

Original: English

## FOLLOW UP OF THE ICCAT PERFORMANCE REVIEW – COMPLIANCE COMMITTEE

<i>Report Chapter</i>	<i>Recommendations</i>	<i>LEAD</i>	<i>Timeframe</i>	<i>Proposed Next Steps</i>	<i>PR Panel Observations</i>	<i>Action to be taken, or already taken</i>	<i>Completion status following annual meeting</i>	<i>Comments</i>
<b>Data Collection and Sharing</b>	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	M	Refer to the COC for appropriate action.	PR Panel believes that this is unlikely to be a major problem (pg 10).	At 2017 meeting, it was noted that at the moment, COC has inadequate data to fully evaluate the scope of the problem. In light of this and PR Panel's observation, no action taken but item left open.	Ongoing.	
	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	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 recs.	Overall efforts should be coordinated initially by the PWG.	Refer to PWG.	Return to this in response to follow-up by PWG	
<b>Blue and White Marlins</b>	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	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.	2018 Commission adopted the billfish reporting check-sheet to improve information on CPC billfish fisheries and implementation of ICCAT billfish requirements.; these will be reviewed in 2020. COC recommended ICCAT letter to NCPs known to be harvesting marlins. In recent years, certain CPCs either identified under ICCAT's trade measures recommendation or received compliance letter concerning marlin	Ongoing, but nearing completion, as many follow up actions have been taken	

						overharvest and non-implementation of ICCAT marlin requirements. In 2018, COC referred marlin compliance tables issues to PA4 for assistance in resolution.		
<b>Sharks</b>	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	S	Refer to COC for consideration and appropriate action.		Shark check sheet has already been adopted through Rec. 16-13, and updated through 18-05. COC reviewed check sheets in 2018 and highlighted issues to be rectified by CPCs. See response above regarding marlin reporting. <u>In 2018, COC adopted Recommendation 18-06, which includes a revised shark check sheet and requires periodic resubmission by CPCs and review by COC.</u>	Done, (but will be subject to regular review)	
<b>Port State Measures</b>	69. Make more efforts to assess substantive compliance with its port State measures and to specify consequences for non-compliance.	COC	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.		<u>Since 2017 COC has</u> raised compliance concerns with CPC implementation of certain provisions, including requirements to designate ports and submit port inspection reports to ICCAT. Recommendation has been updated.	Ongoing, but nearing completion.	

<b>Cooperative Mechanisms to Detect and Deter Non-Compliance</b>	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	S	COC should consider this matter in light of the terms of recently adopted Rec. 16-22.		COC prioritized review of shark measure implementation in 2018, and in 2018 considered extending shark check sheet for submission and prioritization in future years, and considered adoption of a similar check sheet to improve billfish reporting. In 2018 COC also discussed development of a strategic plan to allow for prioritization and in-depth review of certain measure on an annual meeting cycle to be determined by the COC, taking into account a proposed schedule that the Secretariat could prepare during the intersessional period. <u>[In 2019, the COC approved a schedule for prioritization of specific measures at future meetings.]</u>	Ongoing	
<b>Follow-Up on Infringements</b>	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	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.	Chair proposes deferral of discussion of how to <u>prioritize issues</u> for future meetings, including to take into account how this matter is approach by other RFMO compliance committees.	[...]	
<b>Relationship to Cooperating Non-Members</b>	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-	COC	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	COC Chair recommends deferral of discussion of 03-20 and 94-06 to future meetings.	[...]	

	06; replace the PWG with the COC; and include a requirement to apply for renewal of Cooperating Status.				longer any overlap in their mandates. Both bodies have heavy workloads during the Annual meeting.			
Relationship to Non-Cooperating Non-Members	101. Continues to monitor fishing activities by non-cooperating non-members through cooperation between the ICCAT Secretariat and CPCs, and between CPCs.	COC	S	Secretariat, CPCs and the COC should continue to monitor fishing activities by non-members and bring them to the attention of the Commission.		For the last few years COC has been monitoring NPCs with marlin catches and sending letters, but few responses to date.	Ongoing	
	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	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).	Actions against non-cooperating non-members have included trade restrictive measures (e.g., Georgia and Bolivia, since lifted), and in more recent years identification under ICCAT's trade measures recommendation of certain non-parties for billfish catch. The Chair has also recommended that the COC further consider ways to progressively implement the <i>Resolution by ICCAT Establishing an ICCAT Schedule of Actions to Improve Compliance and Cooperation with ICCAT Measures</i> (16-17).	Ongoing	

Data Collection and Sharing	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	M		In 2018, a thorough review of the shark check sheets was carried out, as well as a more in-depth analysis of possible by catch and discard gaps. The COC will be monitoring actions taken to rectify deficiencies and updated reports will be expected from CPCs for which deficiencies were found in 2018. In 2018 COC also referred to panel's potential interpretive issues in ICCAT measures relating to this issue. Additionally, ICCAT is developing an online reporting interface to facilitate and improve CPC fulfillment of reporting requirements. <u>In 2019, the COC conducted a more in-depth review of Recommendation 16-14 on Minimum Standards for Scientific Observer Programs, which highlighted broad non-implementation, and referred the matter to PWG to consider technical improvements to the measure and STACFAD for consideration of how to provide assistance to CPCs to improve implementation.</u>	Ongoing	
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<b>Cooperative Mechanisms to Detect and Deter Non-Compliance</b>	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	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.	Some independent information is available to COC due to ICCAT requirements, but implementation and reporting problems exist in some cases that can limit evaluation of compliance by CPCs.	In 2016-17, COC requested improvements in how potential non-compliance issues identified by ICCAT observer programs are presented to the COC for review. Some changes were made, but further consideration may be given to additional improvements.	Ongoing	
<b>Reporting Requirements</b>	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	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.		For COC, deferred discussion to future meetings.	Ongoing	
<b>Decision-Making</b>	91. Reviews its working practices in order to enhance transparency in decision-making, in particular on the allocation of fishing	COM	S	Commission to coordinate action among the bodies.	The Implementation of Res. 16-22 will assist with improving transparency in the	Requirements adopted in 16-22 that improve transparency of decision making of COC include amended deadlines and	Ongoing	

	opportunities and the work of the Friends of the Chair.				COC Friends of the Chair process.	biennial special 2-day session of COC, which allow for better documented and more in-depth discussions of compliance matters, enabling CPCs to better understand the basis for COC decisions.		
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