracy of the estimated weight calculated by observers.
22. (a) To send a letter by the Director to Vanuatu, Kiribati and Honduras recalling the need to provide the compliance questionnaire, meet the reporting obligations and attend the meetings of the Commission and its subsidiary bodies pursuant to the Antigua Convention and the relevant IATTC resolutions.

(b) Task the Secretariat to contact those three CPCs directly to better understand the causes of this situation.
23. In the future, where CPCs are unable to meet the minimum percentage of observer coverage in longliners due to sanitary reasons, for example pandemics, they should at a minimum notify the other CPCs and the Secretariat beforehand of the specific circumstances applicable.
24. To establish a mechanism to address pending compliance issues during the annual meeting or intersessionally for those CPCs who did not participate in or fulfill their obligations to engage properly with the Committee and the Commission on compliance matters.
25. To adopt the IATTC IUU Vessel List as established in document COR 14-04.
26. a. To renew the Cooperating non-Member Status to Liberia, Chile and Bolivia

b. To defer the discussion on the renewal of Indonesia to the Commission noting that they meet all the necessary requirements, but requesting their virtual attendance at the annual meeting before a decision is taken.

c. To discuss the renewal of Honduras pending a possible request submitted by Honduras in time for its discussion at the 101st meeting of Commission, noting that no request was submitted to the 14th meeting of the Committee.

9. Adjournment

The meeting was adjourned at 6:00 p.m. on 5 August 2023.

Appendix 1. List of attendees

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Appendix 5. Other

5a. Bolivia's statement on capacity



[INFORMAL TRANSLATION]

Statement by the Plurinational State of Bolivia at the 101st Meeting of the Inter-American Tropical Tuna Commission (IATTC), held in the city of Victoria, province of British Columbia, Canada, August 7-11, 2023

The Plurinational State of Bolivia, participating as an observer delegation in the 101st Meeting of the Commission and acting in its capacity as a Cooperating Non-Member, submits to the Plenary the following statement:

First: To reaffirm before the distinguished Members of the Commission, in the most respectful and firm manner, its claim for the amount of five thousand eight hundred and thirty cubic meters (5,830 m³) of well volume, a controversy sustained in a constant, permanent and uninterrupted manner since 2004, and in which it requests that such capacity be replaced with a new well volume, to be activated as indicated below.

Second: To reiterate its willingness to agree to a provisional, compromise solution, which consists in the immediate activation of a portion of the claimed capacity, in the amount of two thousand four hundred and thirty-nine cubic meters (2,439 m³), authorizing a new well volume, while the remainder of what is claimed is left pending for a period of time indicated in the following paragraph.

Third: Renew its 2019 claim to be allocated five thousand cubic meters (5,000 m³) of well volume, as one of the "new requests" for capacity, which it asks to be kept alongside the requests made by other CPCs, and to be kept in mind for when the condition of the fishery and management measures allow its activation.

These requests are driven by the prevailing desire for fairness, for the establishment of outcomes that are intrinsically just, and which do not constitute an intolerable burden on Members or their respective fleets. They are based on previous experiences of the IATTC for similar cases and find their rationale in International Law, which calls for taking into account, in particular, the special interests and needs of developing countries, without distinguishing whether they are coastal or landlocked States, which is precisely the case of Bolivia. These requests are responsible, because Bolivia will use this new capacity with vessels that will be flying its flag. Finally, they correspond to Bolivia's significant and long-standing interest in the purse-seine fishery for tropical tunas, where it once had a fleet in the Eastern Pacific Ocean and thereafter has remained, continuously, a Cooperating Non-Member of the Commission from June 29, 2012 to the present.

This declaration is made for the purposes recognized by international law, for the minutes of the 101st Meeting.

Done in the city of Nuestra Señora de La Paz, Department of La Paz, Plurinational State of Bolivia, and read by videoconference in the city of Victoria, Province of British Columbia, Canada, on the eleventh day of the month of August of the year two thousand and twenty-three.

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