

**PROPOSED WORKPLAN TO FINALIZE
THE PROPOSALS FOR CONVENTION AMENDMENT**

Prepared by the Chair of the Working Group on Convention Amendment

In the opening session of Plenary, the Commission adopted the report of the 6th Meeting of the Convention Working Group (PLE-103) and its recommendations. The Commission agreed to take the output of the Working Group forward for finalization and adoption, including the proposed text to amend the ICCAT Convention, the associated draft Resolution Regarding Participation by Fishing Entities under the Amended ICCAT Convention, and the draft Recommendation on Species Considered to be tuna and tuna-like Species or Oceanic, Pelagic, and Highly Migratory Elasmobranchs (PLE-106A). The Commission agreed that these constitute a package, and the texts are final and not subject to any further substantive negotiation and discussion.

Next Steps:

- The text of the proposed amendments will undergo a legal and technical review in the first quarter of 2019, according to the following terms of reference:

The Technical and Legal Editing Group of the Contracting Parties is charged with reviewing the existing text by addressing the following:

- a. Consistency check of use of terminology within the Convention text;
- b. Issues related to format (e.g. punctuation, spelling, format for numbering, cross references, etc.);
- c. Correct use of language; and
- d. Consistency of language among the English, French, and Spanish versions of the text.

The mandate of the Technical and Legal Editing Group does not include making any changes to the negotiated text unless absolutely necessary from a legal drafting point of view, and provided that any new language conveys the same meaning. Participants per Contracting Party are limited to a maximum of two.

- Once reviewed by the Technical and Legal Editing Group, the Executive Secretary will circulate the text in all three languages to all CPCs, so that they may review the text in each of the three ICCAT official languages and, within 45 days, identify any issues or discrepancies found among the different versions of the text.
- The Chair of the Commission, in consultation with the Chair of the Working Group on Convention Amendment, will prepare a draft Protocol by which the proposal for amendment will be adopted by the Commission. The Executive Secretary will circulate this draft to all CPCs at least six months in advance of the 2019 Commission meeting.
- The draft Protocol will:
 - Set out the text of the proposed amendments
 - Highlight the associated Resolution and Recommendation that will be adopted concurrently
 - Specify that the amendments involve new obligations
 - Affirm that the amendments will enter into force pursuant to the second scenario in Article XIII, i.e. they will take effect on the 90th day after three-fourths of the Contracting Parties have deposited their notification of acceptance with the Depositary, and thereafter for each remaining Contracting Party upon its acceptance.

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- Note that any Contracting Party that is not yet bound by the amendments may choose to implement them provisionally.
 - Encourage all Contracting Parties expeditiously to complete their approval or ratification process in order that the amendments may enter into force as soon as possible.
 - Provide any necessary policy guidance for how the Commission intends to function during the period until the amendments have taken effect for all Contracting Parties.
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- Contracting Parties will ensure that they have completed their respective internal procedures in order to have all necessary mandates and powers to adopt the Protocol at the time of the 2019 annual meeting of the Commission.
 - At the opening of the session for the adoption of the Protocol, the Executive Secretary shall inform the Commission whether all of the Contracting Parties have provided documents showing explicitly that they are mandated to adopt the Protocol.
 - During the course of the 2019 annual meeting, the Contracting Parties will adopt the Protocol containing the proposal for amendment, and concurrently the Commission will adopt the fishing entity Resolution and species Recommendation.
 - The adopted Protocol with Proposal for Amendment will be deposited with the Director-General of the Food and Agriculture Organization of the United Nations, who will transmit a certified copy of the text to all Contracting Parties so that they may begin their ratification process.