

Original: English

**DRAFT RESOLUTION BY ICCAT TO FACILITATE AN EFFECTIVE
AND EFFICIENT COMPLIANCE PROCESS**

Proposal submitted by the United States

RECOGNIZING the substantial amount of information that must be reviewed and analyzed to prepare for meetings of the Compliance Committee;

DESIRING to enhance the efficiency and effectiveness of ICCAT's compliance review process in a fair, equitable, and transparent manner; and

NOTING that the effort to enhance ICCAT's compliance review process will, necessarily, be iterative in nature and that future review and amendment of the process set forth in this Resolution will be informed by the COC's experience in its implementation;

THE INTERNATIONAL COMMISSION FOR THE CONSERVATION
OF ATLANTIC TUNAS (ICCAT) RESOLVES THAT:

1. The Secretariat will, in consultation with the Compliance Committee (COC) Chair, compile an inventory of compliance information for each CPC (i.e., Draft Summary Compliance Tables), using all appropriate sources, including reports submitted under Recommendation 08-09. The Draft Summary Compliance Tables will include information on whether CPCs complied with applicable recommendations of the Commission, including reporting obligations. Further, if requested by the COC or COC Chair, the Secretariat will also compile a supplementary inventory of compliance information by species, issue, or topic (i.e., supplementary tables) to facilitate focused compliance review of identified priority matters.
2. The Secretariat will circulate the Draft Summary Compliance Tables and any supplementary tables to all CPCs for their review as far in advance of the ICCAT Annual meeting as possible with a target deadline of three weeks before the opening session. CPCs will be invited to give initial, written explanations of inaccuracies or additional information to the Secretariat on their own compliance information as reflected in the Draft Summary Compliance Tables and any supplementary tables at least five days before the start of the first session of the COC. The COC will hold its first session early in the ICCAT Annual Meeting as determined by the Commission Chair or at an appropriate time before the start of the ICCAT Annual Meeting if so decided by the Commission.
3. Prior to the first COC session, the COC Chair will review any written input received from CPCs on the Draft Summary Compliance Tables and any supplementary tables, revise the tables as appropriate, and recirculate them to the CPCs. At this time, the COC Chair will also identify and propose priority CPCs or cases, as well as broader issues or areas of focus for the current or a future ICCAT Annual Meeting, as needed and appropriate.
4. To assist with the tasks specified in paragraph 3 above, the COC Chair may convene a Friends of the Chair Review Group before and/or during the ICCAT Annual Meeting. If and when such a Group is to be convened, all CPCs will be notified and invited to provide one representative to participate in its work and interested CPCs should ensure their representative has expertise in Commission recommendations. To ensure the work of the group is as efficient and effective as possible, the Chair will ensure that the composition of the Group is as small as feasible given the varied fisheries interests of CPCs and reflects the geographical representation of the Commission to the extent possible. Participants will take no active part in discussions of compliance issues pertaining to their CPC during meetings of the Friends of the Chair Review Group. A CPC's ability to engage in compliance related discussions during COC sessions, however, will not be affected by participation on the Friends of the Chair Review Group. The COC Chair may also invite the Panel, PWG, and SCRS Chairs to participate in the Group, as appropriate.

5. The first COC session should be held early in the annual meeting. Discussions will focus on those priority cases, CPCs, or issues identified pursuant to paragraph 3. Other CPCs, cases, and issues not identified as priorities, will not be discussed, unless a CPC raises a specific matter for discussion. Each CPC will have the opportunity to provide additional information concerning their compliance during this discussion, such as any mitigating circumstances or actions they intend to take to ensure future compliance and, as needed, to allow for questions and discussions.
6. Additionally, once every two years, the COC will hold a special session just prior to the ICCAT Annual Meeting for a CPC by CPC review.
7. After the initial discussion review, the COC Chair will consider any additional information provided under paragraph 5 above or available from other sources, revise and finalize the Summary Compliance Tables and any supplementary tables with assistance from the Secretariat, and, where appropriate, propose actions for addressing issues of non-compliance, taking into account any guidance that may be adopted by the Commission. The COC Chair may seek assistance from the Friends of the Chair Group in completing this task. The Chair will ensure that the Group's deliberations and the Chair's rationale underpinning each proposed action to address issues of non-compliance are clearly documented.
8. After completion of the work specified in paragraph 6, the Chair will have the draft Summary Compliance Tables, any supplementary tables, and the Chair's proposed compliance status and actions to address non-compliance (with documented rationale) circulated to the CPCs for consideration by the COC at a later session held during the ICCAT Annual Meeting. Provided this transparent, well-documented compliance review process has been followed, neither repeated discussion of compliance issues, nor a detailed presentation of each proposed action, should be necessary. Rather, at this stage of the process, substantive COC discussion should be reserved for those cases where there are differences of view on the Chair's proposed action. Once any such differences have been resolved, the COC will forward its recommendations for addressing any issues of non-compliance to the Commission for consideration and appropriate action.