

Review of the extension of the applicability of Resolution 15/11

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PURPOSE

To encourage participants at the Working Party on The Implementation of Conservation and Management Measures (WPICMM) to review the extension of the applicability of Resolution 15/11 - on the implementation of a limitation of fishing capacity of contracting parties and cooperating non-contracting parties (Appendix A).

BACKGROUND

Resolution 15/11 - *on the implementation of a limitation of fishing capacity of contracting parties and cooperating non-contracting parties* states was initially in force for the period 2015 and 2016:

Paragraph 10. This Resolution is applicable during the years 2015 and 2016. The Commission shall review its implementation at the 2016 IOTC Session. (*Paragraph 107, IOTC–2017–S21–R[E]*).

At the 20th Session of the Commission, the applicability of Resolution 15/11 was extended by a further year:

Paragraph 122. *The Commission **AGREED** to extend the applicability of the Resolution for an additional year and that the Commission shall review its implementation at the 2017 IOTC Session.* (Para 122 of IOTC–2016–S20–R[E]).

At the 21st Session of the Commission, it was recommended that the WPICMM discuss the extension of the applicability of Resolution 15/11:

Paragraph 107. The Commission also noted that the extension of the applicability Resolution 15/11 needed to be reviewed, and **RECOMMENDED** that the WPICMM discuss this. (*Paragraph 107, IOTC–2017–S21–R[E]*).

DISCUSSION

The Commission agreed to limit the fishing capacity of the fleets targeting tropical tunas to the capacity (measured in Gross Tonnage) of active vessels in 2006 (Resolution 06/05), and to the 2007 level (Resolution 07/05) for those fleets actively targeting albacore and swordfish. The provisions of these two resolutions are now captured in Resolution 15/11 *On the implementation of a limitation of fishing capacity of Contracting Parties and Cooperating non-Contracting Parties* (which supersedes Resolutions 12/11, 09/02, 07/05 and 06/05).

Resolution 15/11 calls on CPCs to implement a limitation on their fishing capacity targeting tropical tunas, swordfish and albacore stocks, while allowing for the inclusion of vessels under construction during specific reference years, and those proposed by other CPCs in their Fleet Development Plans.

This Resolution was initially applicable during the years 2015 and 2016 (para. 10), and it called on the Commission to “review its implementation at the 2016 IOTC Session.” At its 20th Session, in 2016, the Commission agreed to extend the applicability of this Resolution for an additional year and recommended that the Commission further review its implementation at the 2017 IOTC Session. At its 21st Session, in 2017, the Commission tasked the WPICMM to review of the extension of the applicability of Resolution 15/11.

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RECOMMENDATION

That the WPICMM:

- 1) **NOTE** paper IOTC–2018–WPICMM01–08, which describe the main requirements of Resolution 15/11,
- 2) **RECOMMEND** that the WPICMM01 consider whether it is desirable, or not, to extend the applicability of Resolution 15/11. If the WPICMM01 finds it desirable to extend Resolution 15/11, propose new text to amend the Resolution 15/11 for the consideration to the Compliance Committee (CoC15) and the Commission (S22).

APPENDICES

Appendix A: *Resolution 15/11 - On the implementation of a limitation of fishing capacity of contracting parties and cooperating non-contracting parties.*

APPENDIX A

RESOLUTION 15/11

ON THE IMPLEMENTATION OF A LIMITATION OF FISHING CAPACITY OF CONTRACTING PARTIES AND COOPERATING NON-CONTRACTING PARTIES

Keywords: Fishing capacity; tropical tunas; swordfish; albacore.

The Indian Ocean Tuna Commission (IOTC),

RECALLING the adoption by IOTC in 2003 of the [Resolution 03/01](#) on the limitation of fishing capacity of IOTC Contracting Parties and Cooperating Non-Contracting Parties; the adoption in 2006 of Resolution 06/05 [superseded by Resolution 09/02, then Resolution 12/11, then [Resolution 15/11](#)] on limitation of fishing capacity, in terms of number of vessels, of IOTC Contracting Parties and Cooperating Non-Contracting Parties, and the adoption in 2007 of Resolution 07/05 [superseded by Resolution 09/02, then Resolution 12/11, then [Resolution 15/11](#)] on limitation of fishing capacity of IOTC Contracting Parties and Cooperating Non-Contracting Parties in terms of number of vessels targeting swordfish and albacore;

RECOGNISING that FAO International Plan of Action for the Management of the Fishing Capacity (IPOA) provides, in its Objectives and Principles that "States and Regional Fisheries Organisations confronted with an overcapacity problem, where capacity is undermining achievement of long-term sustainability outcomes, should endeavour initially to limit at present level and progressively reduce the fishing capacity applied to affected fisheries";

TAKING INTO ACCOUNT the need to have due regard for the interests of all Members concerned, in conformity with the rights and obligations of those Members under international law and in particular, to the rights and obligations of developing countries of the Indian Ocean rim with respect to entry into the high-seas fisheries in the IOTC area of competence;

RECOGNISING the need to ensure the proper implementation of the [Resolutions 03/01](#) and [Resolution 15/11](#), in order to allow the stabilisation of the level of fishing capacity active on the stocks of high commercial value under the IOTC responsibility, and to facilitate the work of the IOTC Scientific Committee to be able to provide the Commission with sound scientific advice;

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

1. Contracting Parties and Cooperating Non-Contracting Parties (CPCs) shall notify to the IOTC Secretariat, by 31 December 2009, the lists of vessels, by gear type, over 24 meters overall length and over, and under 24 meters if they fished outside their Exclusive Economic Zone (EEZ), and corresponding overall capacity in GT, which have actively fished in accordance with the provision of IOTC [Resolution 10/08](#) and [Resolution 14/05](#):
 - for tropical tunas during the year 2006¹
 - for swordfish and albacore during the year 2007

Both lists shall include the vessel at that time considered under administrative process of construction.

2. In notifying their vessels fishing for tropical tunas in the area in 2006, and for swordfish and albacore in 2007, the CPCs shall confirm that they have verified the effective presence and fishing activities of their vessels in the IOTC area of competence in 2006 and in 2007, through their VMS records, catch reports, port calls, or other means. The IOTC Secretariat shall have access to such information upon request.

¹ Acknowledging that the catch levels and vessels presence in 2006 of certain Members is not representative of their historical presence, and consequently that these Members may increase the number of vessels present during the period of application of the Resolution to a maximum level operating in a season or year since 2000. These Members shall provide the Commission the identified number of vessels and corresponding capacity in GT by 31 December 2009.



3. This provision does not apply to those vessels included in the lists, but considered under administrative process of construction in 2006 and in 2007.
4. Within the period of application of this Resolution, CPCs may change the number of their vessels, by gear type, provided that they can either demonstrate to the Commission, under the advice of the IOTC Scientific Committee that the change in the number of vessels, by gear type, does not lead to an increase of fishing effort on the fish stocks involved or where they are directly limiting catches using individual transferable quotas under a comprehensive national management plan which has been provided to the Commission.
5. CPCs shall ensure that where there is a proposed transfer of capacity to their fleet that the vessels to be transferred are on the IOTC Record of Vessels or on the Record of Vessels of other tuna Regional Fisheries Management Organisations. No vessels on the List of IUU Vessels of any Regional Fisheries Management Organisation may be transferred.
6. The other CPCs which had the objective of developing their fleets following the provisions of IOTC [Resolution 03/01](#), through the introduction to the IOTC of a fleet development plan, shall confirm, by 31 December 2009, *inter alia*, the type, size, gear and origin of the vessels included in the Fleet Development Plans and the programming (precise calendar for the forthcoming 10 years) of their introduction into the fisheries). All future fishing efforts shall be in accordance with such development Plans of the concerned CPCs.
7. The CPCs which have introduced a Fleet Development Plan, and have confirmed the information on the vessels included in those plans according to the provision of paragraph 3, shall implement their Plans according to their programming. Regarding CPCs which fail to introduce vessels in accordance with their Fleet Development Plans, the IOTC Compliance Committee and the Commission will give annual consideration to the problems related to the implementation of Fleet Development Plans.
8. The IOTC Compliance Committee shall verify, at any IOTC Plenary Session, the compliance of CPCs with the provisions of this Resolution, including the implementation, according to the notified programming, of the Fleet Development Plans.
9. In relation to the foregoing, the Commission will give due consideration to the interests of the developing coastal States, in particular small islands developing States and territories within the IOTC area of competence.
10. This Resolution is applicable during the years 2015 and 2016. The Commission shall review its implementation at the 2016 IOTC Session.
11. This Resolution supersedes Resolution 12/11 *on the implementation of a limitation of fishing capacity of Contracting Parties and Cooperating Non-Contracting Parties*.

Conservation and Management Measures linked to [Resolution 15/11](#) or return to the [Table of Contents](#)

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