

**REPORT OF THE MEETING OF THE AD HOC WORKING GROUP ON FOLLOW UP OF THE
SECOND ICCAT PERFORMANCE REVIEW**
(Madrid 27-28 June 2017)

1 Opening of the meeting

The ICCAT First Vice-Chair, Mr. Stefaan Depypere, on behalf of the ICCAT Chair, welcomed the delegates and opened the meeting as Chair of the Ad Hoc Working Group on Follow up of the Second ICCAT Performance Review (further: Working Group).

2 Nomination of Rapporteur

Ms. Terra Lederhouse (USA) was nominated as rapporteur.

3 Adoption of the Agenda and Meeting Arrangements

Japan requested a discussion on *Draft guidelines for submission of proposals* under Agenda item “7. Other Matters”. The Agenda was adopted and is attached as **Appendix 1**.

The Executive Secretary introduced the Contracting Parties present at the meeting: Algeria, Belize, Canada, Côte D'Ivoire, European Union, Gabon, Honduras, Japan, Libya, Morocco, Namibia, Nicaragua, Norway, Sao Tomé e Príncipe, Senegal, South Africa, Tunisia, the United States, and Uruguay. The Executive Secretary also introduced Chinese Taipei as a Cooperating non-Contracting Party, Entity, or Fishing Entity. Ecology Action Center (EAC), International Sustainable Seafood Foundation (ISSF), and Pew Charitable Trusts (Pew), and the Ocean Foundation participated as observers. The List of Participants is attached as **Appendix 2**.

4 Identification of issues raised by the Second Independent Performance Review of ICCAT requiring further consideration

and

5 Designation of tasks to the various subsidiary bodies of the Commission based on the issues identified in item 4

The Chair highlighted the value of the performance review process. Following the report of the Performance Review panel in 2016, Resolution 16-20 established an Ad hoc Working Group on the Performance Review Follow up. The Working Group was, in particular, tasked with identifying the issues raised by the panel and recommendations requiring follow up, and proposing next steps by drawing up a work plan. Finally, the Working Group is to report to the ICCAT Commission during the 2017 annual meeting. The review panel pointed out that ICCAT had made significant progress in strengthening its performance since the review in 2008, and issued several recommendations to further improve ICCAT'S performance.

Considering the large number of recommendations by the panel (131 total), the Chair urged the Working Group to avoid detailed discussions on the substance of each recommendation, instead focusing on identifying a process for each recommendation to be appropriately addressed by the relevant ICCAT body. With this in mind, the Chair prepared a document to facilitate the discussions. This document was submitted using the framework provided by the Secretariat.

The proposed approach identifies timeframes for addressing the recommendations, taking into account existing schedules in ICCAT (e.g. the timing of the assessment for various stocks). The Chair stressed that the identified timeframes are not a reflection of the importance of action to be taken by the Commission but rather provide indication on what consideration or action could be taken within various timeframes.

The United States thanked the Chair for his significant effort to facilitate discussion, noting that the proposed approach should help the Working Group address its terms of reference in a very straightforward and efficient way. The United States further noted that the proposed document appeared to take a balanced and factual approach to treating the recommendations. The United States also encouraged the Working Group to identify, at a minimum, those recommendations of greatest importance.

Norway also supported the Chair's proposed approach. The representative suggested noting those recommendations that are simply observations that do not require action while also having some substantive discussion on select recommendations to best identify responsible bodies and next steps.

The European Union expressed support for the Chair's proposed process and reiterated his instructions for the Working Group to focus on assigning timeframes and responsible bodies without getting much into the substance of the recommendations.

CPCs identified a number of additions to the Chair's proposed process, including: identifying a lead body to keep track of progress and discussions when multiple bodies are identified to follow up on a recommendation; ensuring that the Terms of Reference for the identified bodies include such actions identified by the performance review recommendations; clarifying the timeframes; and, for recommendations described as observations, noting ongoing work in the Observations/Comments column but not assigning a timeframe or responsible body.

With the agreed upon process in mind, the Chair introduced a *Template for developing a draft action plan to implement the recommendations from the independent performance review of ICCAT*, a working document listing the panel's recommendations, assigning a responsible ICCAT body or bodies as well as timeframes, and initiating next steps and comments. After review, the Working Group agreed on a new version.

The delegates discussed Recommendation 4, regarding applying the precautionary approach to associated species. Panel 4 and the Commission should take necessary action consistent with the precautionary approach, and the recommendation was amended to reference *relevant* non-target species.

Regarding Recommendation 19, a delegate noted that the Commission should not develop an allocation scheme for yellowfin tuna in 2017.

A CPC highlighted incorrect information in Recommendation 33, noting that southern albacore is not overfished and overfishing is not occurring. The SCRS Chair confirmed that the review panel made this recommendation before the results of the 2016 southern albacore stock assessment were available. The Chair suggested making note of this particular inaccuracy and not assigning action to any ICCAT body, but to not review each recommendation for accuracy, as that role will be filled by the identified responsible bodies.

The Group also had extended discussion on whether Recommendation 43 on the precautionary approach is an observation or recommendation requiring action. The Ocean Foundation encouraged the Working Group to propose that ICCAT renew and solidify its commitment to science-based management through a formal recommendation. The Working Group concluded that Recommendation 43 is an observation and did not assign a timeframe or a responsible ICCAT body.

On Recommendation 61 regarding compatibility of management measures, the Secretariat noted that many CPCs do take action domestically to be in alignment with ICCAT decisions, but the information is not always communicated to the Secretariat. This information is required to be submitted in the Annual Report. The Chair suggested that the issue of reporting management measure compatibility be raised at the annual meeting, possibly within the Compliance Committee.

The Group also discussed Recommendation 88 to consider putting draft recommendations to a vote. A delegate noted information contained in the review panel's report indicating that voting should be used more often. Another delegate expressed concern that encouraging votes will take up valuable Commission time that would be better spent addressing other important matters.

An observer requested that a medium timeframe be assigned to Recommendation 96 regarding closing formal ICCAT meetings to observers. The Secretariat highlighted ICCAT's reputation for transparency. A delegate supported the Secretariat's intervention and suggested that such groups have only been excluded from informal meetings and not formal meetings. Another delegate reminded the Working Group that it had agreed to not debate the merits of recommendations.

A delegate shared his strong concerns about the significant change in process proposed by Recommendation 118 to outsource stock assessments to an external science provider, and encouraged the Commission to be economical in its time considering this recommendation.

The Chair again reviewed the history of the Second ICCAT Performance Review, and the task assigned to this Working Group to create a structured work plan for considering the recommendations, further noting that it is not the role of this Working Group to address the merits of each recommendation. Instead, the assigned ICCAT bodies will consider each recommendation and identify necessary actions.

Delegates briefly discussed the role of the ICCAT body identified as the "lead" for a recommendation, and concluded that any discrepancy between advice provided by identified ICCAT bodies would be subsumed and reconciled by the lead body. This is noted in the updated instructions for reviewing the performance review template (**Appendix 3**), which was referred to the Commission for further consideration and action at the 2017 annual meeting.

CPCs also briefly discussed how to address recommendations in which CWG or SWGSM are assigned as the lead body, in the event that the body no longer exists. It was agreed that in such event that either a Group no longer exists, actions would be referred to the Commission.

CPCs discussed the overall treatment of recommendations related to FADs. A delegate noted that much of the FAD Working Group's work is tasked by Panel 1 as the body was created by that Panel. It was suggested that the table assign such recommendations to Panel 1 or Panel 4, as appropriate, and reference the FAD Working Group in the next steps or observations. Dr. Die clarified that FAD issues are discussed in both Panel 1 and Panel 4. Delegates agreed to suggest assigning FAD related recommendations to the FAD Working Group with the understanding that this body would be directed by Panel 1, in particular.

The United States suggested that the template could be further improved if the Working Group identified recommendations of greatest importance. The representative noted that two issues of clear priority to the Review Panel included ensuring effective conservation and management of bigeye tuna and continuing to make progress in the development of management strategy evaluation and harvest control rules for priority stocks. The representative noted that the United States shared these priorities as well as those related to addressing data improvement and functioning/operational matters. Other delegations stressed that prioritization is not within the scope of this WG.

6 Preparation of a comprehensive Work Plan for proposal to the Commission

Dr. Die presented his paper, *Proposed Process for the SCRS to Respond to the Recommendations of the Second Performance Review* (**Appendix 4**). The document indicated an intention by the SCRS to identify which recommendations are already included in the SCRS Science Strategic Plan and which are not as well as progress that has been made to date to implement such recommendations and to assign recommendations to relevant working groups or subcommittees. The delegates welcomed the proposed plan and also requested that the SCRS review resource implications associated with implementing the recommendations.

The Chair noted that recommendations from this Ad Hoc Working Group on Follow Up of the Second ICCAT Performance Review, as documented in **Appendix 3**, have no standing within the organization until approved by the Commission. The delegates, therefore, had an extensive discussion on a potential path forward to develop a further work plan to address the Working Group's recommendations.

The Group recommended that the Commission act on the Working Group's recommendations at the annual meeting and to task the various assigned bodies to evaluate the recommendations. The Chair of the Working Group, working with the Secretariat, will develop a common template for each body to report on its progress. In that regard, the reporting structure used by NAFO was recalled as a good approach.

The Working Group also encouraged Chairs of the subsidiary bodies to begin communicating with their respective CPCs regarding the recommendations of the Working Group and include in their agendas for the annual meeting an item concerning the review of and reporting on those issue/recommendations assigned to them. The SCRS in particular was encouraged to begin discussing the recommendations at its meeting in October 2017. ICCAT bodies should evaluate the merits of the respective recommendations and identify how they may best be incorporated into work plans. The Chair of each body should report on its progress to the Commission. In doing so, each body should consider resource implications of the recommendations, ensure coordination with other assigned bodies, offer for the Chairs of relevant associated bodies to participate in discussions, and ensure transparency in reporting on progress. The Chair of the Working Group will propose a simple tool to monitor progress in considering the various recommendations.

7 Other matters

Japan presented the *Draft guidelines for submission of proposals* (**Appendix 5**), which proposed guidelines relating to the submitting of proposals to the Commission that would require the use of tracking changes. Japan requested informal feedback from CPCs concerning this proposal.

Overall, the delegates found the proposal to be a helpful initiative that would improve transparency during document review and facilitate full engagement of all participants at ICCAT meetings. However, CPCs also noted the need to manage the resource and logistical challenges that such changes in process will present to the Secretariat. CPCs welcomed the Secretariat's input on how best to meet the goals of improved transparency while minimizing impact to their work noting that the changes proposed could present difficulties with current software and create delays. It was noted that other multilingual international organizations follow similar procedures as outlined in **Appendix 5**. The ICCAT Secretariat was asked to gather information on how other organizations working in two or more languages deal with this matter and report back to the Commission this fall.

CPCs also provided feedback on specific components of the proposal, stressing the need to show all changes and to ensure that proposals previously considered by the Commission will be considered a new proposal when re-submitted.

8 Adoption of report and adjournment

The Chair informed the participants that a draft report of the meeting would be posted on the meeting ownCloud documents folder and sent to all participants for adoption by correspondence.

The meeting was adjourned.

Appendix 1

Agenda

1. Opening of the meeting
2. Nomination of Rapporteur
3. Adoption of the Agenda and Meeting Arrangements
4. Identification of issues raised by the Second Independent Performance Review of ICCAT requiring further consideration
5. Designation of tasks to the various subsidiary bodies of the Commission based on the issues identified in item 4
6. Preparation of a comprehensive Work Plan for proposal to the Commission
7. Other matters
8. Adoption of report and adjournment

List of Participants

CONTRACTING PARTIES**ALGERIA****Kaddour**, Omar ¹

Directeur des Pêches Maritimes et Océaniques, Directeur du Développement de la Pêche, Ministère de l'Agriculture, du Développement Rural et de la Pêche, Route des Quatre Canons, 16000

Tel: +213 21 43 31 97, Fax: +213 21 43 38 39, E-Mail: dpmo@mpeche.gov.dz; kadomar13@gmail.com

BELIZE**Robinson**, Robert *

Deputy Director of the BHSFU, Belize High Seas Fisheries Unit, Ministry of Finance, Government of Belize, Marina Towers, Suite 204, Newtown Barracks

Tel: +501 22 34918, Fax: +501 22 35087, E-Mail: deputydirector@bhsfu.gov.bz

CANADA**Knight**, Morley *

Assistant Deputy Minister, Fisheries and Oceans Canada, Fisheries Policy, 200 Kent Street, Ottawa, Ontario K1A 0E6

Tel: +1 613 991 0324, E-Mail: morley.knight@dfo-mpo.gc.ca

Mahoney, Derek

Senior Advisor - International Fisheries Management and Bilateral Relations, Conseiller principal - Gestion internationale des pêches et relations bilatérales, Fisheries Resource Management/Gestion des ressources halieutiques, Fisheries and Oceans Canada, 200 Kent St. Station 13S022, Ottawa, Ontario K1A 0E6

Tel: +1 613 993 7975, E-Mail: derek.mahoney@dfo-mpo.gc.ca

CÔTE D'IVOIRE**Shep**, Helguilè *

Directeur de l'Aquaculture et des Pêches, Ministère des Ressources Animales et Halieutiques, Rue des Pêcheurs; B.P. V-19, Abidjan

Tel: +225 21 35 61 69 / 21 35 04 09, Mob: +225 07 61 92 21, E-Mail: shelguile@yahoo.fr; shep.helguile@aviso.ci

Djou, Kouadio Julien

Statisticien de la Direction de l'Aquaculture et des Pêches, BPV19, Abidjan

Tel: +225 2125 6727, E-Mail: djoujulien225@gmail.com

Gago, Chelom Niho

Conseiller Juridique du Comité d'Administration du Régime Franc de Côte d'Ivoire, 29 Rue des Pêcheurs, BP V19 Abidjan 01

Tel: +225 0621 3021; +225 07 78 30 68, Fax: +225 21 35 63 15, E-Mail: gagoniho@yahoo.fr

EUROPEAN UNION**Depypere**, Stefaan *

Director International Affairs and Markets, European Commission, DG Maritime Affairs and Fisheries, Rue Joseph II, Building J-99, office 03/10, B-1049 Brussels, Belgium

Tel: + 322 298 99 07 13, Fax: +322 297 95 40, E-Mail: stefaan.depypere@ec.europa.eu

Jessen, Anders

Head of Unit - European Commission, DG Mare B 2, Rue Joseph II, 99, B-1049 Brussels, Belgium

Tel: +32 2 299 24 57, E-Mail: anders.jessen@ec.europa.eu

Peyronnet, Arnaud

Directorate-General, European Commission, DG MARE D2, Conservation and Control in the Mediterranean and the Black Sea, Rue Joseph II - 99 06/56, B-1049 Brussels, Belgium

Tel: +32 2 2991 342, E-Mail: arnaud.peyronnet@ec.europa.eu

¹ Head Delegate.

Fenech Farrugia, Andreina

Director General, Department of Fisheries and Aquaculture, Ministry for Sustainable Development, the Environment and Climate Change, Ghammieri, Ngiered Road, MRS 3303 Marsa, Malta
Tel: +356 229 26841, Fax: +356 220 31246, E-Mail: andreina.fenech-farrugia@gov.mt

Lopes, Luís

Av. Brasília, 1449-030 Lisbon, Portugal
Tel: +351 213035720, Fax: +351 213035922, E-Mail: llopes@dgrm.mam.gov.pt

GABON

Ntsame Biyoghe, Glwadys Annick *

Directeur Général Adjoint 2 des Pêches et de l'Aquaculture, BP 9498, Libreville
Tel: +241 0794 2259, E-Mail: glwad6@yahoo.fr; dgpechegabon@netcourrier.com

HONDURAS

Chavarría Valverde, Bernal Alberto *

Dirección General de Pesca y Acuicultura, Secretaría de Agricultura y Ganadería Boulevard Centroamérica, Avenida la FAO, Tegucigalpa
Tel: +506 229 08808, Fax: +506 2232 4651, E-Mail: bchavarria@lsg-cr.com

JAPAN

Ota, Shingo *

Councillor, Resources Management Department, Fisheries Agency, Ministry of Agriculture, Forestry and Fisheries, 1-2-1 Kasumigaseki, Chiyoda-Ku, Tokyo 100-8907
Tel: +81 3 3502 8460, Fax: +81 3 3504 2649, E-Mail: shingo_ota810@maff.go.jp

Akiyama, Masahiro

Officer, International Affairs Division, Resources Management Department, Fisheries Agency, Ministry of Agriculture, Forestry and Fisheries, 1-2-1 Kasumigaseki, Chiyoda-Ku, Tokyo 100-8907
Tel: +81 3 3502 8460, Fax: +81 3 3504 2649, E-Mail: masahiro_akiyama170@maff.go.jp

Tanaka, Nabi

Official, Fishery Division, Economic Affairs Bureau, Ministry of Foreign Affairs, 2-2-1 Kasumigaseki, Chiyoda-ku, Tokyo 100-8919
Tel: +81 3 5501 8338, Fax: +81 3 5501 8332, E-Mail: nabi.tanaka@mofa.go.jp

LIBYA

Etorjmani, Elhadi Mohamed *

General Authority of Marine Wealth, Tripoli Addahra
Tel: +218 91 322 44 75, E-Mail: torgmani_hadi@yahoo.co.uk

MOROCCO

Aichane, Bouchta *

Directeur des Pêches Maritimes et de l'Aquaculture, Direction des Pêches Maritimes et de l'Aquaculture, Ministère de l'Agriculture et de la Pêche Maritime, Département de la Pêche Maritime, Nouveau Quartier Administratif, BP 476, Haut Agdal Rabat
Tel: +212 5 37 68 8244-46, Fax: +212 5 37 68 8245, E-Mail: aichane@mpm.gov.ma

Hassouni, Fatima Zohra

Chef de la Division de la Protection des Ressources Halieutiques, Division de la Protection des Ressources Halieutiques, Direction des Pêches maritimes et de l'aquaculture, Département de la Pêche maritime, Nouveau Quartier Administratif, Haut Agdal, Rabat
Tel: +212 537 688 122/21; +212 663 35 36 87, Fax: +212 537 688 089, E-Mail: hassouni@mpm.gov.ma

NAMIBIA

Iilende, Titus *

Deputy Director Resource Management, Ministry of Fisheries and Marine Resources, Private Bag 13355, 9000 Windhoek
Tel: +264 61 205 3911, Fax: +264 61 220 558, E-Mail: titus.iilende@mfmr.gov.na

NICARAGUA

Guevara Quintana, Julio Cesar *

Comisionado CIAT - Biólogo, ALEMSA, Rotonda el Periodista 3c. Norte 50vrs. Este, Managua
Tel: +505 2278 0319; +505 8396 7742, E-Mail: juliocgq@hotmail.com; alemsanic@hotmail.com

NORWAY

Holst, Sigrun M. *

Deputy Director General, Ministry of Trade, Industry and Fisheries, Pistboks 8090 Dep, 0032 Oslo
Tel: +47 22 24 65 76, E-Mail: Sigrun.holst@nfd.dep.no

Brix, Maja Kirkegaard

Directorate of Fisheries, Strandgaten 229, postboks185 Sentrum, 5804 Bergen
Tel: +47 416 91 457, E-Mail: mabri@fiskeridir.no; Maja-Kirkegaard.Brix@fiskeridir.no

Ognedal, Hilde

Senior Legal Adviser, Norwegian Directorate of Fisheries, Postboks 185 Sentrum, 5804 Bergen
Tel: +47 920 89516, Fax: +47 523 8090, E-Mail: hilde.ognedal@fiskeridir.no

Sørdahl, Elisabeth

Ministry of Trade, Industry and Fisheries, Department for Fisheries and Aquaculture, Postboks 8090 Dep., 0032 Oslo
Tel: +47 22 24 65 45, E-Mail: elisabeth.sordahl@nfd.dep.no

S. TOMÉ E PRÍNCIPE

Pessoa Lima, Joao Gomes *

Directeur Générale des Pêches, Ministério das Finanças Comercio e Economia Azul, Direction Générale des Pêches, Largo das Alfandegas, C.P. 59
Tel: +239 222 2828, E-Mail: dirpesca1@cstome.net; jpessoa61@hotmail.com

Aurélio, José Eva

Direcção das Pescas, C.P. 59
Tel: +239 991 6577, E-Mail: aurelioeva57@yahoo.com.br; dirpesca1@cstome.net

SENEGAL

Faye, Adama *

Chef de Division Pêche artisanale, Direction, Protection et Surveillance des Pêches, Cite Fenêtre Mermoz, BP 3656 Dakar
Tel: +221 775 656 958, E-Mail: adafaye2000@yahoo.fr

SOUTH AFRICA

Njobeni, Asanda *

Forestry and Fisheries, Department of Agriculture, Martin Hammerschlag Way, Roggebaai, 8000 Cape Town
Tel: +27 21 402 3019, Fax: +27 421 5151, E-Mail: asandan@daff.gov.za

Kerwath, Sven

Chairman of the Large Pelagics and Sharks Scientific Working Group, Fisheries Research and Development, Inshore Research, Department of Agriculture, Forestry and Fisheries, Foretrust Building, 9 Martin Hammerschlag Way, Foreshore, 8000 Cape Town
Tel: +27 83 991 4641, E-Mail: SvenK@daff.gov.za

Qayiso Kenneth, Mketsu

Department of Agriculture, Forestry and Fisheries, Private Bag X2, Rogge Bay, 8012 Cape Town
Tel: +27 21 402 3048, Fax: +27 21 402 3034, E-Mail: QayisoMK@daff.gov.za

TUNISIA

Mejri, Hamadi *

Directeur adjoint, Conservation des ressources halieutiques, Ministre de l'agriculture et des ressources hydrauliques et de la Pêches, Direction Générale de la Pêche et de l'Aquaculture, 32, Rue Alain Savary - Le Belvedere, 1002
Tel: +216 240 12780, Fax: +216 71 799 401, E-Mail: hamadi.mejri1@gmail.com

UNITED STATES

Henderschedt, John *

NOAA Fisheries, 1315 East-West Highway, Silver Spring, MD 1315 East-West Highway, Maryland 20910
E-Mail: john.henderschedt@noaa.gov

Blankenbeker, Kimberly

Foreign Affairs Specialist, Office of International Affairs and Seafood Inspection (F/IS), National Marine Fisheries Service, 1315 East West Highway, Silver Spring Maryland 20910
Tel: +1 301 427 8357, Fax: +1 301 713 2313, E-Mail: kimberly.blankenbeker@noaa.gov

Bogan, Raymond D.

Sinn, Fitzsimmons, Cantoli, Bogan & West, 501 Trenton Avenue, P.O. Box 1347, Point Pleasant Beach, Sea Girt New Jersey 08742

Tel: +1 732 892 1000, Fax: +1 732 892 1075, E-Mail: rbogan@lawyernjshore.com

Brown, Craig A.

Chief, Highly Migratory Species Branch, Sustainable Fisheries Division, NOAA Fisheries Southeast Fisheries Science Center, 75 Virginia Beach Drive, Miami Florida 33149

Tel: +1 305 586 6589, Fax: +1 305 361 4562, E-Mail: craig.brown@noaa.gov

Lederhouse, Terra

NOAA Fisheries, Office of International Affairs, 1315 East-West Highway, Silver Spring, MD 20910

Tel: +1 301 427 8360, E-Mail: terra.lederhouse@noaa.gov

O'Malley, Rachel

Office of International Affairs and Seafood Inspection (F/IA1), National Marine Fisheries Service, 1315 East-West Highway - Room 10653, Silver Spring, MD 20910

Tel: +1 301 427 8373, Fax: +1 301 713 2313, E-Mail: rachel.o'malley@noaa.gov

Villar, Oriana

1315 East-West Highway, SSMC3, Suite 10648, Silver Spring, MD 20910

Tel: +1 301 427 8384, E-Mail: oriana.villar@noaa.gov

Warner-Kramer, Deirdre

Senior Foreign Affairs Officer, Office of Marine Conservation (OES/OMC), U.S. Department of State, Rm 2758, 2201 C Street, NW, Washington, D.C. 20520-7878

Tel: +1 202 647 2883, Fax: +1 202 736 7350, E-Mail: warner-kramerd@state.gov

URUGUAY

Domingo, Andrés *

Dirección Nacional de Recursos Acuáticos - DINARA, Laboratorio de Recursos Pelágicos, Constituyente 1497, 11200 Montevideo

Tel: +5982 400 46 89, Fax: +5982 401 32 16, E-Mail: adomingo@dinara.gub.uy; dimanchester@gmail.com

OBSERVERS FROM COOPERATING NON-CONTRACTING PARTIES, ENTITIES, FISHING ENTITIES

CHINESE TAIPEI

Chou, Shih-Chin

Section Chief, Deep Sea Fisheries Division, Fisheries Agency, 8F, No. 100, Sec. 2, Heping W. Rd., Zhongzheng District, 10070

Tel: +886 2 2383 5915, Fax: +886 2 2332 7395, E-Mail: shihcin@ms1.f.a.gov.tw

Chow, Hsiao-Mei

Senior Executive, Economic Division, TECRO, 4301 Connecticut Ave., NW, #420, 2008 Washington, DC

Tel: +1 202 686 6400, Fax: +1 202 363 6294, E-Mail: lucy@mail.baphiq.gov.tw

Chung, I-Yin

Secretary, Overseas Fisheries Development Council, 3F., No. 14, Wenzhou St., Da'an Dist., 106

Tel: +886 2 2368 0889 ext. 154, Fax: +886 2 2368 1530, E-Mail: ineschung@ofdc.org.tw

Hu, Nien-Tsu

Director, The Center for Marine Policy Studies, National Sun Yat-sen University, 70, Lien-Hai Rd., 80424 Kaohsiung City

Tel: +886 7 525 57991, Fax: +886 7 525 6126, E-Mail: omps@faculty.nsysu.edu.tw

Kao, Shih-Ming

Assistant Professor, Graduate Institute of Marine Affairs, National Sun Yat-sen University, 70 Lien-Hai Road, 80424 Kaohsiung City

Tel: +886 7 525 2000 Ext. 5305, Fax: +886 7 525 6205, E-Mail: kaosm@mail.nsysu.edu.tw

Lai, Yu-Cheng

Officer, Department of Treaty and Legal Affairs, 2 Kaitakelan Blvd., 10048

Tel: +886 2 2348 2514, Fax: +886 2 2312 1161, E-Mail: yclai01@mofa.gov.tw

Lin, Jared

Executive Officer, Taipei Economic and Cultural Representative Office in the United States, 4201 Wisconsin Avenue, N.W., Washington D.C. 20016, United States
Tel: +1 202 895 1943, Fax: +1 202 966 8639, E-Mail: celin@mofa.gov.tw

Lin, Ke-Yang

First Secretary, Division of Agriculture, Fishery Department Organization, 2 Kaitakelan Blvd., 10048
Tel: +886 2 2348 2268, Fax: +886 2 2361 7694, E-Mail: kylin@mofa.gov.tw

Lin, Yu-Ling Emma

Executive Secretary, The Center for Marine Policy Studies, National Sun Yat-sen University, 70, Lien-Hai Rd., 80424 Kaohsiung City
Tel: +886 7 525 5799, Fax: +886 7 525 6126, E-Mail: lemma@nssu.edu.tw

Yang, I-Li

First Secretary, Oficina Económica y Cultural de Taipei, C/ Rosario Pino, 14-16, Piso 180D, 28020 Madrid, Spain
Tel: +34 91 571 8426, Fax: +34 91 571 9647, E-Mail: ilyang@mofa.gov.tw

OBSERVERS FROM NON-GOVERNMENTAL ORGANIZATIONS

ECOLOGY ACTION CENTRE - EAC

Schleit, Kathryn

Ecology Action Centre - EAC, 2705 Fern Lane, Halifax, NS B3K 4L3, Canada
Tel: +1 902 488 4078, E-Mail: kschleit@ecologyaction.ca

INTERNATIONAL SEAFOOD SUSTAINABILITY FOUNDATION – ISSF

Restrepo, Víctor

Chair of the ISSF Scientific Advisory Committee, ISS-Foundation, 601 New Jersey Avenue NW, Suite 220, Washington DC 20001, United States
Tel: +1 703 226 8101, Fax: +1 215 220 2698, E-Mail: vrestrepo@iss-foundation.org; vrestrepo@mail.com

PEW CHARITABLE TRUSTS - PEW

Laborda Mora, Cristian Eugenio

Pew Charitable Trusts, La Concepción 81, Oficina 1507, Providencia - Santiago de Chile
Tel: +569 957 85269, E-Mail: claborda@celaborda.com; mblanco@celaborda.com

Samari, Mona

Pew Charitable Trusts, 901 E street NW, Washington, DC 20009, United States
Tel: +07515828939, E-Mail: samarimonaocean@gmail.com; mona@communicationsinc.co.uk

THE OCEAN FOUNDATION

Miller, Shana

The Ocean Foundation, 1320 19th St., NW, 5th Floor, Washington, DC 20036, United States
Tel: +1 631 671 1530, E-Mail: smiller@oceanfdn.org

COMMISSION CHAIRMAN

Tsamenyi, Martin

Adviser, Ministry of Fisheries and Aquaculture Development, P.O. Box GP 630, Accra, Ghana
Tel: +614 19257322, Fax: +61 2 422 15544, E-Mail: martin_tsamenyi@uow.edu.au

SCRS CHAIRMAN

Die, David

SCRS Chairman, Cooperative Institute of Marine and Atmospheric Studies, University of Miami, 4600 Rickenbacker Causeway, Miami Florida 33149, United States
Tel: +1 673 985 817, Fax: +1 305 421 4221, E-Mail: ddie@rsmas.miami.edu

ICCAT Secretariat/ Secrétariat de l'ICCAT/ Secretaría de ICCAT

C/ Corazón de María 8 – 6th floor, 28002 Madrid – Spain

Tel: +34 91 416 56 00; Fax: +34 91 415 26 12; E-mail: info@iccat.int

Meski, Driss
Neves dos Santos, Miguel
Moreno, Juan Antonio
De Bruyn, Paul
Cheatle, Jenny
Campoy, Rebecca
De Andrés, Marisa
Pinet, Dorothée
Fiz, Jesús
García Piña, Cristóbal
Herranz, Pablo
Peña, Esther
Porto, Gisela

ICCAT INTERPRETERS

Faillace, Linda
Liberas, Christine
Linaae, Cristina
Meunier, Isabelle
Renée Hof, Michelle
Sánchez del Villar, Lucía

Appendix 3**TEMPLATE FOR DEVELOPING A DRAFT ACTION PLAN TO IMPLEMENT THE RECOMMENDATIONS FROM THE INDEPENDENT PERFORMANCE REVIEW OF ICCAT***Proposal by the Chair*

The Working Group to follow up on the Second Performance Review (further: PR) met in Madrid on 27 and 28 June 2017. Following the request by the Commission it worked towards identifying the issues raised by the PR that required further consideration and it attempted to designate the subsidiary body that could best be tasked to take the lead. It also looked at establishing a work plan and a mechanism to monitor progress.

Referral

The attached table contains a summary of the suggestions that are submitted to the Commission. It is important to indicate first that the Working Group did not discuss the recommendations in substance. The referral – by the Working Group – does not imply an endorsement of the recommendations nor an invitation to the Commission or the subsidiary body to proceed with an implementation.

In a number of cases, the Working Group concluded that the recommendation was an observation or an opinion that required no further follow-up. Also in these cases, the "no follow-up" advice was not intended to imply either endorsement or rejection. In a number of cases, the Working Group found that more than one body needed to consider the recommendation. In such cases however, it indicated which body was best suited to take the lead. In certain cases a body was indicated that may not continue to exist in the future. In such cases the Commission itself would take over the task if and when the body would cease to operate. To guide its work, the Group used the summary list of 131 recommendations such as produced by the PR experts. In one instance, however, the Group considered that one recommendation was clearly identified as recommendation in the report but did not feature in the summary list. The Group did consider the recommendation and listed it under number 6 bis. It did so for ease of future reference and to avoid changing any numbering.

Timing and work plan

The Working Group also suggested a time frame for the bodies to consider the recommendations and take action (if deemed necessary).

Obviously each body will need to assess the priorities and the workload. The Chair of the Working Group suggested that each body be invited to introduce a review of the PR recommendations in the agenda of each of its future meetings and to report systematically on the progress of such review.

Regular follow-up

The Chair of the Working Group offered to develop a simple tool permitting to monitor the progress in considering and possibly carrying out the recommendation of the PR. This tool will be submitted before long.

Template Key:**Responsible ICCAT Body**

LEAD = ICCAT body identified to lead oversight of action
 COM = Full Commission
 PA 1 = Panel 1, Tropical tunas (yellowfin, bigeye and skipjack)
 PA 2 = Panel 2, Northern temperate tunas (northern albacore and bluefin)
 PA 3 = Panel 3, Southern temperate tunas (southern albacore and bluefin)
 PA 4 = Panel 4, Other species (swordfish, billfishes, sharks, small tunas, other species)
 COC = Conservation and Management Measures Compliance Committee
 STACFAD = Standing Committee on Finance and Administration
 SCRS = Standing Committee on Research and Statistics
 PWG = Permanent Working for the Improvement of ICCAT Statistics and Conservation Measures
 SWGSM = Standing Working Group on Dialogue between Fisheries Scientists and Managers
 CWG = Working Group on Convention Amendment
 FAD = Ad Hoc Working Group on Fish Aggregating Devices
 SEC = ICCAT Secretariat
 CPCs = Individual Contracting Parties and Cooperating Non-Contracting Parties

Timeframe

This represents the timeframe for initiating action on the recommendation.

✓	The recommendation has already been implemented
S	Short term – initiate action in one to two years
S/M	Action will be initiated in a short to medium timeframe
M	Medium term – initiate action in three to five years
M / L	Action will be initiated in a medium to long timeframe
L	Long term – initiate action after five years
NOAC	No action necessary

Long term – initiate action after five years

Report Chapter	Recommendations	LEAD	Responsible ICCAT Body														Timeframe	Proposed next steps	Observations/ Comments
			COM	PA 1	PA 2	PA 3	PA 4	COC	STACFAD	SCRS	PWG	SWGSM	CWG	FAD WG	SEC	CPCs			
1. Introduction																			
Draft Amended ICCAT Convention	The Panel recommends that ICCAT																		Note: Convention Amendment related Recs: 1, 2, 3, 44, 89, 90, 92, 93.
	1. Urges its CPCs to make all necessary efforts to bring the work of the WG on Convention Amendment to a successful conclusion. This also includes agreement:	CWG	X										X			X	S	Work underway by CWG.	
	1. a) on rules and procedures to ensure the smooth and timely adoption and entry into force of the amendments to the ICCAT Convention, either by adopting the amendments by the Commission or by a Conference of Plenipotentiaries of the Contracting Parties; and	CWG	X										X				S	Issue already part of CWG discussions; would need to be further considered by the CWG and/or Commission once Convention amendments are agreed.	
	1. b) on a (de facto) provisional application of some or all amendments to the ICCAT Convention from the time of their adoption.	CWG	X										X			X		Issue would need to be considered once Convention amendments are agreed.	
	2. Urge its Members, following the conclusion of the work of the WG on Convention Amendment, to make all necessary efforts to ensure that the amendments to the ICCAT Convention enter into force as soon as soon as possible.	COM	X													X		Issue would need to be considered once Convention amendments are agreed.	
ICCAT Basic Texts	3. The Panel recommends that ICCAT make consolidated versions of individual basic ICCAT instruments available on the ICCAT website.	STACFAD	X						X						X		S	Refer this and related recommendations, in particular those concerning revisions to ICCAT's Rules of Procedure and observer rules, to STACFAD for consideration and appropriate action, including providing advice to the Commission on the timing for posting of these documents on the ICCAT website.	Mail voting procedures (Rule 9) need particular attention. In addition, several other recommendations from the Performance Review relate to revisions to ICCAT's Rules of Procedure and should be considered as a package by STACFAD.

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2. Conservation and Management																			
Trends in the Status of Non-Target Species	4. The Panel recommends that the precautionary approach be consistently applied for associated species considering that the assessments for these species are highly uncertainty and that their status is often poorly known.	PA4					X			X							M	While led by Panel 4, refer to SCRS to provide advice to assist in applying a precautionary approach to relevant non-target species.	This refers to relevant associated species as defined in the Review.
Data Collection and Sharing	5. The Panel recommends that the possible non-reporting of incidental catches by vessels not on CPCs authorised list should be investigated by the Compliance Committee.	COC						X									M	Refer to the COC for appropriate action.	PR Panel believes that this is unlikely to be a major problem (pg 10).
	6. The Panel recommends that a mechanism be found to allow minor occasional harvesters without allocations to report their catches without being subject to sanctions.	COC		X	X	X	X	X			X						M	Refer matter to the COC in cooperation with the other relevant bodies for consideration and also to the Panels as the issue could also be addressed in the context of management recommendations.	Overall efforts should be coordinated initially by the PWG.
	6bis. The Panel concludes that ICCAT scores well in terms of agreed forms and protocols for data collection but, while progress has been made, more needs to be done particularly for bycatch species and discards.	SCRS		X	X	X	X	X		X	X						M		
	7. The Panel considers that major progress in data availability is necessary and recommends that substantial improvements in data quality and data completeness can only be achieved by simplifying and automating the process of collecting data in a systematic and integrated way. This may not be possible for artisanal fleets, but should be possible for most of the fleets in developed CPCs.	SCRS									X					X	X	S	Secretariat and SCRS should collaborate to identify the existing shortcomings in data collection and reporting processes, procedures, and mechanisms at the Commission level as well as possible improvements.
Adoption of Conservation and Management Measures																			
	8. The Panel confirms that the management of fisheries on this stock by ICCAT is consistent with the objective of the Convention of maintaining stocks at BMSY.	NOAC																NOAC	SCRS is conducting a new stock assessment in 2017.

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			COM	PA 1	PA 2	PA 3	PA 4	COC	STACFAD	SCRS	PWG	SWGSM	CWG	FAD WG	SEC	CPCs			
Eastern Bluefin	9. The Panel recommends that Panel 2 takes advantage of this favourable context to resolve outstanding quota allocation issues among CPCs.	PA2			X												S	Refer to Panel 2 for consideration when discussing revisions to Rec. 14-04.	Some provisions of Rec. 14-04 expire in 2017.
Western Bluefin	10. The Panel confirms that the management of fisheries on this stock by ICCAT is consistent with the objective of the Convention of maintaining stocks at BMSY.	NOAC																NOAC	This observation is true for the low recruitment scenario only. A new stock assessment is being conducted in 2017.
	11. The Panel considers that the management of fisheries on this stock by ICCAT is not consistent with the objective of the Convention of maintaining stocks at BMSY as the probability of rebuilding in more than 10 years is less than 50%.	NOAC																NOAC	Next stock assessment planned for 2018.
	12. The Panel recommends that bigeye, which is fished in association with juvenile yellowfin and skipjack on FADs, should form part of the long term management strategy for the tropical tuna stocks.	SWGSM		X						X		X		X			S/M	Refer to SWGSM where work is already ongoing.	FAD WG should also work on this in association with Panel 1
	13. The Panel recommends that, in view of the current poor status of the stock, the sustainable management of the tropical tunas should be a key immediate management priority for ICCAT. The same commitment devoted to eastern bluefin by ICCAT, should now be addressed to the tropical tuna stocks.	PA1		X													S	Refer to Panel 1 to review implementation of Rec. 15-01 (as revised by Rec. 16-01) in 2017 and consider any necessary action. The Panel should further review BET management measures and take appropriate action in light of new scientific advice stemming from the next assessment.	Paragraph 6 of recs 15-01 and 16-01 require review of management measures if the total catch exceeds the TAC.

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			COM	PA 1	PA 2	PA 3	PA 4	COC	STACFAD	SCRS	PWG	SWGSM	CWG	FAD WG	SEC	CPCs			
Bigeye	14. The Panel notes that the lowered TAC has only a 49% probability of rebuilding the stock by 2028 and recommends that the TAC be decreased further to increase the probability of rebuilding in a shorter period.	PA1		X													S	Refer to Panel 1 to review implementation of Rec. 15-01 (as revised by Rec. 16-01) in 2017 and consider any necessary action. The Panel should further review BET management measures and take appropriate action in light of new scientific advice stemming from the next assessment.	Paragraph 6 of Recs. 15-01 and 16-01 require review of management measures if the total catch exceeds the TAC.
	15. The Panel, noting that ICCAT has established a working group on FADs, recommends that ICCAT prioritise this work and, in parallel, pursue the initiative across all tuna RFMOs to pool the information, knowledge and approaches on how to introduce effective management of FADs into the tropical tuna fisheries on a worldwide scale.	PA1		X						X				X			S	Work on matters related to FADs is already underway, in particular within the context of the FAD WG. This should continue and Panel 1 should consider this work when discussing conservation and management measures for tropical tuna fisheries.	FAD WG should also work on this in association with Panel 1
	16. The Panel notes that, according to the SCRS, the area and time closure has not worked and therefore its impact on reducing juvenile catches of bigeye and yellowfin, is negligible. The Panel recommends that this policy needs to be re-examined and this can, in part, be done through initiatives on limiting the number and use of FADs.	PA1		X										X			S	Refer to Panel 1 for consideration when reviewing conservation and management measures for the tropical tunas fishery.	Additional information on this matter is expected from SCRS and FAD Working Group which has already started work on this issue.
Yellowfin	17. The Panel considers that the management of fisheries on this stock by ICCAT is consistent with the objective of the Convention of maintaining stocks at BMSY because fishing mortality is less than FMSY.	NOAC																NOAC	Next stock assessment planned for 2021.
	18. The Panel recommends that yellowfin, which is fished in association with juvenile bigeye and skipjack on FADs, should form part of the long term management strategy.	SWGSM		X						X		X		X			S/M	Refer to SWGSM where work is already ongoing.	FAD WG should also work on this in association with Panel 1.

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			COM	PA 1	PA 2	PA 3	PA 4	COC	STACFAD	SCRS	PWG	SWGSM	CWG	FAD WG	SEC	CPCs			
	19. The Panel recommends that a quota allocation scheme be adopted by ICCAT to manage the fishery, as is already the case for bigeye.	PA1		X													S/M	Refer to Panel 1 for annual review of the implementation of Rec. 15-01 as revised by Rec. 16-01 and consider any necessary action. The Panel should further review YFT management measures and take appropriate action in light of new scientific advice stemming from the next assessment.	Paragraph 11 of Recs. 15-01 and 16-01 require review of management measures if the total catch exceeds the TAC.
Skipjack	20. The Panel considers that the management of fisheries on this stock by ICCAT is consistent with the objective of the Convention of maintaining stocks at BMSY.	NOAC																NOAC	Next stock assessment planned for 2019.
	21. The Panel recommends that skipjack, which is fished in association with juvenile yellowfin and bigeye on FADs, should form part of the long term management strategy.	SWGSM		X						X		X		X			S/M	Refer matter to SWGSM where work is already ongoing.	FAD WG should also work on this in association with Panel 1
	22. The Panel recommends that vessels which fish bigeye, yellowfin and skipjack tunas in the Convention area should be covered by Rec. 15-01. For reasons that are not clear to the Panel, skipjack fisheries in the West Atlantic seem to be outside the remit of Rec. 15-01.	PA1		X													M	Refer to Panel 1 for annual review of the implementation of Rec. 15-01 (as revised by Rec. 16-01). The Panel should further review SKJ management measures and take appropriate action in light of new scientific advice stemming from next assessment.	

Report Chapter	Recommendations	LEAD	Responsible ICCAT Body													Timeframe	Proposed next steps	Observations/ Comments
			COM	PA 1	PA 2	PA 3	PA 4	COC	STACFAD	SCRS	PWG	SWGSM	CWG	FAD WG	SEC	CPCs		
North Atlantic Swordfish	23. The Panel confirms that the management of fisheries on this stock by ICCAT is consistent with the objective of the Convention of maintaining stocks at BMSY.	NOAC																SCRS is conducting a new stock assessment for NSW in 2017.
	24. The Panel recommends that ICCAT vessel list be introduced for North Atlantic swordfish in line with other key ICCAT fisheries.	Complete															✓	Action has been completed. Included in Rec. 16-03.
South Atlantic Swordfish	25. The Panel confirms that the management of fisheries on this stock by ICCAT is consistent with the objective of the Convention of maintaining stocks at BMSY.	NOAC																SCRS is conducting a new stock assessment for SSWO in 2017.
	26. The Panel recommends that an ICCAT vessel list be introduced for South Atlantic swordfish in line with other key ICCAT fisheries.	Complete															✓	Action has been completed. Included in Rec. 16-04.
	27. The Panel notes the high underage permitted to be transferred from year to year of 30%, and indeed 50% from 2013. The Panel finds this inconsistent with sound management given the high uncertainty in the assessment, and the more modest underage/overage allowed for other ICCAT stocks (10 or 15%).	PA4					X			X							S/M	Refer to Panel 4 for consideration during 2017 discussion of conservation and management measures, but may need input from SCRS in medium term. Rec. 16-04 expires in 2017.
Mediterranean Swordfish	28. The Panel expresses concern at the continuing unsatisfactory status of this stock. The stock is overfished and overfishing is occurring. It is unclear whether the current management is in line with the objective of the Convention of maintaining stocks at BMSY.	NOAC																Next stock assessment planned for 2019.
	29. The Panel recommends that catch limits and/or capacity limits are introduced for this fishery.	PA4					X										M	Refer to Panel 4 where work is already ongoing. This was addressed during the 2016 Annual meeting through the adoption of Rec. 16-05 (Recovery plan).

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			COM	PA 1	PA 2	PA 3	PA 4	COC	STACFAD	SCRS	PWG	SWGSM	CWG	FAD WG	SEC	CPCs			
	30. The Panel encourages ICCAT to intensify its efforts to improve the scientific and fisheries database for this stock and endorses the SCRS recommendation that the fishery be closely monitored and that every component of the Mediterranean swordfish mortality be adequately reported to ICCAT by the CPCs.	PA4					X			X						X	M	Refer to Panel 4 to consider shortcomings in data collection and reporting and ways to address them.	COC, SCRS, the Secretariat, and/or CPCs may also have roles to play in implementing this Recommendation. SCRS will carry out an assessment in 2019.
Northern Albacore	31. The Panel confirms that the management of fisheries on this stock by ICCAT is consistent with the objective of the Convention of maintaining stocks at BMSY.	NOAC																NOAC	Next stock assessment planned for 2020.
	32. The Panel commends ICCAT for the approach that it has adopted on this stock through the fixing of the management objective and the commitment to deciding on the harvest control rules.	NOAC																NOAC. Note is taken on the commitment to continue this work.	Work on this issue is already ongoing in SWGSM and Panel 2.
Southern Albacore	33. The Panel confirms that the management of fisheries on this stock by ICCAT is not quite consistent with the objective of the Convention of maintaining stocks at BMSY.	NOAC																Not referred to Panel because original statement was based on a previous assessment.	SCRS has since assessed this stock and results are different. Next stock assessment planned for 2020.

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			COM	PA 1	PA 2	PA 3	PA 4	COC	STACFAD	SCRS	PWG	SWGSM	CWG	FAD WG	SEC	CPCs			
Mediterranean Albacore	34. The Panel notes that there are still no reliable estimates of whether the stock is over fished or if overfishing is occurring.	NOAC																NOAC	Stock is being assessed in 2017.
	35. The Panel reiterates the 2008 Panel recommendation that ICCAT assures itself that the stock is not overfished and over fishing is not occurring.	PA2			X					X							S	Refer to Panel 2 for consideration in 2017 of conservation and management measures in light of assessment outcome.	Work by SCRS is being carried out.
Blue and White Marlins	36. The Panel confirms that the management of fisheries on these stocks by ICCAT is not consistent with the objective of the Convention of maintaining stocks at BMSY.	NOAC																NOAC	Next stock assessment for BUM planned for 2018 and WHM for 2019.
	37. The Panel considers that ICCAT should reinforce its compliance actions, as Rec. 15-05 will not deliver results as long as the severe under-reporting continues.	COC						X								X	S	Refer matter to COC for review of compliance with data reporting and other billfish obligations and recommend any needed actions.	SCRS has been tasked to provide the Commission with a data improvement plan for billfish in 2017, which will inform discussions of this matter in the Panel.
	38. The Panel supports the SCRS advice that ICCAT actively encourage, or make obligatory, the use of non-offset circle hooks on long line fisheries to reduce the mortality of released marlin.	PA4					X			X							S/M	Refer to Panel 4 for consideration when discussing stock conservation and management based on new stock assessments.	
Sharks	39. The Panel is not in a position to confirm that the management of fisheries on shark stocks by ICCAT is consistent with the objective of the Convention of maintaining stocks at BMSY. There remain major uncertainties underlying all the shark assessments.	NOAC																NOAC	SFM shark is being assessed in 2017; BSH assessment is planned for 2021, and Porbeagle (SW stock) in 2019.
	40. The Panel recommends that ICCAT introduces catch limits as a priority for the main shark populations, in line with the SCRS advice. To ensure effective application of this measure, a quota allocation scheme should be developed.	PA4					X										S/M	Refer to Panel 4 for consideration in light of new assessments.	
	41. The Panel recommends that the Compliance Committee should prioritise the issue of data reporting on sharks, as well as poor reporting on the blue and white marlin stocks.	COC						X									S	Refer to COC for consideration and appropriate action.	

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			COM	PA 1	PA 2	PA 3	PA 4	COC	STACFAD	SCRS	PWG	SWGSM	CWG	FAD WG	SEC				CPCs
	42. The Panel supports the view that shark fins should be naturally attached on landings. The shark finning practice applied to stocks already depleted or severely reduced, is but another factor negatively impacting on the shark stocks.	PA4					X										S	Refer to Panel 4 for consideration and appropriate action.	The origin of this view is not clear from this statement.
Precautionary Approach	43. The Panel considers that on the basis of the stock by stock analysis contained in section 2, ICCAT has not applied in a consistent manner the precautionary approach. ICCAT has based its management on the best available scientific advice, when assessments were considered reliable, but has generally not applied the precautionary approach where scientific information is uncertain, unreliable or inadequate.	NOAC																NOAC	
	44. The Panel recommends (a) that the content of Res. 15-12 be transformed into an ICCAT recommendation and (b) that the new Convention contains an explicit commitment to apply the precautionary approach.	COM	X														S/M	(a) Refer to the Commission for consideration and appropriate action.	(b) CWG has already developed agreed amendments to the Convention on the matter of the PA.
	45. The Panel considers the adoption of Rec. 15-07 on harvest control rules and management strategy evaluation, and Rec. 15-04 on establishing harvest control rules for northern albacore, to be an important first step in agreeing long term strategies.	NOAC																Work underway in SWGSM; also relevant to the future work of the Panels.	Rec. 15-04 was replaced by 16-06.
	46. The Panel considers that ICCAT, with its vast experience in tuna fisheries management, is ideally placed to be the pioneer in the rapid introduction of long term management strategies to ensure the sustainability of individual stocks and consistency of management approach across the range of stocks.	NOAC																Refer to SWGSM where work is already underway; also relevant to the future work of the Panels.	

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			COM	PA 1	PA 2	PA 3	PA 4	COC	STACFAD	SCRS	PWG	SWGSM	CWG	FAD WG	SEC				CPCs
Rebuilding Plans	47. The Panel recommends that ICCAT move away from the current re-active management to re-redress the status of stocks through re-building plans, to a more pro-active policy of developing comprehensive long term management strategies for the main stocks. Such management strategies would encompass management objectives, harvest control rules, the stock assessment method, fishery indicators and the monitoring programme.	SWGSM		X	X	X	X			X		X					S/M	Refer to SWGSM where work is already underway; also relevant to the future work of the Panels.	
	48. The Panel recommends that ICCAT should prioritise the development of a long term management strategy for the tropical tuna stocks.	SWGSM								X		X					S/M	Refer to SWGSM and Panel 1 where work is already underway.	
	49. The Panel recommends that ICCAT agree a work plan across all the stocks for the SCRS and Commission, as has been agreed by WCPFC. Apart from the obvious advantage of ensuring consistency of approach across the stocks, it would also engage all the CPCs simultaneously in this key process.	SCRS	X							X		X					S	Refer to SCRS to consider development of a workplan across all stocks.	The road map adopted by the Commission in 2016 provides the foundation for this work.
	50. The Panel considers that ICCAT, by Rec 13-11, has put in place strict measures, which if effectively applied by CPC vessels, will lead to a reduction in turtle by-catch.	NOAC																NOAC	
	51. The Panel endorses the SCRS advice that the Commission consider the adoption of measures such as, the mandatory use of non- offset circle hooks.	PA4					X										S	Refer to Panel 4 for consideration.	Not clear that this is a recommendation from the SCRS.
	52. The Panel considers that this issue affects all tuna RFMOs, and knowledge and experience should continue to be pooled between the RFMOs.	SCRS								X							S/M	Refer to SCRS to engage as appropriate with other tRFMOs and gather and evaluate relevant information.	Should be considered within Kobe process.

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			COM	PA 1	PA 2	PA 3	PA 4	COC	STACFAD	SCRS	PWG	SWGSM	CWG	FAD WG	SEC	CPCs			
Seaturtles	53. The Panel noted that there are no reliable estimates of the mortality caused by longlines on these species and recommends that a time-limited program be designed to estimate seabird and turtle mortality in ICCAT longline fisheries. This programme should be of at least one year duration and involve increased observer coverage deemed sufficient to estimate turtle and seabird mortality by all major fleets. Such increased observer coverage would also provide information on the impact of ICCAT fisheries on other components of the ecosystem.	SCRS								X							M	Refer to SCRS to assess the rationale for this recommendation and if necessary and appropriate, to consider development of a program of data collection for the fisheries concerned.	Some work in this area is already ongoing within SCRS.
Seabirds	54. The Panel commends ICCAT on the measures it has introduced to date and recommends that it pursues its stated goal of further reducing bird mortality through the refinement of existing mitigation measures.	PA4					X			X							S/M	Refer to Panel 4 for consideration based on input from SCRS, as needed.	
	55. The Panel considers that this issue affects all tuna RFMOs, and knowledge and experience should continue to be pooled between the RFMOs.	SCRS								X							S	Refer to SCRS to engage as appropriate with other tRFMOs and gather and evaluate relevant information.	Should be considered within Kobe process.
	56. The Panel reiterates its recommendation on a time-limited programme to estimate seabird and turtle mortality in ICCAT longline fisheries.	SCRS								X							M	See recommendation 53 above for proposed action.	
Pollution, Waste and Discarded Gears	57. The Panel notes the measures adopted by ICCAT to date and recommends that ICCAT expands the range of its measures addressing these policy matters. In this regard, the Panel would refer to CCAMLR CM 26-01 on general environmental protection during fishing.	COM	X				X			X				X			M	Refer to the Commission for consideration. FAD WG also addressing this issue, and should be guided by Panel 4. Work also being carried out through Kobe process.	
	58. Considering the important role played by the sport and recreational fisheries in a number of key fisheries, notably billfishes, the Panel recommends that:	NOAC																NOAC	

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Previously Unregulated Fisheries	a) the Working Group is re-activated to complete its mandate; and	COM	X														S	Refer to the Commission for consideration	Lack of the submission of relevant information on recreational fisheries by many CPCs has limited the utility of this Working Group.
	b) mechanisms are developed by ICCAT to engage this sector in the deliberations of ICCAT on management and control measures for these fisheries.	COM	X													X	M	Refer to the Commission for consideration	CPC's have an important role in engaging their stakeholders on ICCAT matters.
Capacity Management	59. The Panel considers that ICCAT under its mandate has judiciously applied the limitation of capacity approach to the fisheries. ICCAT has introduced capacity limitations to three key fisheries, namely, eastern bluefin tuna, bigeye and northern albacore.	NOAC																NOAC	
	60. The Panel understands that ICCAT has demonstrated a preference for managing fisheries on the basis of TAC and quotas, but that for certain stocks it has incorporated capacity measures to complement the catch restrictions. The Panel considers this approach to have been effective.	NOAC																NOAC	
Compatibility of Management Measures	61. The Panel considers that ICCAT does not need to take any action on the compatibility issue. The Convention is quite clear that the "Convention Area" includes all waters of the Atlantic and adjacent seas. The Panel thus considers that conservation and other measures adopted by ICCAT apply without distinction to both the exclusive economic zones of CPCs and the high seas	NOAC															NOAC	NOAC	This information should be included in Annual Reports, no additional follow up required.
	62. The Panel considers that it is a major strength of ICCAT, compared to other tuna RFMOs, that the ICCAT mandate is framed in that manner. It ensures that a uniform and consistent implementation of the ICCAT measures is applied throughout the Atlantic and adjacent seas, and crucially, that the management of fisheries on the stocks is consistent throughout their migratory range.	NOAC																NOAC	

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			COM	PA 1	PA 2	PA 3	PA 4	COC	STACFAD	SCRS	PWG	SWGSM	CWG	FAD WG	SEC	CPCs		
Fishing Allocations and Opportunities	63. The Panel considers that there are legitimate expectations among Developing CPCs that quota allocation schemes need to be reviewed periodically and adjusted to take account of a range of changing circumstances, notably, changes in stock distribution, fishing patterns and fisheries development goals of Developing States.	COM	X	X	X	X	X										S/M	Refer to Panels for consideration and appropriate action. Commission to coordinate action among the Panels.
	64. The Panel considers it appropriate that quota allocation schemes should have a fixed duration, up to seven years, after which they should be reviewed and adjusted, if necessary.	COM	X	X	X	X	X										S/M	Refer to Panels for consideration and appropriate action. Commission to coordinate action among the Panels.
	65. In determining quota allocation schemes in the future, the Panel proposes that ICCAT could envisage establishing a reserve within new allocation schemes (for instance, a certain percentage of the TAC), to respond to requests from either new CPCs or Developing CPCs, which wish to develop their own fisheries in a responsible manner.	COM	X	X	X	X	X										S/M	Refer to Panels for consideration and appropriate action. Commission to coordinate action among the Panels.
3. Monitoring, Control and Surveillance (MCS)																		
Port State Measures	The Panel recommends that ICCAT																	
	66. Encourages its CPCs to become Contracting Parties to the PSM Agreement.	COM	X													X	S	
	67. Amends Rec 12-07 to ensure more consistency with the PSM Agreement, in particular by including definitions and requiring CPCs to impose key port State measures such as denial or use of port in certain scenarios.	PWG									X						S	Refer to PWG for consideration and appropriate action.
	68. Closely follows IOTC's efforts to enhance effective implementation of its port State measures through, inter alia, its e-PSM system, and, where appropriate, adopt similar efforts within ICCAT.	PWG									X						S/M	Refer to Online Reporting Working Group for analysis.

Report Chapter	Recommendations	LEAD	Responsible ICCAT Body													Timeframe	Proposed next steps	Observations/ Comments	
			COM	PA 1	PA 2	PA 3	PA 4	COC	STACFAD	SCRS	PWG	SWGSM	CWG	FAD WG	SEC				CPCs
	69. Make more efforts to assess substantive compliance with its port State measures and to specify consequences for non-compliance.	COC						X			X						S	Refer to PWG to review implementation and determine any technical improvements that might be needed. Refer to COC to consider any issues non-compliance and recommend appropriate actions.	
Integrated MCS Measures	The Panel recommends that ICCAT																		
	70. Gives priority to adopting a modern HSBI scheme - through a Recommendation and not a Resolution - that extends to all key ICCAT fisheries as such, but can be applied in practice to selected fisheries according to the COC's compliance priorities.	PWG									X						M	Refer to the PWG as work on this matter is ongoing.	
	71. Evaluates the need and appropriateness of further expanding coverage by national and non-national on-board observers for fishing and fishing activities.	PWG		X	X	X	X				X						M	Refer to PWG for consideration and also the Panels as observer program requirements can be and some have been agreed as part of management measures for specific fisheries.	SCRS evaluation of current observer program requirements is pending due to lack of reporting.
	72. Considers expanding VMS coverage, adopting uniform standards, specifications and procedures, and gradually transforming its VMS system into a fully centralized VMS.	PWG		X	X	X	X				X						S	Refer to PWG for consideration as Rec. 14-07 must be reviewed per para 6 in 2017. Also refer to the Panels as VMS requirements can be and some have been agreed as part of management measures for specific fisheries.	
	73. Works towards replacing all SDPs with electronic CDPs that are harmonized among tuna RFMOs where appropriate - in particular for bigeye tuna - while taking account of the envisaged FAO Voluntary Guidelines on Catch Documentation Schemes.	PWG										X						M	Refer to PWG for further analysis.

Report Chapter	Recommendations	LEAD	Responsible ICCAT Body														Timeframe	Proposed next steps	Observations/ Comments
			COM	PA 1	PA 2	PA 3	PA 4	COC	STACFAD	SCRS	PWG	SWGSM	CWG	FAD WG	SEC	CPCs			
	74. Considers, in the interest of transparency, incorporating all measures relating to distinct MCS measures - in particular transshipment and on-board observers - in one single ICCAT Recommendation, so that CPCs have only one reference document to consult.	PWG									X						M	Refer to PWG for assessment of the pros and cons of this approach.	
	75. Assesses whether, in relation to transshipment, the differences in minimum vessel-lengths in Recs 12-06 and 13-13 have created a potential loophole.	Complete															✓	Action has been completed.	Addressed in Rec. 16-15.
4. Compliance and Enforcement																			
Flag State Duties	76. The Panel considers that the Flag State duties recognized in international fisheries law are adequately reflected in current ICCAT recommendations.	NOAC																NOAC	
	77. The Panel has no view as to whether such responsibilities are being executed correctly, as it does not have information at its disposal in ICCAT to form a judgement.	NOAC																NOAC	
Cooperative Mechanisms to Detect and Deter Non- Compliance	78. The Panel recommends that the COC should identify key compliance priorities across the range of different fisheries, and programme its work accordingly. Identification of non-respect of reporting requirements or incomplete reporting by CPCs should be entrusted to the ICCAT secretariat and its report submitted to COC in advance of the Annual meeting.	COC						X							X		S	COC should consider this matter in light of the terms of recently adopted Rec. 16-22.	
	79. The Panel recommends that independent information from the fisheries, through inspections at sea and in port, and through effective observer programmes, are made available to the COC, in order for the COC to conduct an effective compliance assessment.	PWG						X			X						X	M	Refer to PWG to consider if there are technical reasons for implementation failures and how to address them if so; Refer to COC to consider extent of any non-compliance and recommend appropriate action.

Report Chapter	Recommendations	LEAD	Responsible ICCAT Body													Timeframe	Proposed next steps	Observations/ Comments	
			COM	PA 1	PA 2	PA 3	PA 4	COC	STACFAD	SCRS	PWG	SWGSM	CWG	FAD WG	SEC				CPCs
	80. The Panel recommends that ICCAT lists be established for the northern and southern swordfish fisheries. As mentioned previously, CPCs are obliged in accordance with Rec 03-12 to maintain an up-to-date record of fishing vessels authorised to fish species under the purview of ICCAT, so the establishment of an ICCAT list is no additional burden for the CPCs involved.	Complete															✓	Action has been completed	Included in Rec. 16-03 and 16-04.
Follow-Up on Infringements	81. The Panel considers the key task of the COC should be to make a qualitative assessment as to the degree to which the measures in the individual fisheries contained in the ICCAT recommendations, are being respected by the vessels of the Parties.	COC						X								X	S/M	Refer to COC for consideration and appropriate action.	Implementation of Rec. 16-22 should assist with this work. Clear and timely reporting by all CPCs on the implementation of ICCAT requirements is also essential.
	82. In the view of the Panel, the COC will be unable to exercise such a function until it obtains information from independent sources, such as, a joint inspection scheme and effective regional observer programmes. It suffices to contrast the information available to the COC on the eastern bluefin tuna fisheries, as a result of observer reports and inspection reports, with the paucity of information on other fisheries.	NOAC																	NOAC
Market-Related Measures	83. The Panel concurs with the 2008 Panel's observation, that the imposition or the threat of imposition of market or trade measures is probably the single most persuasive measure that will ensure compliance with ICCAT measures.	NOAC																NOAC	
	84. The Panel, noting Rec. 12-09, commends ICCAT for its initiatives in this area and recommends that catch documents, preferably electronic, be introduced for bigeye and swordfish species.	PWG									X							M	See Recommendation 73 above for proposed action.

Report Chapter	Recommendations	LEAD	Responsible ICCAT Body													Timeframe	Proposed next steps	Observations/ Comments	
			COM	PA 1	PA 2	PA 3	PA 4	COC	STACFAD	SCRS	PWG	SWGSM	CWG	FAD WG	SEC				CPCs
Reporting Requirements	85. The Panel recommends that ICCAT, though its Panels 1 to 4, should undertake an overall review of the current reporting requirements, on a stock by stock basis, both in relation to Task I and Task II data contained in the myriad of recommendations, in order to establish whether the reporting obligations in question could be reduced or simplified.	PWG		X	X	X	X				X						M	Refer to PWG to undertake this review and present its findings and suggestions to the Panels for their approval.	Such a review will involve many recommendations including proposals developed by virtually all the Panels. PWG is well placed to take a comprehensive look at all these measures. SCRS and the Secretariat could also provide support for this work where appropriate.
	86. The Panel recommends that before the adoption of each new recommendation, there should be an assessment as to the likely impact on the Secretariat's workload that its implementation implies.	STACFAD							X						X		S	Refer to STACFAD to develop options for implementing this recommendation.	
	87. The Panel recommends that ICCAT consider introducing a provision in new recommendations, whereby the introduction of new reporting requirements would only become effective after a 9 to 12 month period has elapsed. This would assist Developing States to adapt to new requirements. This is particularly relevant where the volume and/or nature of the reporting have changed significantly. The difficulties Developing States encounter in introducing new administrative/reporting requirements at short notice, is well documented in the compliance context. The option for Developed CPCs to apply immediately the new reporting requirements may of course be maintained, if those CPCs consider it opportune.	COM	X	X	X	X	X	X	X		X							S	Refer to all ICCAT bodies that can recommend binding reporting requirements for consideration when developing such recommendations. Commission to coordinate action among the bodies.

Report Chapter	Recommendations	LEAD	Responsible ICCAT Body													Timeframe	Proposed next steps	Observations/ Comments	
			COM	PA 1	PA 2	PA 3	PA 4	COC	STACFAD	SCRS	PWG	SWGSM	CWG	FAD WG	SEC				CPCs
5. Governance																			
Decision-Making	The Panel recommends that ICCAT																		
	88. Chairs of the Commission, Panels, COC and PWG should be prepared, once there has been sufficient discussion, to put draft Recommendations to a vote.	COM	X														S	Refer to the Commission for consideration	
	89. Revises the opt-out procedures included in Res 12-11 and the most recent text of the Amended ICCAT Convention to bring them more in line with modern opt-out procedures used by RFMOs that have been recently established or that have recently amended their constitutive instruments.	STACFAD							X								M - re/ Res 12-11; NOAC - re/ Convention amendment opt out provisions	Refer recommendation to revise Res. 12-11 to STACFAD for consideration.	The opt-out procedures developed by the CWG was a topic of intense negotiation.
	90. Ensures that the amendments to the ICCAT Convention relating to decision-making and opt-out procedures are provisionally applied from the moment of their formal adoption.	CWG	X										X			X	M	See Recommendation 1(b) for proposed action	
	91. Reviews its working practices in order to enhance transparency in decision-making, in particular on the allocation of fishing opportunities and the work of the Friends of the Chair.	COM	X	X	X	X	X	X									S	Commission to coordinate action among the bodies.	The Implementation of Res. 16-22 will assist with improving transparency in the COC Friends of the Chair process.
	92. Reviews its Rules of Procedure, among other things to integrate its 2011 Deadlines and Guidelines for the Submission of Draft Proposals, Rec. 03-20 and Res. 94-06.	STACFAD								X								S	See recommendation 3 above for proposed action.

Report Chapter	Recommendations	LEAD	Responsible ICCAT Body														Timeframe	Proposed next steps	Observations/ Comments
			COM	PA 1	PA 2	PA 3	PA 4	COC	STACFAD	SCRS	PWG	SWGSM	CWG	FAD WG	SEC	CPCs			
Dispute Settlement	93. The Panel recommends that ICCAT urges its CPCs to reach agreement on the inclusion of compulsory dispute settlement procedures entailing binding decisions in the Amended ICCAT Convention, which also devote attention to provisional arrangements of a practical nature pending the establishment of a dispute [settlement procedure].	CWG											X				S	Refer dispute settlement recommendation to CWG to consider in ongoing discussion of this issue.	
Transparency	The Panel recommends that ICCAT																		
	94. Considers codifying its practices on participation by NGOs - which are consistent with international minimum standards and comparable to those of other tuna RFMOs - by amending the ICCAT Observer Guidelines and Criteria or the ICCAT Rules of Procedure.	STACFAD							X								M	See recommendation 3 above for proposed action.	
	95. Considers requiring Contracting Parties that object to an application by an NGO for Observer Status with ICCAT to provide their reasons in writing.	STACFAD							X								S	See recommendation 3 above for proposed action.	
	96. Considers that closing formal ICCAT meetings to observers requires an explicit and reasoned decision supported by a simple majority of Contracting Parties.	STACFAD							X								S/M	See recommendation 3 above for proposed action.	
Confidentiality	The Panel commends ICCAT for the significant improvements in transparency and confidentiality since 2008 and recommends that ICCAT:	NOAC															NOAC		
	97. Considers further improvements, for instance by making more of its data and documents publicly available and - as regards documents - explaining the reasons for classifying certain documents as confidential.	COM	X							X	X						M	Refer the issue to the Commission / PWG and SCRS to begin a review of ICCAT's rules on confidentiality and their application and needed adjustments can be identified, if any.	

Report Chapter	Recommendations	LEAD	Responsible ICCAT Body														Timeframe	Proposed next steps	Observations/ Comments
			COM	PA 1	PA 2	PA 3	PA 4	COC	STACFAD	SCRS	PWG	SWGSM	CWG	FAD WG	SEC	CPCs			
	98. Conducts a review of its Rules and Procedures on Data Confidentiality as envisaged in its paragraph 33, taking into account the need for harmonization among tuna RFMOs consistent with Rec KIII-1. As part of this review, it should adopt an ICCAT's Information Security Policy (ISP), where appropriate.	PWG								X	X						M	Refer the issue to the PWG and SCRS to begin a review of ICCAT's rules on confidentiality and their application and needed adjustments can be identified, if any.	
Relationship to Cooperating Non-Members	The Panel recommends that ICCAT																		
	99. Reviews Rec. 03-20 in order, inter alia, to clarify the rights of States and Entities with Cooperating Status; integrate elements of Res. 94-06; replace the PWG with the COC; and include a requirement to apply for renewal of Cooperating Status.	COC						X									M	Refer to COC to review the issue of cooperating status and determine if additional clarity on this matter is needed.	The roles and responsibilities of the COC and PWG were clarified a few years ago and there is no longer any overlap in their mandates. Both bodies have heavy workloads during the Annual meeting.
	100. Considers formalising the procedure for inviting non-CPCs.	COM	X														M	Refer to COC for consideration.	
Relationship to Non-Cooperating Non-Members	The Panel recommends that ICCAT																		
	101. Continues to monitor fishing activities by non-cooperating non-members through cooperation between the ICCAT Secretariat and CPCs, and between CPCs.	COC						X							X	X	S	Secretariat, CPCs and the COC should continue to monitor fishing activities by non-members and bring them to the attention of the Commission.	
	102. Considers taking appropriate sanctions against non-cooperating non-members that continue to ignore ICCAT's requests for information and cooperation. This is particularly relevant in relation to overfished stocks, such as marlins.	COC						X									S	Refer to COC to recommend appropriate action.	COC has a key role in monitoring the fishing activities of non-CPCs and recommending ways to improve cooperation, including through application of Rec. 06-13 (Trade measures Recommendation).

Report Chapter	Recommendations	LEAD	Responsible ICCAT Body														Timeframe	Proposed next steps	Observations/ Comments	
			COM	PA 1	PA 2	PA 3	PA 4	COC	STACFAD	SCRS	PWG	SWGSM	CWG	FAD WG	SEC	CPCs				
Cooperation with Other RFMOs and Relevant International Organisations	The Panel recommends that ICCAT																			
	103. Continues and enhances its cooperation and coordination with other tuna RFMOs in the context of the Kobe process and otherwise, in particular on the harmonization of their conservation and management measures.	COM	X													X		S/M	Refer to the Commission to consider ways to enhance cooperation with other tuna RFMOs.	Input fom the Secretariat should help inform this discussion.
	104. Continue and enhances its cooperation and coordination with other intergovernmental bodies, in particular in relation to the conservation and management of sharks.	COM	X															S/M	Refer to the Commission to consider how to enhance cooperation with other IGOs on sharks and other matters.	
	105. Considers becoming a member of the IMCS Network.	COM	X															S/M	Refer to the Commission for consideration.	
	106. Considers making more information on its cooperation with other RFMOs and intergovernmental bodies available on a dedicated part of the ICCAT website.	COM	X													X		S/M	Refer to the Commission to consider what, if any, additional information to put on the website. The Secretariat would post any identified information.	
Participation and Capacity Building	The Panel recommends that ICCAT																			
	107. Adopts institutional arrangements to ensure that Chairs of the main ICCAT bodies come from a wider number of Contracting Parties, while taking due account of the necessary qualifications for such important positions.	COM	X															S/M	Refer to the Commission to consider if it wants to pursue development of such institutional arrangements and, if so, to determine how a proposed approach should be developed.	
	108. Considers pursuing capacity building initiatives to strengthen participation in ICCAT meetings in a broader sense - including for key ICCAT positions - for instance by human resource development (e.g. by training courses on participation in, and chairing of, intergovernmental negotiations and bodies).	STACFAD								X								S/M	Refer to STACFAD to consider and advise on this issue.	

Report Chapter	Recommendations	LEAD	Responsible ICCAT Body														Timeframe	Proposed next steps	Observations/ Comments
			COM	PA 1	PA 2	PA 3	PA 4	COC	STACFAD	SCRS	PWG	SWGSM	CWG	FAD WG	SEC	CPCs			
	109. Develops an overarching strategy for capacity building and assistance programs, which integrates the various existing capacity building initiatives.	STACFAD							X								S/M	Refer to STACFAD to undertake a review of its capacity building and assistance work and advise on how to improve it.	
	110. As regards capacity building for port State measures	NOAC																NOAC	
	a) Urges developing CPCs to make the necessary efforts to assist the ICCAT Secretariat in identifying their capacity building needs;	PWG									X					X	S	Refer to the PWG where work is already underway through the Port Inspection Experts Group (established per Rec. 16-18).	
	b) Closely coordinates the operation of Rec 14-08 with existing and future capacity building initiatives undertaken by other intergovernmental bodies.	PWG									X				X		S/M	Refer to the PWG where work is already underway through the Port Inspection Experts Group (established per Rec. 16-18).	
6. Science																			
Best Scientific Advice	111. The Panel notes that aerial survey estimates in the spawning areas could be very useful in the East Atlantic and Mediterranean bluefin tuna and recommends that efforts be made to derive a usable index and that data continue to be collected.	SCRS								X						X	S	Refer to SCRS for appropriate action.	SCRS continues to emphasize the need for developing fishery independent indices of abundance like this aerial survey.
	112. The Panel re-iterates the recommendation of the 2008 Panel that a better balance of scientists with knowledge of the fishery and modelling expertise be sent to the assessment meetings of the SCRS.	SCRS								X						X	S/M	Refer to SCRS to advise CPCs/Commission on key participants needed at science meetings and any other relevant matters. STACFAD should assess any financial implications.	
	113. The Panel recommends that Management Strategy Evaluation should be used on a few stocks to estimate the costs and benefits of collecting more detailed information.	SCRS								X		X					S/M	Refer to SCRS to consider this issue specifically when conducting MSEs and advise SWGSM on the findings.	
	114. The Panel recommends that the Commission adopts specific management objectives and reference points for all the stocks. This would guide the SCRS in its work and increase the consistency of the SCRS advice.	SWGSM		X	X	X	X					X					S	Refer to SWGSM where work is already ongoing.	

Report Chapter	Recommendations	LEAD	Responsible ICCAT Body														Timeframe	Proposed next steps	Observations/ Comments
			COM	PA 1	PA 2	PA 3	PA 4	COC	STACFAD	SCRS	PWG	SWGSM	CWG	FAD WG	SEC	CPCs			
Presentation Scientific Advice	115. The Panel recommends that the development of harvest control rules through Management Strategy Evaluation should be strongly supported.	SWGSM		X	X	X	X			X		X					S	Refer to SWGSM and the Panels for consideration; work is already ongoing regarding this matter.	
	116. The Panel recommends that in a precautionary approach, the advice with more uncertainty should, in fact, be implemented more readily.	COM	X	X	X	X	X										S	Commission to coordinate action among the bodies including referring for their consideration when drafting a new or revising an existing conservation and management measures.	Related to recommendation 43.
Adequacy SCRS and Secretariat	117. The Panel recommends that clear guidelines / processes on how the scientific resources of the Secretariat should be allocated to species should be agreed.	COM	X							X					X		S	Commission to consider appropriate action, including referring to SCRS for input on this matter.	
	118. The Panel recommends that ICCAT evaluates the benefits of outsourcing its stock assessments to an external science provider while retaining the SCRS as a body to formulated the advice based on the stock assessments.	COM	X						X	X							M/L	For additional information, SCRS could advise on the pros and cons from a scientific perspective and STACFAD from a financial perspective. Commission to coordinate action among the bodies.	
Capacity Building Initiatives	119. The Panel recommends that specific mentoring projects to include trainees in stock assessment teams be implemented.	SCRS							X	X							M/L	Refer to SCRS to advise on the merits of this idea and how it might be implemented effectively. STACFAD should assess any financial implications.	SCRS has conducted some training on stock assessment techniques in the past.
	120. The Panel recommends that ICCAT develop specific mechanisms to ensure that more scientists with knowledge of the fisheries participate in stock assessment meetings and are directly involved in assessment teams.	SCRS							X	X						X	S/M	Refer to SCRS to advise CPCs/Commission on key participants needed at science meetings and any other relevant matters. STACFAD should assess any financial implications.	Related to recommendation 112
	121. The Panel also recommends that formal training in stock assessment be provided, possibly in cooperation with other organizations.	SCRS							X	X							M	Refer to SCRS to advise on the merits and how it might be implemented effectively. STACFAD should assess the financial implications.	

Report Chapter	Recommendations	LEAD	Responsible ICCAT Body														Timeframe	Proposed next steps	Observations/ Comments
			COM	PA 1	PA 2	PA 3	PA 4	COC	STACFAD	SCRS	PWG	SWGSM	CWG	FAD WG	SEC	CPCs			
SCRS Long-Term Strategy	122. The Panel recommends that a process to formally incorporate scientific priorities with funding implications into the budget be implemented to fund the activities in the strategic plan. This could be achieved by a scientific research quota.	COM	X						X						X		S	Refer to the Commission to request that the Secretariat include relevant SCRS recommendations with financial implications in the draft biennial budget. SCRS should continue to prioritize its recommendations. STACFAD should consider and advise on any viable options to fund scientific priorities that cannot or should not be funded through the regular budget.	
Implementation Res 11-17	123. The Panel recommends that model runs that are the basis of the SCRS advice should be available on the ICCAT website and easy to find. This should include the most recent model runs, but as assessments are updated, older runs should also be available.	SCRS								X					X		S	Refer to SCRS for action	This work is already underway in 2017.
	124. The Panel recommends that ICCAT cooperates with other stock assessments organizations to develop an integrated stock assessment framework where all current models could be run and new models could be integrated, while being transparent on what data and parameters have been used under what assumptions.	SCRS								X					X		S	Refer to SCRS to consider and advise on this matter. The Secretariat should assist with this work as needed.	
	125. The Panel recommends that ICCAT considers adopting a system with scientists from external organisations, universities or otherwise are contracted to review SCRS assessments.	SCRS							X	X							S	Refer to SCRS to review and update the current TORs for these reviewers	A mechanism already exists for external reviewers to participate in SCRS stock assessments.
Total Quality Management Process	126. The Panel recommends that ICCAT provides training in efficient chairing meetings to current Chairs and to new ones when they assume their duties.	STACFAD							X						X		S	Refer to STACFAD to consider and advise on options for acquiring such training and on financial aspects; the Secretariat should assist STACFAD in considering this matter as needed.	

Report Chapter	Recommendations	LEAD	Responsible ICCAT Body													Timeframe	Proposed next steps	Observations/ Comments	
			COM	PA 1	PA 2	PA 3	PA 4	COC	STACFAD	SCRS	PWG	SWGSM	CWG	FAD WG	SEC				CPCs
8. Financial and Administrative Issues																			
	127. The Panel recommends that a Working Capital Fund equivalent to 70% of the Annual Budget is prudent. This fund needs to be kept at that level in the interest of sound financial management. It should also be borne in mind that there are no guarantees that the costs of Annual meetings and scientific programmes etc., will continue to be financed by extra budgetary funds.	STACFAD							X								S	Refer to STACFAD to consider and advise on.	
	128. The Panel, taking account of the clear progress made by ICCAT in reducing outstanding debts on annual contributions by CPCs, recommends that ICCAT consider erasing CPCs debts for annual contributions outstanding for more than two years i.e. debts before 2015. This measure would alleviate the debt burden for certain Developing States. However, in parallel, ICCAT should amend its financial procedures and introduce an automatic sanction whereby, if the previous two years' contributions have not been paid in full by the following Annual meeting, then the right to vote and be a quota holder is withdrawn for that CPC, until those debts are acquitted in full.	STACFAD							X								M	Refer to STACFAD to consider and advise on.	
	129. The Panel also recommends that ICCAT consider cost recovery to finance key parts of their activities and thereby reduce the CPCs budgetary contributions and/or expand ICCAT's activities (e.g. the High Seas Inspection Scheme). This cost recovery approach is based on the principle that the vessels of CPCs, which benefit from access to profitable fisheries, should share the financial burden for the science and monitoring programmes, which are crucial for the sustainability of those resources. An annual fee could be envisaged which would be paid per vessel of a certain size to ICCAT, via if necessary, the Flag CPC.	STACFAD							X								M/L	Refer to STACFAD to consider and advise on	

Report Chapter	Recommendations	LEAD	Responsible ICCAT Body														Timeframe	Proposed next steps	Observations/ Comments	
			COM	PA 1	PA 2	PA 3	PA 4	COC	STACFAD	SCRS	PWG	SWGSM	CWG	FAD WG	SEC	CPCs				
	130. The Panel recommends, in line with good management practice, that ICCAT reviews every five years, through an independent human resources consultancy company, the staffing profile and workload of the Secretariat and, if necessary, adjust it to accurately reflect current and programmed workloads. In that review, the company should also review the staff assessment process.	STACFAD							X							X		S	Refer to STACFAD to consider and advise on financial and other considerations. Contracting process would be undertaken by the Secretariat	
	131. The Panel recommends that STACFAD be responsible for the terms of reference and the follow-up to the report of the consultancy.	STACFAD								X								M	Refer to STACFAD for input on options for tracking progress on the follow up to the consultants report.	

Appendix 4**PROPOSED PROCESS FOR THE SCRS TO RESPOND TO THE RECOMMENDATIONS OF THE SECOND ICCAT PERFORMANCE REVIEW***David J. Die***Summary**

This document contains a proposal by the Chair of the SCRS for the process to be followed by the SCRS in order to deal with the recommendations from the Second Performance Review. The document has not been reviewed by the SCRS and will be discussed at its upcoming meeting in October 2017.

The SCRS did not have the report of the performance review available for its consideration in November 2016.

At the 2017 plenary the SCRS will consider the Second Performance Review report and develop an initial response to it for the benefit of the Commission by:

- Reviewing the list of recommendations in light of the review of progress towards the Science Strategic Plan.²
 - Define which actions are already part of the Science Strategic Plan and are addressing the recommendations of the Second Performance Review.
 - Determine whether progress on those actions is satisfactory and according to the Science Strategic plan.
 - If progress is not satisfactory recommend a modification to the SCRS Working Groups (WGs) and Sub-committees (SCs) work plans for 2018-2020.
 - Define which recommendations do not have an associated goal or actions in the Science Strategic Plan.
- Identifying which WG or SC of the SCRS has a responsibility on any SCRS relevant recommendation not addressed by the Science Strategic Plan.
 - Ask the WGs or SCs of the SCRS to develop a response to each recommendation.
 - Determine whether some of these actions are relevant to be taken up in the next Science Plan for 2021-2025.

During the SCRS plenary meeting of 2020:

- Present a report on the accomplishments of the Science Strategic Plan for 2015-2020 which includes reference to the recommendations contained in the ICCAT Second Performance Review.
- Present the new Science Strategic Plan for 2021-2025 including references to the recommendations contained in the ICCAT Second Performance Review.

² The SCRS is conducting a review of progress towards reaching the goals of the Science Strategic Plan because 2017 is the half way point of the 6 year plan.

Appendix 5

DRAFT GUIDELINES FOR SUBMISSION OF PROPOSALS

Submitted by Japan [Comments by other CPCs incorporated]

Rational for the submission

1. During the past meetings, several CPCs acknowledged problems regarding submission of proposals.

Examples are:

- (1) It is not always clear whether the presented proposal is a totally new proposal or a proposal to amend existing documents (e.g. recommendation).
 - (2) When a proposal for amendment is first submitted or is further amended during the meeting, some CPCs use track changes while other CPCs do not (i.e. all the proposed amendments have been already incorporated). In the latter case, it is very difficult for CPCs to identify where the proposal was modified and, therefore, what is being proposed as amendments from previous versions.
 - (3) During the meeting, a proposal is frequently amended based on some informal discussions. In some cases when the new version of the proposal is circulated to all CPCs it has already incorporated previously proposed amendments (shown in the previous versions) and indicates only additional proposed amendments based on the informal discussion. In these cases, participants who were not involved in the informal discussions have difficulties in tracking all the proposed amendments in comparison to the original recommendation, or other type of document.
 - (4) A new version is produced whenever a new co-sponsor is added even when there is no amendment in the text. This should be avoided in order to save considerable amounts of paper and cut resource consumption.
2. Japan would like to offer draft guidelines for this purpose as attached for consideration at the 2017 Annual meeting. The guidelines may be adopted as a part of the Rules of Procedure.

Draft Guidelines for Submission of Proposals

1 Title of the proposal

- a) When a CPC submits a proposal that is not based on existing Recommendations, or any other type of document, it should indicate “(a new proposal)” at the end of the title.

e.g. Draft Recommendation on Deployment of Robot Observers on board Fishing Vessels (a new proposal)

- b) When a CPC submits a proposal to amend an existing Recommendation, or any other type of document, it should indicate in the title which existing document it proposes to amend, and “(amendment)” at the end of the title.

e.g. Draft Recommendation to amend Rec. 17-01 on Deployment of Robot Observers on board Fishing Vessels (amendment)

- c) A proposal that was presented at a previous meeting but not adopted is regarded as either a new proposal or amendment.

2 Use of track changes

- a) General Rule: When a CPC submits a proposal amending an existing Recommendation, or any other type of document, the CPC should use track changes to distinguish additions and deletions to the text of the original document. Proposed new text should be underlined and proposed deletions should be struck through. Empty square brackets (i.e., []) or square brackets containing only dots (i.e., [...]) should not be used to indicate deleted text. Square brackets should only be used to indicate pending issues, such as alternative drafting options that have not yet been agreed or as a placeholder for text to be added later.

e.g. The Contracting Parties, and non-Contracting Parties, Entities or Fishing Entities (CPCs) whose vessels have been catching ~~actively fishing for~~ swordfish in the North Atlantic should take [the following measures] [effective measure to limit catch, as follows]:.

- b) In addition, the following practices should be followed for the situations set forth below:

- (i) Situation 1: A new or amended proposal (as defined in Section 1 above), has been circulated and discussed on the floor of the meeting. Based on those discussions, the CPC revises the proposal and submits it for circulation. In this case, the revised document should only indicate the proposed changes from the version discussed on the floor, with all changes in the previous version having been accepted and reflected. For any proposed revisions to the previously discussed version that the submitting CPC(s) would still like to indicate are unresolved, the track changes should be accepted, but the text should be placed within square brackets.

e.g. The CPC submitted PA2-604 to amend Rec. 14-04 before the meeting, and PA2-604 was discussed on the floor. The CPC revises PA2-604 based on Panel 2 discussions and resubmits it as PA2-604A. In this case, when recirculated, PA2-604A should incorporate all the proposed amendments contained in PA2-604 (including introducing square brackets around any unresolved amendments from that version) and only reflect in track changes proposed revisions to PA2-604.

- (ii) Situation 2: A new version of a proposal is submitted after circulation of the previous version to the Parties but *before* discussion of the previous version has taken place on the floor. Generally speaking in these cases, the new changes should be added to any earlier track changes so that all proposed revisions are evident in one document. [An exception, however, could be made if showing every change in this way would complicate rather than ease review. To improve transparency, later revisions may be distinguished from earlier changes through the use of a highlight or other distinct formatting. The practices specified in this paragraph should be applied even when new revisions to a circulated proposal result from informal discussions held on the margins of the meeting.[P]].

e.g. The CPC submits PA2-604 to amend Rec. 14-04 before the meeting, and it is circulated to the Parties. Before discussion by Panel 2, the CPC revises PA2-604 based on informal discussions and submits PA2-604A, which is circulated. In this case, PA2-604A should show cumulative amendments proposed for Rec. 14-04 in track changes. [If, before discussion by Panel 2, the CPC revises PA2-604A further based on additional informal discussions and submits PA2-604B, this version of the document should also indicate in track changes the cumulative amendments proposed for Rec. 14-04. To ease review, the changes between versions could also be highlighted, such as in grey like this. (Note: Once Panel 2 discusses PA2-604B, any additional revisions would follow the procedures outlined in Situation 1 above.)[P]].

- (iii) Situation 3: A new version of a proposal is submitted *before* the previous version has been formally circulated to the Parties. In this case, changes between the new and previous versions should not be reflected in track changes. If the proposal is amending an existing measure (as defined in paragraph 1(b) above), the new version should be circulated showing revisions in track changes to the existing measure only (i.e. general rule as specified in paragraph 2(a)). If the document is a new proposal (as defined in paragraph 1(a) above), it should be circulated as a clean copy (i.e. no track changes included).

e.g., A CPC submits PA2-604 to amend Rec. 14-04 but, before it is formally circulated to the Parties, the CPC submits revisions. The CPC should replace PA2-604 with the revised version, reflecting in track changes only the proposed amendments to the existing measure (i.e., Rec 14-04). The proposal number will not change (i.e., PA2-604). New proposals should be clean the first time they are circulated to the parties even if revised after submission to the Secretariat.

3 Addition of new co-sponsors

When a proposal is amended only to add new co-sponsors, the Secretariat should upload the revised version on the server while retaining in track changes any amendments to the text that have been proposed but not yet agreed. The Secretariat should announce the availability of the revised proposal to the meeting participants, but not print it out for distribution unless there is no Wifi access at the meeting location.

Proposal flow chart



