Glen-san and Lara-san,

First, Japan would like to appreciate the Panel members for their difficult work to finalize this report. Japan appreciates the Chair of the IWG, Glen-san and the Secretariat for their effort, too. We recognize that this report contains lots of useful elements to improve the CMM2017-07. This time, Japan sends general comments on the Panel’s report.

The report highlights the CMS as the serious burden for CCMs with small administration, however, Japan would like to point out that current CMS process is serious burden not only for CCMs with small administration but also other CCMs. Therefore, the current CMS process should be streamlined to be effective.

In this sense, Japan supports the following Panel’s recommendations: removing the requirement for duplicate data submissions and streamlining the discussion during TCC including identifying key audit points for each CMM. Particularly, we consider that ICCAT like Friend-of-the-Chair 2-stage arrangement is good option to reduce the demands on TCC to consider and address matters of an administrative and low-priority nature and to prioritize issues cases for TCC review. Also, Japan would like to suggest another idea to reduce the demands on TCC. Only compliance status as CCM is discussed at the TCC and then each vessel’s case is reported in online case file system. For example, in silky shark CMM, whether CCMs has law to prohibit retention of silky shark or not and whether any vessels of the CCM violated the law or not in the previous year, are only discussed in TCC. Then, cases in vessel A, B and C is explained in detail in online case file systems.

The Panel report says that most legal systems around world are not universal and they do not take the same shape in every legal system, so the principles of natural justice or procedural fairness are not “one size fits all”. We would like to stress that this point is very important in the fair discussion about compliance status.

We support to develop the procedure to respond to non-compliance, including development of Compliance Action Plan. However, we should note that Compliance Action Plan is not necessary for every single obligation. For example, developing Compliance Action Plana for couple of misreporting in RFV is a bit redundant. So, we are of the view that we should carefully discuss the procedure to respond to non-compliance.

The Panel recommends an extended (18-month) negotiating time frame for CMM adoption. Japan supports the spirit of this recommendation that is to reduce conflict of interpretation of CMMs. However, many CCMs request urgent action for the conservation and sustainable utilization of highly migratory species, taking into account the latest stock assessment. So, we should carefully discuss this idea. We believe that the best way to remove conflict of interpretation is careful discussion in the Commission meeting. Also, another option is that adopting a CMM as one year measure and review it next year, when the Commission adopts very complicated CMMs.

The Panel recommends the increased use of small groups to negotiate and deal with discrete deals. We cannot support this idea, because delegation with limited number of staffs and non-English speaking delegation are hard to effectively join the discussion. Of course, we do not deny the simultaneous discussion, but it should be avoided as much as possible.

Those are our initial comments on the Panel’s report. We are looking forward to discussing to amend CMM2017-07 taking into consideration this report.

Finally, Lara-san, please register following 2 staffs in Fisheries Agency of Japan to join the on-line work of CMS-IWG.

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Best regards,

Wataru Tanoue