

INTER-AMERICAN TROPICAL TUNA COMMISSION

82ND MEETING

LA JOLLA, CALIFORNIA (USA)
4-8 JULY 2011

PROPOSAL IATTC-82-G-1A

PRESENTED BY CANADA, THE EUROPEAN UNION, JAPAN, AND THE UNITED STATES

This proposal contains elements from several previous proposals on this matter, presented at various meetings of the Commission since 2007. It seeks to include all the important points raised by the various members in their proposals, and combine them into a single text which reflects these different views and is acceptable to all members of the Commission, so that this important matter can be resolved. A file showing the changes made from the [proposal](#) on which this document is based is available [here](#).

RESOLUTION BY IATTC TO UNDERTAKE A PERFORMANCE REVIEW OF THE ORGANIZATION

The Inter-American Tropical Tuna Commission (IATTC):

Noting the Course of Actions for RFMOs identified at the Joint Tuna RFMOs Meeting in Kobe, Japan on 26 January 2007, and notably those in relation to Performance Reviews and Annex I to Appendix 14 of the Report of the Joint RFMO Meeting;

Taking into account the desirability for IATTC to respond positively to the 2010 UN Resolution 65/38 calling for Regional Fisheries Management Organisations (RFMOs), such as IATTC, to undertake urgently a Performance Review;

Further noting the communication of 30 April 2007 from the Facilitator of the Performance Review Discussion identifying criteria to be used in the undertaking of a Performance Review;

Recalling that CCSBT, ICCAT and IOTC have already conducted Performance Reviews and WCPFC has started the process of undertaking a Performance Review;

Recognizing that a performance review of the AIDCP should be conducted separately by the Parties to the AIDCP since not all members and Cooperating Non-Member of the Commission (hereinafter referred to as "CPC") are Parties to the AIDCP;

Further recognising the urgency in which such Performance Reviews should be undertaken;

AGREED as follows:

1. The Commission shall conduct a Performance Review, which shall be carried out on the basis of the attached provisional list of criteria (ANNEX), taking into account all the programs and activities under the IATTC's responsibility and the relevant international agreements, and instruments related to the conservation and management of fisheries resources .
2. A Review Panel composed of a representative from 4 Members of IATTC (each from North, Central and South America, and distant water fishing members), a representative from an IATTC NGO observer, and 2 external experts with notably scientific, fisheries management and legal experience, respectively, shall be constituted. The external experts shall be internationally recognised, but not be

involved with or have experience of IATTC. The Review Panel Chairperson shall be a Panel member selected by the Panel. The Chairperson must be from a State that is not a Member to the IATTC.

3. The Secretariat shall prepare a list of 5 candidates for external experts, which shall be sent to the Members for their consideration. Members may also submit names of external experts for consideration, which the Secretariat shall circulate to all Members. 2 external experts shall be selected from these names based on the voting of Members.
4. The IATTC Secretariat will not be part of the Review Panel, but it will act as facilitators of its activities, providing logistical support and access to the information to the Review Panel, and will participate in the work of the Panel as the Panel deems necessary.
5. Travel and accommodation costs for the participation in the Review Panel meetings for external experts shall be borne by the IATTC Budget. IATTC Members shall bear the costs of their own representatives participating in the Review Panels proceedings.
6. The Panel Chairperson shall communicate the report and recommendations of the Review Panel to the Chairman of the IATTC and the Director at least 60 days in advance of the 2012 Annual Meeting. The Director shall distribute the report and recommendations to Members and Cooperating Non-Members as well as observers and place them on the Commission's website.

Suggested Criteria for Reviewing the Performance of IATTC

	AREA	General Criteria	Detailed Criteria
1	<i>Conservation and management</i>	Status of living marine resources	<ul style="list-style-type: none"> • Status of major fish stocks under the purview of the IATTC in relation to maximum sustainable yield or other relevant biological parameters. • Trends in the status of those stocks. • Status of species that belong to the same ecosystems as, or are associated with or dependent upon, the major target stocks (hereinafter referred to as “non-target species”). • Trends in the status of those species.
		Data collection and sharing	<ul style="list-style-type: none"> • Extent to which the IATTC has agreed formats, specifications and timeframes for data submission, taking into account relevant international standards. • Extent to which IATTC members and cooperating non-members, individually or through the IATTC, collect and share complete and accurate fisheries data concerning target stocks and non-target species and other relevant data in a timely manner. • Extent to which fishing data and fishing vessel data are gathered by the IATTC and shared among members and other RFMOs. • Extent to which the IATTC is addressing any gaps in the collection and sharing of data as required. • Extent to which the data collected by the Commission complies with the stock assessment needs. • Availability of the financial resources necessary for collecting data.
		Quality and provision of scientific advice	<ul style="list-style-type: none"> • Extent to which the IATTC receives and/or produces the best scientific advice relevant to the fish stocks and other living marine resources under its purview, as well as to the effects of fishing on the marine environment.
		Adoption of conservation and management measures	<ul style="list-style-type: none"> • Extent to which the IATTC has adopted conservation and management measures for both target stocks and non-target species that ensures the long-term sustainability of such stocks and species and are based on the best scientific evidence available. • Degree of correspondence between the scientific recommendations made by the Scientific Advisory Committee and/or the scientific staff of the Commission and the conservation measures adopted by the Commission. • Extent to which the IATTC has applied the best practices for fisheries management, including the precautionary approach and ecosystem approach, in accordance with the pertinent international instruments such as the Code of Conduct for Responsible Fisheries. • Extent to which the IATTC has adopted and is implementing effective rebuilding plans for depleted or overfished stocks. • Extent to which the IATTC has moved toward the adoption of conservation and management measures for previously unregulated fisheries, including new and exploratory fisheries. • Extent to which the IATTC has taken due account of the need to conserve marine biological diversity and minimize harmful impacts of fisheries on living marine resources and marine ecosystems, including minimization of discards and catches of juveniles. • Extent to which the IATTC has adopted measures to minimize pollution, waste, discards, catch by lost or abandoned gear, catch of non-target species, both fish and non-fish species, and impacts on associated or dependent species, in particular endangered species, through measures including, to the extent practicable, the development and use of selective, environmentally safe and cost-effective fishing gear and techniques. • Extent to which the IATTC has adopted measures requiring the marking of fishing gear, in accordance with the Code of Conduct for Responsible Fisheries.

		Capacity management	<ul style="list-style-type: none"> • Extent to which the IATTC has identified fishing capacity levels commensurate with long-term sustainability and optimum utilization of relevant fisheries. • Extent to which the IATTC has taken actions to prevent or eliminate excess fishing capacity and effort.
		Compatibility of management measures	<ul style="list-style-type: none"> • Extent to which measures have been adopted in a manner to ensure compatibility between high seas and areas under national jurisdiction or under each CPC controlled areas.
		Fishing allocations and opportunities	<ul style="list-style-type: none"> • Extent to which the IATTC agrees on the allocation of allowable catch or levels of fishing effort, including taking into account requests for participation from new members or participants, taking into account relevant international agreement and the status of resources. • Extent to which the IATTC allocates fishing opportunities among its members.
2	<i>Compliance and enforcement</i>	flag CPC duties	<ul style="list-style-type: none"> • Extent to which CPCs are fulfilling their duties as flag CPCs under the 1949 Convention Establishing an IATTC and the Antigua Convention, pursuant to measures adopted by the IATTC, and under other international instruments, as applicable.
		Port State measures	<ul style="list-style-type: none"> • Extent to which the IATTC has adopted port state measures, relating to the exercise of the rights and duties of its CPCs as port States. • Extent to which these measures are effectively implemented, taking into consideration the logistical resource capacity available in developing CPCs.
		Monitoring, control and surveillance (MCS)	<ul style="list-style-type: none"> • Extent to which the IATTC has adopted integrated MCS measures (e.g., required use of VMS, observers, catch documentation and trade tracking schemes, restrictions on transshipment, boarding and inspection schemes). • Extent to which these measures are effectively implemented. • Extent to which its CPCs monitor infractions of management measures. • Extent to which these measures are achieving their objectives.
		Follow-up on infringements	<ul style="list-style-type: none"> • Extent to which the IATTC, its CPCs follow up on infringements to management measures.
		Cooperative mechanisms to detect and deter non-compliance	<ul style="list-style-type: none"> • Extent to which the IATTC has established adequate cooperative mechanisms to both monitor compliance and detect and deter non-compliance (e.g., compliance committees, vessel lists, sharing of information about noncompliance). • Extent to which these mechanisms are being effectively utilized. • Extent to which the IATTC cooperates with other relevant organizations and States in order to enhance MCS.
		Market-related measures	<ul style="list-style-type: none"> • Extent to which the IATTC has adopted measures relating to the exercise of the rights and duties of its CPCs as market States or area. • Extent to which these market-related measures are effectively implemented. • Extent to which the market-related measures adopted by the IATTC contribute to the sustainable use of fishery resources.
3	<i>Decision-making and dispute settlement</i>	Decision-making	<ul style="list-style-type: none"> • Extent to which the IATTC has transparent and consistent decision-making procedures that facilitate the adoption of conservation and management measures in a timely and effective manner. • Extent to which the decision-making procedures of the IATTC are effective and contribute to the development and implementation of conservation measures that are in alignment with management objectives.
		Dispute settlement	<ul style="list-style-type: none"> • Extent to which the IATTC has established adequate mechanisms for resolving disputes.
		Transparency	<ul style="list-style-type: none"> • Extent to which the IATTC is operating in a transparent manner, as reflected in relevant international instruments, and the participation of NGOs with adequate experience is permitted. • Extent to which the IATTC decisions, meeting reports, scientific advice upon which decisions are made, and other relevant materials are made publicly

			available in a timely fashion.
4	<i>International cooperation</i>	Relationship to cooperating non-members	<ul style="list-style-type: none"> • Extent to which the IATTC facilitates cooperation between members and non-members, including through the adoption and implementation of procedures for granting cooperating status.
		Relationship to non-cooperating non-members	<ul style="list-style-type: none"> • Extent of fishing activity by vessels of non-members that are not cooperating with the IATTC, as well as measures to deter such activities.
		Cooperation with other RFMOs	<ul style="list-style-type: none"> • Extent to which the IATTC cooperates with other RFMOs, including through the network of Regional Fishery Body Secretariats.
		Special requirements of developing States	<ul style="list-style-type: none"> • Extent to which the IATTC recognizes the special needs of developing States and pursues forms of cooperation with developing States, including with respect to fishing allocations or opportunities and capacity building to participate in scientific work and increase monitoring, control and compliance capabilities, taking into account relevant international instruments. • Extent to which IATTC members, individually or through the IATTC, provide relevant assistance to developing States.
5	<i>Financial and administrative issues</i>	Availability of resources for RFMO activities	<ul style="list-style-type: none"> • Extent to which financial and other resources are made available to achieve the aims of the IATTC and to implement the IATTC's decisions.
		Efficiency and cost-effectiveness	<ul style="list-style-type: none"> • Extent to which the IATTC is efficiently and effectively managing its human and financial resources, including those of the Secretariat. • Extent to which the IATTC conducts cost-benefit analyses of its programs.