

UPDATE ON PROGRESS REGARDING RESOLUTION 09/01 – ON THE PERFORMANCE REVIEW FOLLOW-UP

PREPARED BY: IOTC SECRETARIAT, 12 AUGUST 2011

PURPOSE

To provide the Scientific Committee (SC) with an opportunity to update the current status of implementation for each of the recommendations arising from the Report of the IOTC Performance Review Panel.

BACKGROUND

In response to calls from the international community for a review of the performance of Regional Fisheries Management Organisations (RFMOs), the Indian Ocean Tuna Commission (IOTC) agreed in 2007 to implement a process of Performance Review. The IOTC formed a Review Panel, consisting of an independent legal expert, an independent scientific expert, six IOTC Members and a non-governmental organisations observer, which concluded its report to the Commission in January 2009. The Panel's review was based on the criteria developed as a result of a joint meeting of tuna RFMOs, Kobe, Japan, 2007 and concentrated on the following issues:

- Adequacy of the Agreement for the Establishment of the Indian Ocean Tuna Commission (IOTC Agreement) relative to current principles of fisheries management,
- Consistency between scientific advice and conservation and management measures adopted,
- Effectiveness of control measures established by the IOTC; and
- Efficiency and transparency of financial and administrative management.

In 2009, the IOTC performance review panel published a report outlining 75 recommendations to improve the functioning of the IOTC ([Anon 2009](#)).

DISCUSSION

At the 15th Session of the Commission held in April 2011, members noted the status of implementation for each of the recommendations arising from the report of the performance review panel. Members agreed that the Secretariat and Chair of each of the three Committees should further develop the status table by including a work plan with proposed timelines and priorities.

Members tasked the Secretariat with ensuring that the revised table (Appendix A) is provided to the respective Committee's in advance of their next Sessions, in accordance with the rules of procedure.

The Commission agreed that each of the Committee's should carry out a comprehensive evaluation of the status and priority of each of the recommendations from the Performance Review, and for a revised document to be provided to the Commission at its next Session.

RECOMMENDATION/S

That the Scientific Committee:

- 1) **NOTE** the status of each of the recommendations from the performance review, as agreed to by the Commission at its 15th Session.
- 2) **REVIEW** and **UPDATE** the status table by including a work plan with proposed timelines and priorities for each recommendation relevant to the work of the Scientific Committee, for the Commission's consideration.

APPENDICES

Appendix A: Update on progress regarding Resolution 09/01 – On the performance review follow-up.

APPENDIX A

UPDATE ON PROGRESS REGARDING RESOLUTION 09/01 – ON THE PERFORMANCE REVIEW FOLLOW-UP
(NOTE: NUMBERING AND RECOMMENDATIONS AS PER APPENDIX I OF RESOLUTION 09/01)

ON THE IOTC AGREEMENT – A LEGAL ANALYSIS	RESPONSIBILITY	UPDATE/STATUS
<p>1. The final conclusion of the Panel is that the Agreement is outdated and there are many areas for improvement. The weaknesses and gaps identified are, or have a potential to be, major impediments to the effective and efficient functioning of the Commission and its ability to adopt and implement measures aimed at long-term conservation and sustainable exploitation of stocks, according to model fisheries management instruments. More fundamentally, these deficiencies are likely to prevent the Commission from achieving its basic objectives.</p>	<p><i>Commission and Members</i></p>	<p>Pending: No new developments have taken place in this area.</p>
<p>2. Consequently, the Panel recommends that the IOTC Agreement either be amended or replaced by a new instrument. The decision on whether to amend the Agreement or replace it should be made taking into account the full suite of the deficiencies identified.</p>	<p><i>Commission and Members</i></p>	<p>Pending: No new developments have taken place in this area.</p>
ON CONSERVATION AND MANAGEMENT	RESPONSIBILITY	UPDATE/STATUS
<p>Data collection and sharing</p>		
<p><i>The Panel identified a poor level of compliance by many IOTC Members with their obligations, notably those related to the statistical requirements on artisanal fisheries and sharks, and recommends that:</i></p>		
<p>3. The timing of data reporting be modified to ensure that the most recent data are available to the working parties and the Scientific Committee.</p>	<p><i>Scientific Committee</i></p>	<p>Completed: Currently CPCs are required to submit information on their flag vessels by 30th June every year. The same timeline is applicable for coastal CPCs who license foreign vessels. The timing of the Working Party on Tropical Tunas and the Working Party on Billfish are considered optimal so that assessments on the most recently available data can be completed and results reported to the Scientific Committee each year.</p>
<p>4. The deadline to provide data on active vessels be modified to a reasonable time in advance of the meeting of the Compliance Committee. This deadline is to be defined by the Compliance Committee.</p>	<p><i>Compliance Committee</i></p>	<p>Completed: Resolutions 10/07 and 10/08 have modified the reporting date for active vessels, which is now in the month preceding the meeting of the Compliance Committee. Resolution 10/08 establishes February 15th as the new deadline for submission of the list of active vessels for the previous year.</p>

5. The scheduling of meetings of the working parties and Scientific Committee be investigated based on the experience of other RFMOs. This should bear in mind the optimal delivery of scientific advice to the Commission.	<i>Scientific Committee</i>	Completed: Given the large number of meetings of other RFMOs, it is becoming increasingly difficult to find a schedule of meetings that would be better than the one currently in practice. The Scientific Committee will continue to periodically review the timing of the Working Parties.
6. The Commission task the Scientific Committee with exploring alternative means of communicating data to improve timeliness of data provision.	<i>Scientific Committee</i>	Partially completed: The Secretariat encourages members to utilise electronic means to expedite reporting. A study has been commissioned for 2011 to determine the feasibility of reporting near real-time for various fleets.
7. Non-compliance be adequately monitored and identified at individual Member level, including data reporting.	<i>Compliance Committee</i>	Ongoing: Reports on compliance with data reporting requirements have been regularly reviewed by the Compliance Committee, as well as discussed at the species Working Parties, the Working Party on Data Collection and Statistics and the Scientific Committee. For the Compliance Committee meeting of 2011, country-based reports have been prepared for this purpose.
8. The causes of non-compliance be identified in cooperation with the Member concerned.	<i>Compliance Committee</i>	Ongoing: The Terms of Reference of the Compliance Committee was revised in 2010 (Resolution 10/09) and provides for the assessment of compliance by CPCs. The Secretariat, via the Compliance Section, maintains contact with national officers to determine the reasons for non-compliance, in particular, concerning data reporting.
9. When the causes of non-compliance are identified and all reasonable efforts to improve the situation are exhausted, any Member or non-Member continuing to not-comply be adequately sanctioned (such as market related measures).	<i>Compliance Committee</i>	Ongoing: Resolution 10/10 provides the necessary framework in which to apply market related measures, following an appropriate process. Reductions in future quota allocation have been proposed as deterrents for non-compliance.
10. There is a need to improve the quality and quantity of the data collected and reported by the Members, including the information necessary for implementing the ecosystem approach. The most immediate emphasis should be placed on catch, effort and size frequency. The Panel also recommends that:	<i>Scientific Committee</i>	Ongoing: See below.
11. Support for capacity building be provided to developing States – the Commission should enhance funding mechanisms to build developing country CPCs' capacity for data collection, processing and reporting infrastructures, in accordance with the Commission requirements.	<i>Standing Committee on Administration and Finance and Finance</i>	Ongoing: Currently, the only funding available continues to be through the externally-funded IOTC–OFCF programme. Other sources and cooperative arrangements might be available in the future (e.g. SWIOFP, COI, etc.). The Secretariat continues to collaborate with these initiatives.
12. A regional scientific observer programme to enhance data collection (also for non-target species) and ensure a unified approach be established, building on the experience of other RFMOs, Regional standards on data collection, data exchanged and training should be developed.	<i>Scientific Committee</i>	Completed: Resolution 10/04 provides CPCs with the necessary framework for putting in place a scientific observer programme. The Regional Observers Scheme commenced July 1 st 2010, and is based on national implementation. The Secretariat coordinated the preparation of standards for data requirements, training and forms.

13. Actions be taken so that fishing fleets, especially Maldives, Taiwan, Province of China and Yemen participate in data collection and reporting.	<i>Commission</i>	Partially completed: Maldives became a Cooperating non-Contracting Party to the IOTC at its 14 th annual meeting and will be considered for CPC status at the 2011 meeting. Taiwan, Province of China, submits data from its fishing fleet on a regular basis. The fleets of Maldives and Taiwan,China comply with most of the IOTC mandatory data requirements. The security situation in Yemen continues to prevent a more direct joint working arrangement with national scientists on data collection issues.
14. A relationship with Taiwan, Province of China be developed in order to have data access when needed, to all its fleet data as well as historical series, and address the problems deriving from the current legal framework.	<i>Commission and Members</i>	Ongoing: Taiwan, Province of China, submits data from its fishing fleet on a regular basis and routinely allows access to historical data. It also continues to participate in the Regional Observer Programme to monitor transshipment at sea.
15. The Secretariat's capacity for data dissemination and quality assurance be enhanced, including through the employment of a fisheries statistician.	<i>Standing Committee on Administration and Finance via Scientific Committee</i> <i>Commission</i>	Ongoing: The existing post of Data Analyst was converted to a Fisheries Statistician to join the Data Section of the Secretariat.
16. A statistical working party be established to provide a more efficient way to identify and solve the technical statistical questions.	<i>Scientific Committee</i>	Completed: The Working Party on Data Collection and Statistics resumed its annual meeting in 2009.
17. The obligation incumbent to a flag State to report data for its vessels be included in a separate Resolution from the obligation incumbent on Members to report data on the vessels of third countries they licence to fish in their exclusive economic zones (EEZs).	<i>Compliance Committee</i>	Completed: Resolutions 10/07 and 10/08 address the reporting requirements of flag and coastal States responsibilities, with regards to vessels that are active in the IOTC Area.
<i>In relation to non-target species, the panel recommends that:</i> 18. The list of shark species for which data collection is required in Recommendation 08/04 be expanded to include the five species identified by the Scientific Committee (blue shark, shortfin mako, silky shark, scalloped hammerhead, oceanic whitetip), and apply to all gear types.	<i>Commission</i>	Partially completed: In 2010, the majority of the Working Party on Ecosystems and Bycatch recommended a list of eleven species or species-groups for inclusion in Resolution 08/04. All of these species or groups are considered easily identifiable by fishers. It is noted here that although silky shark is perhaps the most important shark bycatch species in tropical tuna fisheries, it is not easily identified by fishers, since it is readily confused with similar species. The Commission meeting in 2011 will be considering several proposals in this regard.
19. The Secretariat's capacity to provide support to developing States' Members should be enhanced.	<i>Commission and Standing Committee on Administration and Finance</i>	Ongoing: Resolution 10/05 provides a mechanism for financial support to facilitate scientists and representatives from IOTC Members and Cooperating non-Contracting Parties who are developing States to attend and/or contribute to the work of the Commission, the Scientific Committee and its Working Parties. The Secretariat has also collaborated directly and indirectly with other regional initiatives including but not limited to the OFCF, SWIOFP, ACP II and COI.

20. Cooperative capacity building efforts amongst Members and, as appropriate external organisations, should be encouraged.	<i>Members and Secretariat</i>	Ongoing: See Recommendations 13 and 21.
21. Innovative or alternative means of data collection (e.g. port sampling) should be explored and, as appropriate, implemented.	<i>Scientific Committee</i>	Ongoing: The Secretariat has been implementing sampling programmes since 1999. The IOTC–OFCF Programme has supported sampling programmes and other means of data collection since 2002.
22. Avenues to collect data from non–Members should be explored.	<i>Secretariat</i>	Ongoing: The activities of the IOTC–OFCF Project have not been limited to IOTC members, and, in the past, have extended to important non–member fishing countries such as Yemen and Maldives.
Quality and provision of scientific advice		
23. For species with little data available, the Scientific Committee should be tasked with making use of more qualitative scientific methods that are less data intensive.	<i>Scientific Committee</i>	In progress: The species Working Parties have been using informal analyses of stock status indicators when data are considered insufficient to conduct full assessments for some time. However, a formal system that reviews those qualitative indicators and provides a recommendation on the current status, based on the weight–of–evidence has yet to be developed.
24. More emphasis should be given to adherence to data collection requirements.	<i>Compliance Committee</i>	In progress: The Working Party on Data Collection and Statistics and the species Working Parties evaluate the availability and quality of data, and makes recommendations to the Scientific Committee on how to improve data quality. The Compliance Committee receives a report on the timeliness and completeness of the reporting of the data required by the various Resolutions of the Commission for each country.
25. Confidentiality provisions and issues of accessibility to data by the scientists concerned needs to be clearly delineated, and/or amended, so that analysis can be replicated.	<i>Scientific Committee</i>	Ongoing: Input, output and executable files for the assessment of major stocks are archived with the Secretariat to allow replication of analyses. Access to operational data under cooperative arrangements, and those subject to confidentiality rules is still limited. In some cases the Secretariat is bound by the domestic data confidentiality rules of Members and Cooperating non–Contracting Parties.
26. The resources of the IOTC Secretariat should be increased. Even though some progress will be made with recruitment of the stock analysis expert, some additional professional staffing is required.	<i>Standing Committee on Administration and Finance on advice from Committees and the Commission</i>	Pending: The Commission declined the request for additional staff in 2010. The Secretariat will propose a budget for the 2011 and 2012 that includes additional professional staff, as recommended by the Scientific Committee.

27. To enhance the quality of scientific advice and the technical soundness of the papers being considered by the Scientific Committee and its working parties, and to encourage publication of IOTC scientific papers in relevant journals, future consideration should be given to the establishment of a scientific editorial board within the Scientific Committee	<i>Scientific Committee</i>	Partially completed: Not yet discussed by the Scientific Committee. However, guidelines for the presentation of stock assessment papers were revised and agreed to by the Scientific Committee in 2010.
28. An online IOTC Data Summary should be established	<i>Secretariat</i>	Pending: Budgetary provisions to be renewed for 2011.
29. Ongoing peer review by external experts should be incorporated as standard business practice of working parties and the Scientific Committee.	<i>Scientific Committee</i>	Pending: External experts are regularly invited to provide additional expertise, although this does not constitute a formal process of peer review. The Scientific Committee in 2010, agreed that once stock assessment models were considered robust, that peer review would be advantageous and funds will be requested to undertake peer reviews of stock assessments.
30. New guidelines for the presentation of more user friendly scientific reports in terms of stock assessments should be developed. In this respect, Kobe plots are considered to be the most desirable method of graphical presentation, especially to non–technical audience.	<i>Scientific Committee</i>	Partially completed: All recent stock assessment results have been presented using the Kobe plot, and the species Working Parties are progressing in presenting the Kobe matrix. The 2010 Scientific Committee report includes Kobe Matrices for both bigeye tuna and swordfish. The stock status table at the front of the Scientific Committee report was also revised in 2010 to reflect the Kobe plot format.
31. A special fund to support the participation of scientists from developing States should be established.	<i>Standing Committee on Administration and Finance</i>	Completed: A Meeting Participation Fund was established via Resolution 10/05. The Resolution provides a funding mechanism to facilitate scientists and other representatives from IOTC Members and Cooperating non–Contracting Parties (CPCs) who are developing States to attend and/or contribute to the work of the Commission, the Scientific Committee and its Working Parties. The fund is financed, initially, by accumulated funds, with no provisions for long–term support yet agreed.
32. The Commission should renew efforts to convene meetings of the Working Party on Neritic Tunas	<i>Commission</i>	Pending: Programmed for 2011/2012. Depended on resources of the Secretariat and availability of data.

Adoption of conservation and management measures		
33. As the IOTC has faced the management of the main targeted stock under its purview only through a regulation of the fishing effort; other approaches should be explored, such as those envisioned in Resolution 05/01, including catch limits, total allowable catch (TAC) or total allowable effort (TAE).	<i>Commission</i>	In progress: Resolution 10/01 provides the starting point in the process of moving towards a total allowable catch limit. The first meeting of the Technical Meeting on Allocation Criteria was held in Nairobi, Kenya from 16–18 February 2011. A further meeting in early 2012 was proposed and will be considered by the Commission in 2011.
34. Within the system of the freezing of fishing effort in terms of number of vessels and correspondent capacity in gross tonnage, a deadline should be agreed for the implementation of fleet development plans.	<i>Commission</i>	Completed: Some CPCs have cited the global financial crisis as the reason for their inability to implement their fleet development plan and have therefore signalled to the Commission that their plan will be revised. A deadline of 31 st December, 2010, was set for submission of all revised or new fleet development plans.
35. IOTC should consider developing a framework to take action in the face of uncertainty in scientific advice.	<i>Scientific Committee and Commission</i>	In progress: The Scientific Committee has agreed that the development of a Management Strategy Evaluation process be initiated to provide better advice that would incorporate explicit consideration of uncertainty.
36. IOTC should use the full range of decision making processes available to it under the Agreement.	<i>Commission</i>	Ongoing: For the first time in its history of adopting conservation and management measures, the Commission took a vote on a proposed resolution during its 14 th Annual Session.
37. The IOTC Agreement needs to be amended or replaced in order to incorporate modern fisheries management principles, such as the precautionary approach.	<i>Commission and Members</i>	Pending.
38. Pending the amendment or replacement of the Agreement, the Commission should implement the precautionary approach as set forth in the UNFSA.	<i>Commission</i>	Pending: see also Recommendation 35.
39. Measures to regulate shark fisheries should be considered by the Commission.	<i>Commission</i>	In progress: Resolution 05/05 provides the framework for combating the practice of shark finning and Resolution 10/12 is aimed at the conservation of sharks of the family Alopiidae. A number of proposals will be considered by the Commission at its 2011 meeting.
40. There is a need to develop and take into account modern principles for fisheries management, including ecosystem based approach, protection of marine biodiversity and reducing the harmful impacts of fishing on marine environment.	<i>Commission and Members</i>	Ongoing: Resolutions 09/05, 09/06 and 10/06 are all aimed at encouraging fishing practices that protect marine biodiversity and reducing the harmful impacts of fishing on the marine environment or on species that are incidentally caught in association with IOTC species.
41. These concepts should be integrated in the IOTC Agreement.	<i>Commission and Members</i>	Pending.

Capacity management		
42. IOTC should establish a stronger policy on fishing capacity to prevent or eliminate excess fishing capacity.	<i>Working Party on Fishing Capacity</i> <i>Scientific Committee</i> <i>Commission</i>	Ongoing: The Commission has since 2003 adopted a series of Resolutions (03/01, 06/05, 07/05 and 09/02) with the objective of addressing the issue of fishing capacity. However, to date these resolutions have not resulted in a strong control on fishing capacity, and the concern remains that overcapacity might result from this lack of control. The Secretariat is actively involved in developing the global vessels record for vessels fishing for tuna and tuna-like species that would contribute to the assessment of existing fishing capacity.
43. Loopholes in the current systems of fishing capacity limitation, such as the establishment of fleet development plans and exemptions for vessels less than 24 meters, should be closed.	<i>Working Party on Fishing Capacity</i> <i>Commission</i>	Partially completed: Resolution 09/02, and the decisions made at IOTC 14, establishing a new deadline to file fleet developments plans, aim at establishing firm capacity targets.
44. IOTC should endorse the recommendation of the Scientific Committee to create a Working Group on Fishing Capacity.	<i>Commission</i>	Completed: The first Working Party on Fishing Capacity was convened in 2009. In 2010 as no new documents were presented, it was amalgamated into the Working Party on Tropical Tunas as a theme session.
Compatibility of management measures		
45. IOTC Members should be invited to promptly implement IOTC conservation and management measures through their national legislation.	<i>Secretariat and</i> <i>Commission</i>	Ongoing: CPCs are reminded annually about the responsibility of integrating IOTC conservation and management measures in their national legislation. The Secretariat is cooperating with CPCs by assisting in the assessment of the legal needs to effectively implement IOTC measures.
Fishing allocations and opportunities.		
46. IOTC should explore the advantages and disadvantages of implementing an allocation system of fishing quota, expressed as TAC or TAE system. Such an investigation should include consideration of how significant catches by current non-Members would be accounted for.	<i>Commission</i>	In progress: Resolution 10/01 has begun the process of moving towards the implementation of a total allowable catch limit for IOTC species. A Technical Meeting on Allocation Criteria has discussed proposed guidelines and methods to allocate future quota.
ON COMPLIANCE AND ENFORCEMENT	RESPONSIBILITY	UPDATE/STATUS
Flag State duties		
47. Any amendment to or replacement of the IOTC Agreement should include specific provisions on Member's duties as flag States, drawing on the relevant provisions of the UNFSA.	<i>Commission and Members</i>	Pending.

Port State measures		
48. Any amendment to or replacement of the IOTC Agreement should include specific provisions on Member's duties as port States.	<i>Commission and Members</i>	Pending.
49. IOTC should explore the possible implementation of the FAO Model Scheme on Port State Measures.	<i>Commission</i>	Completed: see Recommendation 50.
50. The IOTC should duly note the outcome of the current process for establishment of a globally binding agreement on port State measures.	<i>Commission</i>	Completed: Resolution 10/11 is inspired by the FAO Port State Measures Agreement. By adopting this resolution, IOTC CPCs have agreed to implement the conditions of this agreement even before it becomes globally binding, and it became the first RFMO to do so.
Monitoring, Control and Surveillance		
51. IOTC should develop a comprehensive monitoring, control and surveillance (MCS) system through the implementation of the measures already in force, and through the adoption of new measures and tools such a possible on-board regional observers' scheme, a possible catch documentation scheme as well as a possible system on boarding and inspection.	<i>Compliance Committee</i>	In progress: IOTC already has an extensive number of MCS related measures. However, the implementation of these measures are the duty and responsibility of the CPCs. Proposals to introduce a catch documentation scheme, especially for the major IOTC species, have until now been rejected by CPCs. Resolution 10/04 – observers and field samplers are required monitor the unloading of catches.
Follow-up on infringements		
52. The current IUU resolution should be amended to allow the inclusion of vessels flagged to Members.	<i>Commission</i>	Completed: Resolution 09/03, which supersedes Resolution 06/03, was adopted for this purpose.
53. IOTC should explore options concerning the possible lack of follow-up on infringements by CPCs.	<i>Compliance Committee</i>	Ongoing: The Compliance Committee, under its revised terms of reference, will be in a better position to assess such cases.
54. IOTC should establish a sanction mechanism for non-compliance, and task the Compliance Committee to develop a structured approach for cases of infringement.	<i>Compliance Committee</i>	In progress: The Compliance Committee, under its revised terms of reference, shall develop a scheme of incentives and sanctions and a mechanism for their application to encourage compliance by all CPCs.
55. Provisions for follow-up on infringement should be included in any amended/replaced Agreement.	<i>Commission and Members</i>	Completed: The Compliance Committee, under its revised terms of reference, will be in a position to follow up on matters concerning each individual CPC.
Cooperative mechanisms to detect and deter non-compliance		
56. A structured, integrated approach to evaluate the compliance of each of the Members against the IOTC Resolutions in force should be developed by the Compliance Committee.	<i>Compliance Committee</i>	In progress: For the Compliance Committee meeting of 2011, country-based reports have been prepared for this purpose.

57. CPCs should be reminded of their duty to implement in their national legislations the conservation and management measures adopted by IOTC.	<i>Compliance Committee</i>	Ongoing: CPCs are reminded annually about the responsibility of integrating IOTC conservation and management measures in their national legislation. The Reports of Implementation, mandated in the IOTC Agreement, provide a mechanism to monitor progress of implementation at the national level.
58. The requirement to present national reports on the implementation of IOTC measures should be reinforced.	<i>Compliance Committee</i>	Ongoing: Reminders are sent to CPCs prior to the Commission meeting and a template has been developed by the Secretariat to facilitate the preparation of national reports on implementation of IOTC measures. Compliance with this requirement will be assessed in the country-based compliance reports.
59. The sense of accountability within IOTC seems to be very low; therefore more accountability is required. There is probably a need for an assessment of the performance of CPCs.	<i>Compliance Committee</i>	Ongoing: The revised terms of reference of the Compliance Committee will facilitate this assessment in the form of the country reports prepared for the 2011 session.
60. Establishment of formal mechanisms of MCS (e.g. observers programmes) should be considered	<i>Compliance Committee</i>	Ongoing: Resolution 08/02 provides for an observer programme to monitor at sea transshipments, but by placing observers only on carrier vessels. Resolution 10/04 establishes a Regional Observer Scheme that includes observers on board vessels, and port sampling for artisanal fisheries.
Market related measures		
61. As IOTC action in terms of measures relating to the exercise of rights and duties of its Members as market States are very weak, the non-binding market related measure should be transformed into a binding measure.	<i>Commission</i>	Completed: Resolution 10/10 meets this requirement.
62. The bigeye statistical document programme should be applied to all bigeye products (fresh and frozen). Catch documentation schemes for target species of high commercial value should be considered. Alternatively, expanding the scope of the current statistical document programme to address current loopholes should be considered.	<i>Commission</i>	In progress: A proposal for a resolution to introduce a catch documentation scheme, especially for the major IOTC species, was not endorsed by CPCs at its 14 th Annual Session. A revised proposal will be considered during the 15 th session in 2011.
ON DECISION MAKING AND DISPUTE SETTLEMENT	RESPONSIBILITY	UPDATE/STATUS
Decision making		
63. In order to improve the IOTC practices of decision making and adoption of measures, when every effort to achieve consensus has been exhausted, invoking the procedure of voting should be explored	<i>Commission</i>	Ongoing: Resolution 10/12 was voted upon by CPCs at the IOTC's 14 th Annual Session. It was the first time that the voting procedure was used in IOTC for the adoption of a resolution.
64. Amending the objection procedure so that it is more rigorous, and in line with other RFMO Conventions, featuring restricted grounds for the bases to object is recommended.	<i>Commission and Members</i>	Pending.

Dispute settlement		
65. A provision on dispute settlement should be amended in line with the requirements of UNFSA.	<i>Commission and Members</i>	Pending.
ON INTERNATIONAL COOPERATION	RESPONSIBILITY	UPDATE/STATUS
Transparency		
66. The active vessels list should be made available on the IOTC website.	<i>Commission Secretariat</i>	Completed: Resolutions 07/02, 10/07 and 10/08. The lists of authorised and active vessels are hosted on the IOTC website.
67. The Commission, in consultation with the Scientific Committee, should review the availability of critical data sets used in development of scientific advice and take steps to assure that these data are held at the Secretariat and available for validation of analyses, subject to the appropriate confidentiality requirements.	<i>Commission</i>	Ongoing: See Recommendations on Data collection and sharing above.
Relationship to cooperating non Members		
68. The legal framework of the IOTC Agreement should be amended or replaced in order to enable fishing players active in the area to discharge their obligations in line with the UNFSA.	<i>Commission and Members</i>	Pending: In the meantime, alternative ways of participation of active fishing fleets in the activities of the Commission are being pursued.
Relationship to non cooperating non Members		
69. Although the IOTC has strengthened its action towards non–Members in order to have all important fishing players included under its remit, diplomatic approaches should be made by IOTC Members to non–Members with active vessels in the area.	<i>Commission</i>	Ongoing: The Secretariat has been active in contacting relevant non–Members to encourage their participation. Recent examples include the Maldives and Mozambique. The Secretariat has also responded to queries, briefed representatives about membership from the DPR of Korea, United Arab Emirates, Republic of Yemen and Somalia.
70. When non–cooperation is identified and all reasonable efforts to improve the situation are exhausted, any non–Members continuing not to cooperate should be adequately sanctioned by, for example, market related measures.	<i>Compliance Committee</i>	Ongoing: Resolution 10/10 provides the necessary framework in which to apply market related measures. Actions are to be taken by the Compliance Committee, under its revised terms of reference.
Cooperation with other RFMOs		
71. IOTC should establish mechanisms for a mutual recognition of IUU lists with other RFMOs.	<i>Commission</i>	Partially completed: This issue is addressed in the Resolutions dealing with capacity transfers insofar as to vessels found on IUU lists of other tuna RFMOs should not be flagged by CPCs.

72. IOTC should develop cooperative mechanisms, such as MoUs, to work in a coordinated manner on issues of common interest, in particular non-target species and an ecosystem approach with other RFMOs especially with SIOFA.	<i>Commission</i>	Ongoing: The Secretariat is active in identifying opportunities for collaboration, for the consideration of the Commission.
73. IOTC should annually agree on a Member attending other tuna RFMO meetings as an observer on its behalf and reporting back to the Commission on matters of interest	<i>Commission</i>	Ongoing: Pending annual financial approval by the Commission.
Special requirements of developing States		
74. A specific fund to assist capacity building should be put in place.	<i>Standing Committee on Administration and Finance</i>	Complete. A Meeting Participation Fund was established via Resolution 10/05.
75. Members, that are Parties of UNFSA, should make use of the part VII Fund, established under UNFSA.	<i>Members</i>	Ongoing: Regular reminders are sent to CPCs.
Participation		
76. Financial support, in particular for attendance in the scientific activities to developing States, is needed.	<i>Standing Committee on Administration and Finance</i>	Partially completed: A Meeting Participation Fund was established via Resolution 10/05. The Resolution provides a funding mechanism to facilitate scientists and other representatives from IOTC Members and Cooperating non-Contracting Parties (CPCs) who are developing States to attend and/or contribute to the work of the Commission, the Scientific Committee and its Working Parties. The fund is financed, initially, by accumulated funds, with no provisions for long-term support yet agreed.
77. The legal framework of the IOTC should be amended or replaced in order to enable fishing players active in the area to discharge their obligations in line with the UNFSA.	<i>Commission and Members</i>	Pending.
ON FINANCIAL AND ADMINISTRATIVE ISSUES		UPDATE/STATUS
Availability of resources for RFMO activities –efficiency and cost-effectiveness		
78. The IOTC Agreement as well as financial management rules should be amended or replaced in order to increase Members' as well as Secretariat's control of all the budget elements, including staff costs of the budget. This would also improve transparency.	<i>Standing Committee on Administration and Finance</i> <i>Commission and Members</i>	Pending.

79. Prior to the Commission assuming full control of the budget, the Commission meeting at which the budget is considered should be held as close as possible to the commencement of the financial year to which this budget relates and if possible in advance of that year.	<i>Commission</i>	Completed: The meeting of the Commission has moved back towards the beginning of the financial year, thus reducing the difficulties of operating without a budget.
80. A fee system should be considered as a possible funding mechanism for possible new activities.	<i>Commission</i>	Pending: The IOTC Regional Observer Program (monitoring transshipment at sea) is fully funded by the participants through such a fee system.
81. The agreed external financial audit should be implemented as soon as possible, and should include a focus on whether IOTC is efficiently and effectively managing its human and financial resources, including those of the Secretariat.	<i>Standing Committee on Administration and Finance Commission</i>	Pending.