

**ON THE REMOVAL OF OBSOLETE CONSERVATION AND MANAGEMENT MEASURES**

**SUBMITTED BY: AUSTRALIA, 7 APRIL 2014**

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*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 2014), there are 60 active IOTC CMMs consisting of 55 Resolutions and 5 Recommendations.

**Obsolete Conservation and Management Measures:**

At the 17<sup>th</sup> Session of the Commission, the Commission **ADOPTED** Resolution 13/01 *On the removal of obsolete Conservation and Management Measures*. This Resolution superseded a range of Recommendations that had been fulfilled or were obsolete, as they had been replaced without being superseded or were no longer relevant to the conservation and management of tuna and tuna-like species in the Indian Ocean. The Resolution superseded Recommendations 01/01, 02/06, 03/04, 03/05, 03/06 and 05/06.

Recommendation 02/07, proposed for revoking by the Compendium Working Group was not superseded as Japan indicated it believed the Recommendation was still current.

Of the 60 active CMMs adopted by the Commission (as of 14 November 2013), 11 remain potentially obsolete (11 Resolutions), as they were considered by the Compendium Working Group to have been fulfilled, or are obsolete, as they have been replaced by a new Resolution without having been superseded, or are no longer relevant to the conservation and management of tuna and tuna-like species in the Indian Ocean.

**Administrative Conservation and Management Measures:**

At the 17<sup>th</sup> Session of the Commission **NOTED** recommendation 4 from the Compendium Working Group, and **AGREED** to consider the proposal to move the following 5 Resolutions, which are of a procedural or administrative nature, into the IOTC's Rules of Procedure when it is next revised, taking into account any modernisation required:

- a) Resolution 98/05 *On Cooperation With Non-Contracting Parties*
- b) Resolution 02/09 *Establishment Of The Standing Committee On Administration And Finance (SCAF)*
- c) Resolution 03/02 *On Criteria For Attaining The Status Of Co-Operating Non-Contracting Party*
- d) Resolution 10/05 *On The Establishment Of A Meeting Participation Fund For Developing State Members*
- e) Resolution 10/09 *Concerning The Functions Of The Compliance Committee*

**RESOLUTION 14/XX**  
**ON THE REMOVAL OF OBSOLETE CONSERVATION AND MANAGEMENT MEASURES**

**The Indian Ocean Tuna Commission (IOTC),**

RECOGNISING 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 ~~Recommendations~~ Conservation and Management Measures previously adopted by the Commission shall be revoked since they 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:

Recommendations:

- a) Recommendation 01/01 *Concerning the national observer programmes for tuna fishing in the Indian Ocean*
- b) Recommendation 02/06 *On the implementation of the Resolution concerning the IOTC Record of Vessels*
- c) Recommendation 03/04 *Concerning enhancement of effectiveness of IOTC measures to eliminate IUU activities in the IOTC area*
- d) Recommendation 03/05 *Concerning trade measures*
- e) Recommendation 03/06 *Recommendation to commission a report on management options for tuna and tuna-like species*
- f) Recommendation 05/06 *Concerning the terms of references for an IOTC Working Party on Management Options*

Resolutions:

- a) Resolution 98/03 *On southern bluefin tuna*
- b) 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*
- c) Resolution 99/03 *On the elaboration of a control and inspection scheme for IOTC*
- d) Resolution 00/01 *On compliance with mandatory statistical requirements for IOTC Members and requesting Cooperation with Non-Contracting Parties*



- e) [Resolution 00/02 On a survey of predation of longline caught fish](#)
- f) [Resolution 01/04 On limitation of fishing effort of non members of IOTC whose vessels fish bigeye tuna](#)
- g) [Resolution 01/07 Concerning the support for the IPOA-IUU plan](#)
- h) [Resolution 02/08 On the conservation of bigeye and yellowfin tuna in the Indian Ocean](#)
- i) [Resolution 03/01 On the limitation of fishing capacity of Contracting Parties and Cooperating non-Contracting Parties](#)
- j) [Resolution 03/07 Recognising the contributions of David Ardill](#)
- k) [Resolution 11/01 Regarding consolidation of IOTC Resolutions and Recommendations](#)

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:](#)

- a) [Resolution 98/05 On Cooperation With Non-Contracting Parties](#)
- b) [Resolution 02/09 Establishment of the Standing Committee on Administration and Finance \(SCAF\)](#)
- c) [Resolution 03/02 On criteria for attaining the status of Cooperating Non-Contracting Party](#)
- d) [Resolution 10/05 On the establishment of a meeting participation fund for developing IOTC Members and Non-Contracting Cooperating Parties \(CPCs\)](#)
- e) [Resolution 10/09 Concerning the functions of the Compliance Committee](#)

~~2.3.~~ This Resolution supersedes [Resolution 13/01 On the removal of obsolete Conservation and Management Measures](#) as well as the ~~Recommendations~~ [Conservation and Management Measures](#) detailed in paragraphs 1 and 2.