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**TO PROMOTE THE IMPLEMENTATION OF IOTC CONSERVATION AND MANAGEMENT MEASURES**

**SUBMITTED BY: JAPAN, 18 APRIL 2016**

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***Explanatory Memorandum***

At each Session of the Commission, Contracting Parties (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 (February 2016), there are 46 active IOTC CMMs consisting of 43 Resolutions and 3 Recommendations.

**Obsolete Conservation and Management Measures:**

At the 18<sup>th</sup> Session of the Commission, the Commission adopted Resolution 14/01 *On the removal of obsolete Conservation and Management Measures* (which was based on previous versions of 2013 and 2011). These Resolutions superseded a range of CMMs that had been fulfilled or were obsolete, as they had been replaced implicitly or were no longer relevant to the conservation and management of tuna and tuna-like species in the Indian Ocean.

**Consolidation of Conservation and Management Measures:**

At the 16<sup>th</sup> Session of the Commission, Resolution 12/10 *To Promote Implementation of Conservation and Management Measures Already Adopted by IOTC* was adopted. This Resolution established a special fund for capacity building in order to ensure compliance with conservation and management measures adopted by IOTC. It also built upon Resolution 11/01 *Development of a Compendium of Resolutions and Recommendations*, and requested that Contracting Parties continue efforts to improve the coherence, interpretation and accessibility of its Conservation and Management Measures.

Taking into account the similar aim of the recommendations, Japan suggests that the two Resolutions should be combined into a single Resolution and updated accordingly. This proposal attempts to meet this Commission requirement for improved efficiency.

**Budget implications:**

In 2012, via IOTC Resolution 12/10 *To promote implementation of Conservation and Management Measures already adopted by IOTC*, the Commission mandated the establishment of a special fund for capacity building, to be financed by voluntary contributions. In addition, the Commission has included a line item in its annual budget, and in 2016 this was budgeted at US\$115,000.



**RESOLUTION 16/XX14/01**

**TO PROMOTE THE IMPLEMENTATION OF IOTC ON THE REMOVAL OF OBSOLETE CONSERVATION AND MANAGEMENT MEASURES**

**Keywords:** Conservation and Management Measures; Capacity building.

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

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

CONCERNED that IOTC Contracting Parties and Cooperating Non-Contracting Parties (hereinafter referred to as “CPCs”), particularly developing CPCs, seem to find difficulties in implementing Conservation and Management Measures (CMMs) already adopted by the IOTC;

NOTING that among other things the major reasons for this situation seemed to be delivered from:

- Lack of human and financial capacity to implement CMMs;
- Frequent addition of new such measures and modifications to existing ones;
- Complicated structure of CMMs adopted by IOTC;
- Duplication of CMMs on one subject.

CONSIDERING that streamlining of IOTC work and enhancement of capacity building are necessary to drastically promote the implementation of CMMs

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 [Superseded by Resolution 14/01] Regarding consolidation of IOTC Resolutions and recommendations;

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

**ESTABLISHMENT OF A SPECIAL FUND FOR CAPACITY BUILDING**

1. The Commission shall maintain a special fund for capacity building in order to ensure compliance with CMMs adopted by the IOTC. This special fund shall be financed by voluntary contributions and via an IOTC Regular Budget component. The IOTC Secretariat shall contact international organisations, donor agencies and non-governmental organisations to seek voluntary financial contribution.
2. Using the special fund, the Commission shall, during the next [five] years [2017–2021], focus on, inter alia, (i) how to improve data collection in developing CPCs and (ii) implementation of CMMs.
3. At its plenary meeting in [2021], the Commission shall decide the next priority areas for the period from [2022–2026].

**ARRANGEMENT OF PROPOSALS TO BE SUBMITTED AND LIMITATION TO THE NUMBER OF PROPOSALS TO BE CONSIDERED**

4. For further improvement of the coordination and development of proposals for new and/or revised CMMs for Sessions of the Commission, Contracting Parties shall submit a provisional title and Contracting Party sponsorship a minimum of 60 days prior to each annual Session so that all Contracting Parties are provided with an opportunity



to identify proposals being developed by others, and as appropriate, to improve cooperation on the development of proposals prior to the Session in which they are to be discussed. Where possible, duplication shall be avoided and consensus may be reached on contentious matters before the Session, thereby improving efficiency during Plenary. Whether such consultation is held or not, proposals shall be submitted 30 days before the Commission. No proposals shall be considered by the Commission if the Secretariat receives it after the 30 days deadline.

5. The Commission may consider limiting the number of new proposals to be considered at one plenary meeting.

#### STREAMLINING OF RESOLUTIONS

6. The Commission shall consider streamlining existing CMMs by:

- a) Abolishing outdated CMMs and incorporating key elements that remain to be fully implemented into a new CMM.
- b) Combining multiple CMMs into a single CMM with multiple sections relating to a single broad subject area.

7. The following CMMs 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*
- g) Recommendation 02/07 *Concerning measures to prevent the laundering of catches by IUU large-scale tuna longline fishing vessels*

#### 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 03/07 *Recognising the contributions of David Ardill*
- j) Resolution 11/01 *Regarding consolidation of IOTC Resolutions and Recommendations*

2.8. The following ~~CMMs 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 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*

3.9. This Resolution supersedes Resolution ~~14/0113/01~~ *On the removal of obsolete Conservation and Management Measures*, Resolution 12/10 *To promote implementation of Conservation and Management Measures already adopted by IOTC* as well as the ~~CMMs Conservation and Management Measures~~ detailed in paragraphs ~~71~~ and ~~82~~.