
ON THE REMOVAL OF OBSOLETE CONSERVATION AND MANAGEMENT MEASURES**SUBMITTED BY: AUSTRALIA & EUROPEAN UNION, 03 APRIL 2013**

Explanatory Memorandum

At each Session of the Commission, Members consider and adopt Conservation and Management Measures (CMMs) in accordance with Article IX, paragraph 1 (Resolutions) or paragraph 8 (Recommendations) of the IOTC Agreement. Resolutions are binding on Members while Recommendations are non-binding, but are adopted with the aim of furthering the objectives of the IOTC Agreement. At present (March 2013), there are 61 active IOTC CMMs consisting of 49 Resolutions and 12 Recommendations.

Of the 61 active CMMs adopted by the Commission, 18 are potentially obsolete (11 Resolutions and 7 Recommendations), as they are considered to have been fulfilled, or are obsolete, as they have been replaced by a new Resolution without having been superseded, or are no longer relevant to the conservation and management of tuna and tuna-like species in the Indian Ocean.

Noting recommendation 4 of the compendium working group, the Commission may also wish to include the following 5 Resolutions to the list of 10 Resolutions to be revoked in the attached proposal, as they are of a procedural or administrative nature and may be best placed within the IOTC's Rules of Procedure:

Resolution 98/05 On Cooperation With Non-Contracting Parties

Resolution 02/09 Establishment Of The Standing Committee On Administration And Finance (SCAF)

Resolution 03/02 On Criteria For Attaining The Status Of Co-Operating Non-Contracting Party

Resolution 10/05 On The Establishment Of A Meeting Participation Fund For Developing State Members

Resolution 10/09 Concerning The Functions Of The Compliance Committee

RESOLUTION 13/XX

ON THE REMOVAL OF OBSOLETE CONSERVATION AND MANAGEMENT MEASURES

The Indian Ocean Tuna Commission (IOTC),

RECOGNIZING the desirability of improving the coherence, interpretation and accessibility of its Conservation and Management Measures;

NOTING the concerns raised by some CPCs during the Fifteenth Session of the Commission that many coastal states are not yet able to fully implement many of the conservation and management measures adopted by the Commission;

ALSO NOTING the intent of Resolution 11/01 *Regarding consolidation of IOTC resolutions and recommendations*;

ADOPTS in accordance with paragraph 1 of Article IX of the IOTC Agreement, that:

1. The following Conservation and Management Measures previously adopted by the Commission are considered to have been fulfilled or are obsolete, as they have been replaced without being superseded or are no longer relevant to the conservation and management of tuna and tuna-like species in the Indian Ocean:

Resolutions:

- 1) Resolution 98/03 *On Southern Bluefin Tuna*
- 2) Resolution 99/01 *On the Management of Fishing Capacity and on the Reduction of the Catch of Juvenile Bigeye Tuna by Vessels, Including Flag of Convenience Vessels, Fishing for Tropical Tunas in the IOTC Area of Competence*
- 3) Resolution 99/03 *On the Elaboration of a Control and Inspection Scheme for IOTC*
- 4) Resolution 00/01 *On Compliance With Mandatory Statistical requirements For IOTC Members And Requesting Cooperation with Non-Contracting Parties*
- 5) Resolution 00/02 *On a survey of predation of longline caught fish*
- 6) Resolution 01/04 *On limitation of fishing effort of non members of IOTC whose vessels fish bigeye tuna*
- 7) Resolution 01/07 *Concerning the support for the IPOA-IUU plan*
- 8) Resolution 02/08 *On the conservation of bigeye and yellowfin tuna in the Indian Ocean*
- 9) Resolution 03/01 *On the limitation of fishing capacity of Contracting Parties and Cooperating non-Contracting Parties*
- 10) Resolution 03/07 *Recognising the contributions of David Ardill*
- 11) Resolution 11/01 *Regarding consolidation of IOTC Resolutions and Recommendations*

Recommendations:

- 12) Recommendation 01/01 *Concerning the national observer programmes for tuna fishing in the Indian Ocean*
- 13) Recommendation 02/06 *On the implementation of the Resolution concerning the IOTC Record of Vessels*
- 14) Recommendation 02/07 *Concerning measures to prevent the laundering of catches by IUU large-scale tuna longline fishing vessels*
- 15) Recommendation 03/04 *Concerning Enhancement of Effectiveness of IOTC Measures to Eliminate IUU Activities in the IOTC Area*
- 16) Recommendation 03/05 *Concerning trade measures*

- 17) Recommendation 03/06 *Recommendation to commission a report on management options for tuna and tuna-like species*
 - 18) Recommendation 05/06 *Concerning The Terms Of References For An IOTC Working Party On Management Options*
2. The following Conservation and Management Measures previously adopted by the Commission are considered to be of a procedural or administrative nature and shall be incorporated into the IOTC's Rules of Procedure:
- 19) Resolution 98/05 *On Cooperation With Non-Contracting Parties*
 - 20) Resolution 02/09 *Establishment Of The Standing Committee On Administration And Finance (SCAF)*
 - 21) Resolution 03/02 *On Criteria For Attaining The Status Of Co-Operating Non-Contracting Party*
 - 22) Resolution 10/05 *On The Establishment Of A Meeting Participation Fund For Developing IOTC Members And Non-Contracting Cooperating Parties (CPCs)*
 - 23) Resolution 10/09 *Concerning The Functions Of The Compliance Committee*
3. This Resolution supersedes the Resolutions and Recommendations detailed in paragraphs 1 and 2.