

**DRAFT** v3 February 2018

## AGENDA FOR THE 1<sup>ST</sup> TECHNICAL COMMITTEE ON PERFORMANCE REVIEW

**Date:** 8-9 February 2018

**Venue:** Savoy Hotel, Beau Vallon, Seychelles

**Time:** 9:00–17:00 daily

**Chairperson:** Ms Kim Jung-re Riley (IOTC Vice-Chairperson)

**1. OPENING OF THE SESSION AND ENDORSEMENT OF THE CHAIRPERSON**

**2. LETTER OF CREDENTIALS**

**3. ADMISSION OF OBSERVERS**

**4. ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION**

**5. BACKGROUND TO THE FORMATION OF THE TCPR**

*Brief recap of Resolution 16/03 'On the second performance review follow-up and the creation of the TCPR' (no paper).*

**6. PROGRESS ON THE IMPLEMENTATION OF RECOMMENDATION ARISING FROM THE 2<sup>ND</sup> PERFORMANCE REVIEW PANEL REPORT**

*At S21, the Commission noted paper IOTC–2017–S21–08\_Rev1 which outlined the progress on the implementation of the recommendations arising from the report of the 2nd Performance Review Panel (IOTC-2016-PRIOTC02-R) and recommended that this be discussed by the TCPR. Document 08-Rev1 has been updated and made available as IOTC-2018-TCPR01-02.*

**7. REPORT THE ON COSTS AND BENEFITS OF MAINTAINING THE INSTITUTIONAL LINK WITH FAO**

*Recap of reports on the costs and benefits of IOTC's relationship with FAO. IOTC-2016-S20-05 will be presented by Mr Glenn Hurry (IOTC consultant); and IOTC-2016-S20-INF01 will be presented by the EU.*

**8. MAKING A RECOMMENDATION TO THE COMMISSION ON THE INSTITUTIONAL LINK WITH FAO**

*The TCPR's terms of reference (attached to this agenda) calls on the TCPR to make a recommendation to the Commission to decide whether the IOTC should remain within the FAO framework or become a separate legal entity. If necessary and appropriate in order to adopt an Agreement as an independent legal identity, the Technical Committee can propose to terminate the IOTC Agreement in accordance to the Article XXII of the of the current Agreement.*

**9. PREPARATION OF A PROGRAMME OF WORK**

*The TCPR's terms of reference calls on the TCPR to prepare a Work Plan with concrete actions on the recommendations of the Performance Review Panel Report, including priorities, proposed timelines, budgets.*

**10. CONSIDERATION OF MANAGEMENT MEASURES RELATED TO COMPLIANCE**

*At S21 the Commission requested that the TCPR consider, sharing and cross-listing of IUU lists with other RFMOs in order to combat IUU activities globally; and report back to the Commission this matter (the Secretariat will make a short presentation on this matter).*

**11. OTHER BUSINESS**

**12. ELECTION OF THE CHAIRPERSON AND VICE-CHAIRPERSON FOR THE NEXT MEETING**

**13. ADOPTION OF THE REPORT**

**TERMS OF REFERENCE - TECHNICAL COMMITTEE ON PERFORMANCE REVIEW**  
**(FROM RESOLUTION 16/03 – On the second performance review follow-up)**

A Technical Committee is established with the following Terms of Reference:

1. To prepare a Work Plan with concrete actions on the recommendations of the Performance Review Panel Report, including priorities, proposed timelines, budgets.
2. To develop a new text of the IOTC Agreement with respect to the recommendations of the 2PRP and based on the following scope:
  - a) Develop proposed language for the IOTC Agreement that takes into account modern principles of fisheries management;
  - b) Develop a multi-year Program of Work that outlines the specific priority issues to be discussed using the legal analysis contained in this report to inform the Technical Committee deliberations;
  - c) Make proposals to enable the participation of all fishing players in IOTC;
  - d) That all CPCs, wishing so, should participate in this Technical Committee and that funds be provided to support the participation of developing coastal States in the meetings;
  - e) That the Technical Committee meets at least annually and to the extent possible progress on its work inter-sessionally using electronic means.
3. To make a recommendation to the Commission to decide whether the IOTC should remain within the FAO framework or become a separate legal entity, and as necessary as a matter of the highest priority, begin consultations with the FAO. If necessary and appropriate in order to adopt an Agreement as an independent legal identity, the Technical Committee can propose to terminate the IOTC Agreement in accordance to the Article XXII of the of the current Agreement.
4. To report and make recommendations, as appropriate, to the Commission on the progress regarding Resolution 09/01 *on the Performance Review follow-up*.
5. In developing proposed amendments to the current Agreement and producing draft recommendations, to take into account the input of IOTC Contracting Parties, Cooperating Non-Contracting Parties and other IOTC Fishing players.
6. The Technical Committee will carry out its work in accordance with the following Program of Work:

2016–17	2017–18	2018–19
Meet intersessionally to discuss proposed amendments to the Agreement, including draft text, and to produce a recommendation to the Commission to decide whether the IOTC should remain within the FAO framework or become a separate legal entity at the 2018 Annual Meeting.	Meet intersessionally to continue discussion of proposed amendments to the Agreement, and develop consolidated proposed Agreement texts that will serve as a negotiating text for future meeting(s).	Meet intersessionally to finalise, if possible, proposed amendments to the Agreement. Present the final proposed Agreement text for adoption.