

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

13TH MEETING

Phoenix, Arizona, USA
29-30 July 2022

CHAIR'S REPORT

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The 13th meeting of the Committee for the Review of the Implementation of Measures Adopted by the Commission (Review Committee) was held on 29-30 July 2022 in Phoenix, Arizona.

1. Opening of the meeting

The meeting was opened by the IATTC Director *ad interim*, Amb. Jean-François Pulvenis, who reported that the Chair of the Committee was not present in person due to health reasons. Therefore, he asked for nominations for Chair of the meeting and Mr. Luis Molledo, of the European Union, was elected.

2. Adoption of the agenda

The provisional agenda was adopted without changes. It was announced that, under "Other Business", the European Union would present its proposal on compliance which it submitted for consideration by the Commission at its 100th meeting (see [C-1. EUR - Compliance](#)).

3. Recommendations of the 12th meeting of the Committee: progress report

Mr. Ricardo Belmontes, of the IATTC staff, presented Document [COR-13-01- Recommendations of the 12th meeting of the Committee](#). He commented that there had been good progress in complying with the recommendations adopted by the Committee and approved by the Commission at its meetings the previous year, as almost all of them had been complied with, as the document shows. He highlighted the holding, pursuant to recommendation 10, of a Compliance Workshop on 1-2 June 2022, with the objective of identifying the main issues and challenges faced by the Compliance Committee in carrying out its work, as

well as possible solutions (see Document [COR-13 INF-A](#)).

The Committee acknowledged the report but requested that “*the Secretariat provide information on whether data or reports have been submitted in previous years (e.g., the previous 5 years) as required by several resolutions*”, as it had recommended at its previous meeting, since this information is absent from the compliance report that had been prepared by the staff (see Document COR-13-02).

4. Compliance with IATTC measures in 2021:

4a. Report by the staff on compliance

Mr. Belmontes presented Document COR-13-02, which provides an account of the performance of the tuna fleet operating in the EPO in 2022, as well as compliance with the various reporting and data submission obligations as stipulated in various resolutions adopted by the Commission.

After this presentation, several Members took the floor. In general terms, Members such as [Nicaragua](#) and [Venezuela](#) emphasized that compliance with measures adopted by the Commission had improved over the years up to the good levels that can be observed today, thus echoing the Secretariat's comments.

Most of the interventions were aimed at improving both the procedures followed by the Secretariat for the preparation and presentation of the report or in relation to pending activities, as well as some specific aspects of compliance by the CPCs as referred to in the report.

- i. Regarding the first point, [Japan](#) requested that the Secretariat update its directories to ensure that in the future its communications are directed to the appropriate point of contact, which was not the case this time, which caused the delay in the required responses with the information that Japan requested to be included in a revised and updated version of the report. Likewise, the [United States](#) requested the Secretariat to prepare the format on sea turtles referred to in Resolution C-19-04, paragraph 4a.
- ii. Regarding the second point, the comments addressed several topics:
 - [Nicaragua](#) requested that the report differentiate between possible infractions corresponding to vessels and those that can be attributed to national authorities (e.g., failure to submit reports to the Commission and the Secretariat, in contravention of the provisions of the relevant resolutions).
 - [Ecuador](#) requested that the report reflect the ratio of the number of possible infractions to the size of the corresponding fleet, or the number of sets, to allow for a more objective assessment of the relative magnitude of non-compliance with the Commission's measures.
 - [Venezuela](#) stressed that it is important for CPCs to make efforts to conclude the cases they report as "under investigation".
 - [The United States](#) noted that it was necessary to review the compliance of vessels that operate with different fishing gears but that have in common the fact that they do not carry on-board observers.
 - [The United States, Nicaragua, the European Union and Venezuela](#) pointed out the need to improve the monitoring of longline vessels, taking into account that cases have been reported of not even reaching the 5% established in Resolution C-19-08, by increasing the number of observers or electronic monitoring. In response to these comments, [Costa Rica](#) acknowledged that it had not been able to achieve that percentage and that it was interested in participating in electronic monitoring pilot projects; [Panama](#) mentioned the observer coverage of its longline fleet as it had been able to achieve it to date.
 - [The United States](#) called for exploring ways to improve compliance by carrier vessels covered by the transshipment observer program.

- The European Union requested that information on compliance with the IATTC system of minimum standards for port inspections, established by Resolution C-21-07, be included.
- The European Union requested that efforts be made to resolve the discrepancies observed in the interpretation of the shark resolutions and also to clarify and specify the reference in Annex II of Resolution C-19-01 to the "mesh size" in terms of its practical application.

4b. Review of the questionnaires and additional information submitted by CPCs in compliance with Resolution C-11-07

For this review, the Chair of the Committee proposed to modify the procedure that had been followed previously, namely, to give the floor to each CPC in turn to make the corresponding presentation. Following his proposal, the Committee decided to proceed with a resolution-by-resolution and measure-by-measure review, giving each CPC identified as having possible infractions the opportunity to respond and clarify what actions it had taken in this regard. As the advantages of this new method became evident, both substantively and procedurally, the Committee decided that it would proceed in this manner in the future.

5. Review of the provisional IUU vessels list

The IATTC staff presented Document [COR-13-04 - REV IUU Vessel List 2022-2023](#), which contains information regarding the provisional IUU vessel list that the Committee should analyze and issue a recommendation to the IATTC. It was reported that the provisional IUU list included the Colombian-flag vessel *Patricia Lynn*, which Ecuador had proposed to be included in that list.

Ecuador stated that they nominated the *Patricia Lynn* to the IUU list because it conducted fishing operations in Ecuadorian waters without proper authorization.

Colombia, on the other hand, clarified that since it had received the information in May of this year, it had been in permanent contact with the Ecuadorian authorities and had undertaken an investigation to determine the responsibility of the vessel. It requested that the corresponding proceedings could be finalized in a timely manner and noted that, in the meantime, the vessel remains in port.

Venezuela expressed its agreement with the information received which fully complies with Resolution C-[C-19-02 IUU Vessel List](#) and requested that the vessel be removed from the provisional IUU list and that next year, if no progress is made, it be included again. Japan supported Venezuela's comments, as did Nicaragua, which asked Colombia to pay attention to this vessel since this same situation has occurred in the past.

The Committee agreed to recommend the removal of the *Patricia Lynn* from the provisional IUU list and did not find it necessary to consider or recommend any changes to the IUU list, as reflected in Document COR-13-04.

Additionally, the United States asked about the status of the IUU cross-list. Amb. Pulvenis informed him that the list was already published on the IATTC website and that it could be consulted on the IATTC website. [IUU cross-list](#).

6. Cooperating non-Members

Amb. Pulvenis presented Document [COR-13-03 - REV Cooperating Non-Members](#), and reported that the five current Cooperating non-Members (Bolivia, Chile, Honduras, Indonesia and Liberia) had submitted their requests for renewal of their status and that a table in the document showed that they had all complied with the requirements established by Resolution [C-07-02 Cooperating non-party status](#).

The Committee decided to recommend renewing the status of Cooperating non-Member for Liberia, Bolivia and Indonesia, who were present at the meeting remotely, leaving Chile and Honduras pending for when the issue was discussed at the IATTC plenary meeting.

7. Report of the Compliance Workshop

Mr. David Hogan, who chaired the Compliance Workshop, which was held by videoconference on 1-2 June 2022, noted that, despite the format, it had been very constructive, with active participation, which allowed for the formulation of good recommendations to improve, among others, the work of the Committee. He presented those recommendations which are included in document [COR-13 INF-A. Report on Compliance Workshop](#).

After reviewing them, the Committee decided to incorporate them in its own recommendations to the Commission, with a proposed concrete course of action for each of them, depending on their relevance.

8. Other business

a) European Union proposal on compliance

As announced at the time of the adoption of the agenda, the European Union presented its proposal on compliance (see [C-1. EUR - Compliance](#)), with a triple purpose: to provide a better structure for the Committee's discussions, to formalize the adoption by the Commission of a compliance report and to facilitate the follow-up of cases of non-compliance and related matters. The delegation emphasized that this proposal incorporated the results of the workshop held in June 2022. The main change is in the addition of an Annex 2 on categories of compliance status, as a tool to guide the work of the Committee and the Commission.

The Committee took note of the proposal, which would be presented again and discussed in the plenary of the Commission.

b) Presentation by Mr. Masa Miyahara on the compliance workshops organized by Pew and ISSF and their outcomes:

Mr. Miyahara made a presentation via videoconference (see [Introduction to the outcomes of expert group on PEW-ISSF Compliance workshops](#)) on the organization by Pew and ISSF, with the active participation of experts, chairs of the various compliance committees and compliance officers in the various RFMO secretariats, of a series of three workshops on best compliance practices within RFMOs, with the aim of formulating concrete recommendations. A group of experts is working on the recommendations, which will be published with a summary of the discussions in a document that will be made available to RFMOs shortly.

The Commission expressed its appreciation for this presentation, took note of the information and noted that it would look forward to the publication of the document for its future work.

9. Recommendations for the Commission

The Committee adopted the following recommendations:

Recommendations to staff

1. To consistently include in the Compliance Report information on compliance with specific provisions during the previous five years and present it using tables, including color coded ones, to improve its readability.
2. To provide in the Compliance Report general figures and charts on overall compliance in IATTC, including the number of reported infractions versus the total number of sets or the number of trips, or the number of vessels in the EPO in a given year.
3. Include in the compliance report information on the implementation of paragraph 3.d. of Resolution C-19-04, wherever any information on infractions is available.
4. To report the lack of reply by CPCs on the investigation of possible cases of non-compliance identified by the Secretariat under paragraph 3 of Resolution C-11-07.
5. To provide a table indicating the compliance by CPCs with the minimum observer coverage in longliners over the previous five years.
6. To include in the Compliance Report a table on the implementation of Port State Measures under Resolution C-21-07.
7. Regarding reporting obligations, to provide more concrete information in the Compliance Report on the specific data missing and not only the lack of reporting.
8. To send a Memo to CPCs at the latest 30 days after the conclusion of the 100th meeting of the Commission on the applicable modalities and deadlines for the notification of trips without observers in Resolution C-09-04.
9. To introduce improvements to Table 25 of document COR-13-02, notably to reflect the outcome of investigations and proceedings by CPCs, and consider its potential added value as a tool for CPCs to take action as appropriate. Only vessels with verified and unresolved infractions should be included in Table 25.
10. To provide compliance summary formats that facilitate reviewing CPC compliance per each resolution, as well as per CPC.
11. Implement the cross-listing procedures in Resolution C-19-02 in part by seeking IUU vessel lists from other RFMOs, as appropriate.
12. On cross listing of vessels listed on other RFMO lists under Res. C-19-02, request that the Secretariat to develop procedures to ensure that all required elements relevant to cross-listing under paragraphs 18-24 are implemented, including circulating other RFMO vessel lists and supporting information upon receipt from that RFMO, providing CPCs with 30 days to object to any cross-listing, and upon conclusion of that 30-day period circulate an amended final IATTC IUU vessel list. Further, request that the Secretariat maintain appropriate contacts with the Secretariats of RFMOs listed in para. 21 of Resolution C-19-02 and conduct follow-up as necessary to ensure that their final IUU vessel lists are sent to the IATTC Secretariat in a timely manner after adoption. Finally, request that the Secretariat circulate a list of all vessels added to the final IATTC vessel list to date via cross-listing as well as supporting information and provide CPCs with an opportunity to object within 30 days to their inclusion.

Recommendations to the Committee

13. To structure the discussions by the Committee on the assessment of individual cases on possible non-compliance by resolution instead of by CPC. Ensure this also allows for a review of additional information provided by CPCs in their compliance responses (e.g., information included as “Additional Information” on the compliance webpage or within the Questionnaires).
14. To add a permanent point on the agenda of the Committee to continue working on possible improvements to the compliance process. Further action could also include the amendment of Resolution C-11-07 based on proposals by CPCs or to convene an intersessional meeting aimed at, among other things, identifying improvements to the compliance review process and types of information that would be helpful (as well as revising current information presented to the COR to make it more helpful) for reviewing implementation of IATTC measures. This may include new templates, and automated or online reporting systems and databases that reduce reporting burden for both CPCs and the Secretariat or a ranking of the severity of compliance infractions to guide the activities of the COR.
15. Establish a provisional Compliance Report to which the Commission should outline its response in the final Compliance Report.

Recommendations to the CPCs

16. To ensure that the minimum percentage of observer coverage in longliners is met and recall the importance of data collection to promote the long-term sustainability of the stocks.
17. To encourage the relevant CPCs to notify the Secretariat, at the latest 3 months after the conclusion of the 100th meeting of the Commission, of the conservation measures applicable (i.e., either IATTC or WCPFC ones) for their vessels registered in both organizations and fishing in the overlap area under Recommendation C-12-11.

Recommendations to the Commission

18. To renew Cooperating Non-Member status to Bolivia and Liberia and to defer the decision on the renewal of Indonesia and Chile to the Commission, noting that they did not attend the Committee meeting but that they meet the requirements (COR-13-03). To remind all applicants of the obligation to attend the meetings of the Committee
19. To remove the vessel *Patricia Lynn* from Annex 3 of Document COR-13-04 REV and approve the provisional IUU list, noting the on-going proceedings initiated by Colombia and the commitment by Colombia to report on the status of the investigation at the latest at the 14th meeting of the Committee.
20. To task the IATTC Staff and the SAC with clarifying the most precise reporting metrics (i.e., effective days of fishing vs hooks deployed) in Resolution C-19-08
21. To clarify Resolution C-04-05 and C-05-03 regarding the obligation to retain sharks on-board.
22. To task the WG on FADs with considering and potentially recommending clarifications or revisions to Resolution C-19-01 to facilitate the monitoring of mesh size obligations, the design of the

underwater part or the responsibilities of vessels that have opportunistic interactions with non-compliant FADs.

23. To develop specific measures for repeated offenses by individual vessels in Table 25 of Document COR-13-02.

10. Adjournment

The meeting was adjourned at 4:40 p.m. on 30 July 2022.